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Guiding the NC Elections Board – to the Left

Posted on May 14, 2013 by Susan Myrick

Supporters of public campaign financing have long claimed that it would never have a partisan slant. But the latest Civitas investigation has found how one liberal activist has taken control of the process.

In the first article of this series, we revealed the disturbing relationship Bob Hall, a liberal lobbyist for Democracy NC, has with the State Board of Elections (SBOE), which makes decisions affecting North Carolina's electoral process. Democracy NC is the ultra-liberal non-profit that was one of Blueprint NC's founding members. Blueprint NC is the organization in the center of a recent scandal of a leaked memo that revealed how liberal groups have been targeting the Governor and the Republican leaders in the legislature. The second article of the series brought to light overwhelming evidence proving Hall is a behind-the-scenes driving force at the SBOE and in 2012 coordinated with the SBOE to attack the Republicans in the legislature over a budget issue. Now we turn our attention to the involvement of Hall and left-wing groups in public campaign financing.

With hundreds of emails as evidence, we can illustrate the extent to which the SBOE staff has, for years, surrendered their official duties to Bob Hall, head of the liberal advocacy group Democracy NC. In combing through more than 5,000 emails to and from the SBOE and Hall, it is evident that Hall controlled and directed the North Carolina Public Campaign Fund Program (NCPCF), the vehicle for public campaign financing in the Tar Heel State.

Bob Hall's own words will say it best. Here is an excerpt from a recommendation letter dated September 27, 2004 and written by Hall for SBOE Executive Director Gary Bartlett's signature. The recommendation was for a grant from the Deer Creek Foundation to go to Democracy NC:

Democracy North Carolina has been involved from the beginning in the legislation that led to the state's pioneering judicial public financing program, and they have been involved in every step of the new law's implementation, from the appointment of the Public Campaign Fund's Advisory Council to the promotion of the \$3 check-off that is the chief source of the program's funding.

Most recently, Democracy North Carolina led the effort to make sure the State Board could produce and widely distribute a Judicial Voter Guide, even though the program faced a severe budget shortfall.

This is so brazen it has to be underlined: Hall ghost-wrote a letter to be signed by NC's top election official, seeking money for Hall's own group. Plus, the recommendation might be considered a confession to the outsized role Hall and Democracy NC play in what is supposed to be an influence-free elections process.

Seeing that Bob Hall and Democracy NC enjoy full access to all the resources provided by the SBOE (IT, legal, administrative, and data), a comment in Bartlett's letter – "Your support of their work will help all of us in North Carolina" – gives us a view of the twisted relationship between a supposedly nonpartisan board and a liberal activist. And the above is just one of a host of emails in a similar vein.

As in the mystery story about the dog that *didn't* bark, an equally important fact is the lack of other voices. It is interesting to note that an Advisory Council was statutorily created to implement and support the NCPCF. According to the 2012 SBOE Campaign Finance Manual, "its primary function is to advise the State Board of Elections on the rules, procedures and opinions adopted for administration and enforcement of the Program. The State Board of Elections will also be advised of funding needs of the Program by the Advisory Council." But, according to the SBOE, the Advisory Council members did not meet after the initial setup in 2003 — the year the program was implemented. It shouldn't be surprising though: After reading these emails, it seems plain the SBOE thought there is *little need for any opinion* other than that of Bob Hall.

The Roots of the Problem

Legislation was passed in 2002 to establish North Carolina's Public Campaign Fund for candidates for the North Carolina Court of Appeals and the North Carolina Supreme Court. In 2007, the General Assembly passed legislation that launched a pilot public financing fund for candidates for State Auditor, Superintendent of Public Instruction, and Commissioner of Insurance.

While the SBOE likes to say that the North Carolina Public Campaign Fund is not funded by the General Fund of North Carolina, that claim gives many voters a misleading impression. Indeed, in 2007 the General Assembly appropriated more than \$4.5 million in taxpayer dollars to establish the public campaign finance system for Council of State offices. The largest source of revenue still comes out of taxpayers' wallets — from designations to the Public Campaign Fund by taxpayers through a positive check-off of three dollars on an individual's income tax form. The check-off redirects tax dollars to the campaign fund instead of the General Fund. Moreover, the public financing for judicial races were promised to be financed by voluntary contributions, but by 2004 the legislature decided to divert taxpayer funds from the state budget into the system, and in 2006 the previously optional attorney fee contribution was converted to a mandatory one. Most lawyers did not even believe in the system sold as a way to protect the integrity of the courts.

