



100 South Harrington Street | Raleigh, N.C. 27603
919-834-2099 (phone) | 919-834-2350 (fax)

www.nccivitas.org

June 4, 2013

VIA HAND DELIVERY

The Honorable Roy Cooper
Attorney General
North Carolina Department of Justice
9001 Mail Service Center
Raleigh, NC 27699-9001

Dear Attorney General Cooper:

I am writing to formally request that the North Carolina Department of Justice investigate current and former staff members of the North Carolina State Board of Elections (SBOE) and lobbyist Bob Hall with regards to the following issues:

1. That the SBOE staff in 2012 collaborated with registered lobbyist Bob Hall to use state resources, personnel and equipment to engage in partisan political activity in possible violation of general statutes prohibiting state employees from participating in partisan political activity on state time and using state resources. There may have also been possible violations of state lobbying laws, as Mr. Hall is a registered lobbyist and these efforts were in conjunction with lobbying for increases in Help America Vote Act funding from the NCGA. (Attachment 1)
2. Staff made efforts to facilitate online voter registration in North Carolina before the 2012 election cycle with no notice to the appointed state board. This effort appears to violate state law that prohibits electronic voter-registration forms apart from those offered by a state agency. This effort was in conjunction with a private for-profit company and may have also violated North Carolina General Statutes prohibiting paying per registration. In addition, the SBOE General Counsel falsely claimed, in emails to citizens, that DOJ attorneys had reviewed the legal opinion that said the online registration program complied with North Carolina General Statutes. (Attachment 2)

As background, I am attaching reports and documentation by the Civitas Institute. The facts presented in the Civitas articles are drawn from documents received from official public records requests to the SBE and the North Carolina Attorney General's office, and from news media articles.

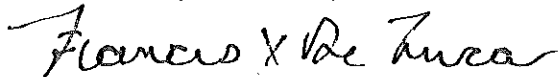
The vision of the Civitas Institute is a North Carolina whose citizens enjoy liberty and prosperity derived from limited government, personal responsibility and civic engagement.

I have also submitted requests to the Office of the State Auditor, the Secretary of State and the appointed board of the State Board of Elections for them to investigate items under their respective purviews.

I would be happy to discuss this matter further with you or other officials from your department. If you have any questions, please do not hesitate to contact me at Francis.deluca@nccivitas.com or 919-834-2099. I look forward to further discussions.

I respectfully submit this complaint and request for investigation as a North Carolina citizen and in my capacity as President of the Civitas Institute. Thank you for your attention to this matter.

Respectfully Submitted,

A handwritten signature in black ink that reads "Francis X De Luca". The signature is written in a cursive style with a large initial 'F' and 'D'.

Col Francis X. De Luca USMCR (Ret)
President, Civitas Institute

CC: Governor Patrick McCrory
Senate President Pro Tem Phil Berger
House Speaker Thom Tillis