Proponents of public campaign financing believe that it will reduce the influence of special interest money. Opponents believe that public funding of campaigns infringes on free speech and forces taxpayers to "contribute" to candidates they do not support. Opponents also see a real danger in giving government so much control of political speech. After all, who will make those delicate decisions that could easily be construed as partisan?

The Voter Guide

Sadly, a key document meant to provide unbiased information to voters is also compromised by Bob Hall's excessive involvement.

In addition to funds, both programs include the distribution of a Voter Guide just before the onset of One-Stop Voting. According to the SBE Campaign Manual, the guide explains the purpose of the Public Campaign Fund along with an explanation of the functions of the appellate courts, the method and laws for the election of appellate judges, and information on all candidates for the North Carolina Court of Appeals and North Carolina Supreme Court. And, since the Council of State candidates have been added, it provides information on all candidates who have filed for State Auditor, Superintendent of Public Instruction, and Commissioner of Insurance and explains the functions of each office.

The Voter Guide is an important publication, in that it is in effect a very expensive campaign ad. The mailing goes directly to every voting household in the state. In 2012, 4,200,000 copies of the voter guide were produced and mailed at taxpayer expense. Through public records we received, we see that Hall has played the lead role in the editing, production and printing of the guides. He has written, designed, produced and managed the printing and mailing of the voter guide from start to finish.

On September 15, 2004, in the first of almost 600 emails dealing with the voter guide that year, Hall sent Bartlett his final design and language for the 2004 General Election Voter Guide. That year, the first for public financing and voter guides, the state mailed 3.9 million guides at a cost of \$498,000.

But the most alarming email was sent March 10, 2008 from Bob Hall to Don Wright, General Counsel for the SBOE. This email proved what every opponent of the public campaign financing knows: public funding of campaigns cannot be managed in a fair and non-partisan way. Though the candidates' personal statements are supposed to be their own unvarnished words, Hall edited the content of two candidates' personal statements.

Here are two suggestions Hall made:

Page 7: Kristin Ruth – Legal/Judicial Experience: I think it's a problem to keep in "decide thousands of cases a year, recognized nationally as an authority on child support enforcement; frequent speaker on child support issues." This will encourage others to add all sorts of stuff to their career list.

Page 10: Wayne Goodwin – Education: He lists Governor's School West, Institute for Political Leadership, and Center for Creative Leadership, but these are just leadership seminars and programs, not degree programs. It's a mess to include every seminar or workshop somebody wants to feature. Also, you can save space under his Endorsements by abbreviating Representative to Rep. in three cases and also abbreviate the Executive Director titles.

Remember, these are supposed to be the candidates' own words. And Hall's casual manner makes it seem as if he is accustomed to making changes in the Guide. That in turns brings up the question: What other changes did he make?

After a few years of doing pro bono work on the SBOE's voter guide, Hall even suggested that the SBOE contract this project out to a third party – perhaps even his organization. In an email exchange between Gary Bartlett and Don Wright on August 10, 2009, Wright wanted to know if Bartlett was serious about contracting it out to a third party "that may include Bob and associates." In his response, Bartlett said, "I'm having discussions with Bob and Dameon. As soon as I hear them out, we'll talk." It's fair to assume that "Dameon" was Damon Circosta, at the time the Director of NC Center for Voter Education, another Blueprint NC member. (Circosta has since gone to work for the A.J. Fletcher Foundation, which is funded and controlled by the Goodmon family, which owns WRAL-TV). Circosta was involved with many of the voter guide emails, along with other liberal activists, such as Bob Phillips of Common Cause (Blueprint NC member) and Chase Foster, former Director of NC Voters for Clean Elections (NCVCE), also linked to Blueprint. These men appear to have considerable input into NCPCF and voter guides, given that many of their emails are forwarded through Bob Hall or sent directly to Gary Bartlett. To illustrate the incestuous nature of these Blueprint NC organizations, Bob Hall and Bob Phillips are both members of the NCVCE board.

While we have no evidence the SBOE officially contracted this “project” out to a third party — why should they? They had Bob Hall. To summarize, in the nearly 1,000 emails discussing NCPCF and/or Voter Guides we read about all aspects of the voter guide production process and continuous promotion of NCPCF — and Bob Hall was part of all of it. He has been working with the SBOE and the legislature as far back as 2003 to design, create, implement and sustain North Carolina’s public campaign funding, including municipal pilot programs. His actions included discussions with and about legislators, department Secretaries, public vendors, SBOE staff and a myriad of left-wing organizations. It is evident that Bob Hall will stop at nothing to further his agenda, including acting as a censor when it comes to free speech, and the past SBOE was happy to help.

At this time we have a request in for the most current emails involving the SBOE and Bob Hall so we do not know the extent, if any, of Bob Hall’s involvement with the 2012 voter guide. If history is any example, it will probably be extensive.

The new SBOE and director need to address these very serious problems. There are, however, additional questions. First, while sweeping changes are being made to personnel at the SBOE, including board members and staff, it is safe to assume Bob Hall has not yet received his pink slip — will this change?

Second, can any public campaign finance law be completely objective? This case shows how vulnerable such processes are to behind-the-scenes manipulation. We have shed some light on what happens here, but this investigation is just one of our projects studying North Carolina’s flawed elections system.

Third, nonprofits such as Democracy NC and Blueprint NC have counterparts and allies across the nation. What have those groups been up to in North Carolina and other states?

-----Original Message-----

From: Gary Bartlett
Sent: Monday, September 27, 2004 10:47 AM
To: Linda Mathis
Subject: FW: Letter of recommendation for DemNC

Please print on letterhead for my signiture. Thanks.

-----Original Message-----

From: Bob Hall [mailto:sprc@mindspring.com]
Sent: Friday, September 24, 2004 1:46 PM
To: Gary Bartlett
Subject: Letter of recommendation for DemNC

Gary, here's the letter of recommendation, a ringing endorsement... for your slicing, dicing and help! A WORD document attachment is also here if that helps. It would be best if you just gave a copy to me to submit with our proposal early next week, so it all stays together, but you could also send it directly if you desire....

Thanks, Bob

September 24, 2004

Ms. Mary Stake Hawker, Executive Director
Deer Creek Foundation
720 Olive Street, Suite 1975
St. Louis, MO 63101

Dear Ms. Hawker,

I understand that Democracy North Carolina is applying for a grant from the Deer Creek Foundation to support the organization's efforts to implement and advance judicial campaign reform in North Carolina. I am pleased to send this letter of recommendation.

While the State Board of Elections does not always agree with the policy choices or strategies that Democracy North Carolina advocates, I have come to rely on them as collaborators in many areas. The quality of their research has earned them a reputation for nonpartisan independence and accuracy. On a number of occasions, the State Board has utilized the findings and expertise of Democracy North Carolina to adopt new policies, such as in the areas of regulating national soft money, drawing the line between genuine and phony "issue" advocacy, and developing meaningful campaign disclosure rules.

Democracy North Carolina has been involved from the beginning in the legislation that led to the state's pioneering judicial public financing program, and they have been involved in every step of the new law's implementation, from the appointment of the Public Campaign Fund's Advisory Council to the promotion of the \$3 check-off that is the chief source of the program's funding.

Most recently, Democracy North Carolina led the effort to make sure the State Board could produce and widely distribute a Judicial Voter Guide, even though the program faced a severe budget shortfall. Through their tenacity and ingenuity, we found ways to cut \$200,000 from the Guide's original cost and are now in the process of printing and mailing 4,000,000 copies to every household in the state. Many others would have just accepted the fact that the Guide would only be available through the Internet and perhaps through newspaper inserts; but it is indicative of the commitment and organizational skill of Democracy North Carolina that they rallied a variety of talent inside and outside government to make the Guide become a reality and begin a new level of voter education for our state.

We have many challenges ahead in the area of judicial reform. This is the first election cycle in which judicial candidates can use the public financing program. We are learning the practical consequences of other aspects of the new law as well. A number of modifications would likely be very helpful, both legislatively and administratively, and I look forward to working with Democracy North Carolina in this important area. Your support of their work will help all of us in North Carolina.

Sincerely,

-----Original Message-----

From: Gary Bartlett
Sent: Thursday, May 15, 2003 11:18 AM
To: 'Bob Hall '
Cc: Kim Westbrook; Don Wright; Johnnie McLean
Subject: RE: Apptmt on Public Campaign Fund advisory council

Thanks for sharing. I will provide this to the Chairman.

-----Original Message-----

From: Bob Hall
To: Gary Bartlett
Sent: 05/15/2003 11:11 AM
Subject: Apptmt on Public Campaign Fund advisory council

Gary,

Just a thought: if it turns out it will help to have a Republican appointment from the SBOE for the Advisory Council, one very good candidate would be Richard T. Boyette of Cranfill Sumner & Hartzog in Charlotte.

He

was recommended to the GOP for their nomination, but he isn't active with the party. Chuck Neely and Bob Orr both put in good words for him, but he still didn't get on the GOP list going to the Governor. Boyette was also recommended by Tom Ross, former dir. of AOC, who will serve on the Council.

The two served together on an American Bar Association commission that spent a year examining judicial campaign reform, and Boyette is an articulate proponent of nonpartisan, publicly financed elections for judicial candidates. He may offset less helpful GOPers on the Advisory board.

Just

thought I'd pass this along...

And thanks for meeting with Rep. Ross and me yesterday... always helpful, even if it isn't always what I want to hear....

Cheers, Bob

From: Bob Hall [mailto:sprc@mindspring.com]
Sent: Thursday, August 26, 2010 8:31 AM
To: gary.bartlett@ncmail.net
Subject: SupplementaryJudicial voter guide

Gary,

As I mentioned briefly on the phone, Bob Phillips, Damon Circosta and I have been talking about the crucial need for voter education about the special type of election involving the Wynn seat. Bob wondered about the general election voter guide (too late for that) or producing something in mass quantity, and we began realizing what perfect sense it makes for the production and mailing of a special edition of the voter guide from SBOE, paid for by the Public Campaign Fund.

The Public Campaign Fund will have a balance of at least \$4 million at the end of year, after all 2010 election costs, maybe even \$5 million,* and that money can't be transferred to the Council of State program; it's ideally suited for voter education about this special judicial election.

A special 8-page edition of the Voter Guide would go to every home with these features:

- ** a different color cover with special lettering to distinguish it from the standard Voter Guide recently received;
- ** profiles of the candidates for the Wynn seat, using same format and regulations as the standard guide;
- ** brief explanation of why the special election is happening;
- ** clear description, with a graphic illustration of the ballot, indication how the voter marks the ballot;
- ** list of counties and type of election method used for other elections and this special election;
- ** brief explanation of how the vote are counted - and verification is ensured;
- ** other information based on space available, such list of key dates and procedure for Same Day Registration.

Our groups would work to get Capital Broadcasting and others to air PSAs urging people to be on the lookout in the mail for a special Voter Guide that explains a new way to vote in North Carolina. In addition to mailing to 4 million homes, our nonpartisan organizations could easily distribute 150,000 through our networks. And copies could be provided for each polling place, so the only other written piece needed would be something very short.

What do you think? Let's discuss it.

Bob Hall (for Bob Phillips & Damon Circosta, too)
Democracy North Carolina
Direct line: 919-489-1931

**There was a balance of \$6 million in the Fund at the end of April (see attachment from Frances Camara), after paying for the primary voter guide. Less than \$2 million is being spent on candidate grants and the general election voter guide, and about \$1 million comes in to the Public Campaign Fund during May 1 to December 31, so there could be as much as \$5 million in the Public Fund at end of the year (\$6M - \$2M + \$1M = \$5M).*

Public Records

From: Gary Bartlett
Sent: Wednesday, September 15, 2004 1:19 PM
To: Kim Westbrook Strach
Subject: FW: Final layout for sample pages of Voter Guide
Attachments: 12-15.pdf; ATT3701969.txt

-----Original Message-----

From: Bob Hall [mailto:sprc@mindspring.com]
Sent: Wednesday, September 15, 2004 1:08 PM
To: Gary Bartlett
Cc: Rosemary Blizzard; Don Wright; Scott Logan
Subject: Final layout for sample pages of Voter Guide

Gary,

Here is the final layout, if you approve, for pages 12 & 13 and 14 & 15 of the Judicial Voter Guide. Page 15 is the inside back cover. These are PDF files, with a two-page spread so you can see how the pages face each other.

Please let me know,

Bob Hall
489-1931

-----Original Message-----

From: Bob Hall [mailto:sprc@mindspring.com]

Sent: Monday, March 10, 2008 2:58 PM

To: Don Wright; Amy Strange

Subject: RE: Voter Guide

Amy, Don - with most important points at end - thanks for letting me look

** Here are a few suggestions for standardizing the information:

Page 4: Jewel Ann Farlow - Place of residence: take out the street address and zip code, and leave Gibsonville, NC

Page 6: Sam J Ervin IV and Janet Puschel - take out the street address and zip code and leave city

Page 12: Richard Morgan - Place of residence: take out the street address and zip code, and leave Eagle Springs, NC

Page 7: Kristin Ruth - Legal/Judicial Experience: I think it's a problem to keep in "decide thousands of cases a year, recognized nationally as an authority on child support enforcement; frequent speaker on child support issues." This will encourage others to add all sorts of stuff to their career list.

Page 10: Wayne Goodwin - Education: He lists Governor's School West, Institute for Political Leadership, and Center for Creative Leadership, but these are just leadership seminars and programs, not degree programs. It's a mess to include every seminar or workshop somebody wants to feature. Also, you can save space under his Endorsements by abbreviating Representative to Rep. in three cases and also abbreviate the Executive Director titles.

Also:

** I think it might be good to add a small box, at bottom of right column on page 2, after the Primary Ballot names, that says, in red ink on white background, surrounded by red box: "Other candidates for these offices who do not have opposition in the primary are listed on page 13." People may wonder where's Les Merritt, etc.?

** Don't forget the per copy cost on page 1.

** The placement of ECRWSS inside the indicia on page 20 is different from the previous two editions; we were told to put these BOLD letters outside and under the box with the bulk mail indicia (Permit #xxx).

** I believe there is a difference between "Postal Customer" and "Residential Customer"; we used the latter in previous two editions. "Postal Customer" may get you commercial and government buildings, etc. I guess you have checked this out, but it could make a big difference in quantity that gets used up by carriers.

Cheers, Bob

From: Bartlett, Gary
Sent: Monday, August 10, 2009 3:40 PM
To: Wright, Don
Subject: RE: 2010 Voter Guides

I'm having discussions with Bob and Dameon. As soon as I hear them out, we'll talk.

-----Original Message-----

From: Wright, Don <don.wright@ncsbe.gov>
Sent: Monday, August 10, 2009 3:09 PM
To: Bartlett, Gary <Gary.Bartlett@ncsbe.gov>
Subject: 2010 Voter Guides

I talked with Bob Hall as to the 2010 Voter Guides. He said that you had OK'ed he talking to me about his desire to have the voter guide process contracted out to a third party (that may include Bob and associates). He stated his desire in doing this was to make the cost cheaper, that he hoped he could get cheaper printing and processing. Postage, of course, will be the same.

I am not sure that we could contract our duties as to the voter guides to others. Before, I start to dig into this issue, how serious are you? The efforts to help us in 2008 caused several weeks of delay while we awaited "better edits". Also in 2010, the voter guide is limited to one Supreme Court and four Court of Appeals seats. However, there will be new information on VR that includes 16 year pre-registration. I am talking about this in that the first decision is whether we go with printed voter guides for both the general and primary, just one, or none (posting a web-based guide).

Let me know your feelings.

Don

Public Records

From: Gary Bartlett
Sent: Friday, July 15, 2005 4:15 PM
To: 'Joyce, Robert P'
Subject: FW: Voter Guide Distribution

1 of 2.

-----Original Message-----

From: Bob Hall [mailto:sprc@mindspring.com]
Sent: Tuesday, October 26, 2004 12:31 PM
To: Scott Logan
Cc: Kim Westbrook Strach; Gary Bartlett
Subject: Re: Voter Guide Distribution

Scott,

The Voter Guides were dropped at the SCF mail centers for Charlotte and Raleigh area yesterday, which covers zip codes beginning 280, 281, and 282 and 275, 276, and 277 respectively. Hopefully, the Guides will appear in people's mail boxes in next two days. The final drop happens today in Kinston SCF center, the smallest in the state, covering just the zips beginning 285. All the other parts of the state were covered by middle of last week.

Best, Bob Hall
Democracy North Carolina

At 12:00 PM 10/26/2004 -0400, Scott Logan wrote:

>Hey Bob!

>
>Just curious to see how the distribution is going. We've had a lot of
>positive responses to date, but it seems not everyone has received
>their copy. I don't think it's made it's way around Wake county yet
>because I haven't received mine. Hope all is well on your end and
>thanks for your help!

>
>Scott P. Logan
>NC State Board of Elections
>PO Box 27255
>Raleigh, NC 27611
>Main: 919.733.7173
>Direct: 919.715.1792
>Fax: 919.715.8047

>
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>is
going.&nbsp; We've had a lot of positive responses to date, but it seems not everyone has
received their copy.&nbsp; I don't think it's made it's way around Wake county yet because I
haven't received mine.&nbsp; Hope all is well on your end and thanks for your help!&nbsp;
</FONT></P>
>
><P><B><FONT COLOR="#000000" SIZE=4 FACE="Vladimir Script">Scott P.
Logan</FONT></B>
>
><BR><B><FONT COLOR="#0000FF" FACE="Times New Roman">NC State Board of
Elections</FONT></B>
>
><BR><FONT COLOR="#000000" SIZE=2 FACE="Times New Roman">PO Box
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>
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Public Records

From: Gary Bartlett
Sent: Friday, July 15, 2005 4:17 PM
To: 'Joyce, Robert P'
Subject: FW: E-procurement charge re: Judicial Voter Guide

-----Original Message-----

From: Bob Hall [mailto:sprc@mindspring.com]
Sent: Tuesday, October 26, 2004 1:02 PM
To: Linda Mathis
Cc: Gary Bartlett; barna
Subject: RE: E-procurement charge re: Judicial Voter Guide

Linda,

It turns out that E-procurement is going to credit Accurate Mailing the \$4,709.25 because they say that, as a matter of policy, there should not be a 1.75% charge on postage, so this looks like it will get taken care of without the State Board having to spend any more money. Chrissie Frost at E-procurement Billing says they are going to send a credit memo to Accurate Mailing to correct the previous invoice and net the charge to zero. This should all be happening in next few days. They may be in touch with you to confirm that the \$269,100 sent to Accurate Mailing was indeed for postage. Thanks greatly,

Bob Hall

At 12:06 PM 10/26/2004 -0400, Linda Mathis wrote:

>Mr. Bartlett has approved for us to pay Accurate Mailing for the
>e-procurement billing.

>
>Since the check has already been written for the mailing, I can't use
>the same PO, so I'm going to see if it can be paid directly. I believe
>the best way is for Accurate Mailing to send me an invoice for the
>billed amount for "additional mailing expenses". Please get this to me
>as soon as you can. Thanks.

>

>-----Original Message-----

>From: Bob Hall [mailto:sprc@mindspring.com]
>Sent: Wednesday, October 20, 2004 2:36 PM
>To: Linda Mathis
>Cc: Gary Bartlett
>Subject: E-procurement charge re: Judicial Voter Guide

>

>Linda,

>

>I'm hoping you can help with the attached invoice that Accurate Mailing
>received from the E-procurement system. It is a 1.75% charge on the
>\$269,100 that was sent to Accurate Mailing for the postage for mailing
>3.9 million

>copies of the Judicial Voter Guide. The total charge is \$4,709.25.
>
>The \$269,100 that was paid to Accurate Mailing is the exact amount they
>must deliver to the US Postal Service -- 6.9 cent for each of the 3.9
>million pieces being mailed. Accurate Mailing did not take any percent
>or fee on
>the \$269,100. They only handled that money as a matter of convenience
>to
>the State of North Carolina and Board of Elections. They could have
>required that the State make out separate checks, payable to the US
>Postal
>Service, that would be in exact amounts and be ready on each day that
>Accurate delivered another shipment to the various Postal centers/zip
>codes.
>Obviously, that would have been a very drawn out process, with many
>different requisitions/POs and checks, and major delay in deliver of the
>Judicial Guides.
>
>So I hope you can help clarify to the proper authorities that this
>\$269,100 was entirely for US Postage, not for a vendor's products or
>service, and thereby should be voided. Needless to say, Accurate
>Mailing is rather distressed to think they would have to pay over
>\$4,700 for helping us all.
>Thanks so much, and please let me know if there is anything I can do
>from
>this end.
>
>Best,
>
>Bob Hall
>Direct line: 919-489-1931
>
>

<http://www.nccivitas.org/2012/sbe-whosincharge/>

NC SBE – Who is really in charge and who do they work for?

Posted on December 11, 2012 by Francis De Luca in Corruption & Ethics, Campaigns and Elections

The North Carolina State Board of Election (SBE) is really two different organizations. To the public it is the appointed State Board of Elections consisting of political appointees of the governor representing the two major parties in North Carolina. More importantly, it is the bureaucratic staff that dominates both the election machinery and increasingly the way campaigns are conducted in North Carolina.

It is important to know that the North Carolina State Board of Elections is said to be one of the most authoritative boards of its kind in the country. It is an independent state agency and does not come under the jurisdiction of any other department headed by an elected official.

In 1986 the state elections staff consisted of five people and a moderate budget. In 2012 SBE staff is approaching 60 employees and pay and benefits exceed \$3.5 million. While a poster child for how state government has grown over the last several decades, what is more worrisome is how the staff operates when making decisions that affect the very foundation of our democratic system of representative government.

Civitas has used the public records law to request information to piece together how decisions were made and actions taken by the staff of the SBE. What we found was a decision process that was heavily influenced, and in some cases directed, by one lobbyist for special interest groups. These actions even included the drafting of materials paid for by taxpayers and the planning of legislative lobbying and media campaigns. In addition, critical decisions that affected elections were kept out of public view and were not taken to the SBE for approval.

Getting the information was not easy. The SBE staff attempted to stonewall, delay and illegally charge Civitas for information that the law clearly says is public. Despite our persistence we believe that there are records that were not provided despite the law's clear readings. But the records that were provided were enough to paint a disturbing picture of a supposedly professional staff that acted in anything but a professional way.

The first conclusive indication that there was trouble in the SBE staff was the response to a public records request made concerning communications involving lobbyist Bob Hall of the liberal advocacy group DemocracyNC.

The initial request was made of seven questions or requests for copies of emails. The request was made by email to Don Wright, the SBE's General Counsel, on December 5, 2011. The first response from Mr. Wright was received on December 20, 2011. His response included an estimate of charges that would total approximately \$4,800. The sticking point was the retrieval of emails. The estimate included a rate of \$60 an hour for 60-80 hours of work. After some discussion, the request for emails was revised and we asked only for emails to and from Bob Hall or Democracy NC. During the month of January the SBE moved its offices and Mr. Wright underwent surgery, but on January 25 Mr.

Wright forwarded the answers to all the initial questions except for the request of emails concerning Bob Hall. On March 13 we were informed that they had run the preliminary search and had retrieved 3,956 emails and it would cost approximately \$1,500.

After an attempt to pare the request down and more back and forth about the estimated costs, we sought advice from a State House member. On June 5, Rep. David Lewis, Chairman of the House Elections Committee, forwarded an email with his opinion on our public records request to the SBE.

Rep. Lewis' email resulted in the SBE withdrawing their demand for money, but still, we didn't receive the emails until the second week of August 2012. At that time we received over 5,000 emails to and from Bob Hall or Democracy NC with attachments. There were duplicate emails but well over half of them were unique.

The attached emails show a SBE staff more interested in hiding and foot-dragging than in disclosure in accordance with the law.

In our second story in the series we will see why they felt compelled to try and resist disclosing these communications. It sets the stage for looking at a SBE staff interested in fighting a political fight rather than carrying out implementation of the law in a non-partisan, efficient manner.

To read the entire article (with links) online go to: <http://www.nccivitas.org/2013/missing-connection-wral-blueprint-nc/>

Missing Connection: WRAL and Blueprint NC, \$1.7 million in support

Posted on February 26, 2013 by Francis De Luca in Corruption & Ethics, Elections & Voting

When reporting on Blueprint NC's leaked documents, WRAL was all over the story, with one exception: It somehow failed to mention in any of its stories that the owners of the station are deeply entangled with the left-wing group and some of its allies.


A strategy memo from liberal policy group Blueprint North Carolina details the game plan of how a coalition of non-profits will "attack" elected officials in North Carolina. The Charlotte Observer broke the story and included these excerpts:

- "Crippling their leaders (McCrory, Tillis, Berger etc.)."
- "Eviscerate the leadership and weaken their ability to govern."
- "Pressure McCrory at every public event."
- "Slam him when he contradicts his promises."
- "Private investigators and investigative reporting, especially in the executive branch..."

Later that day WRAL put reporter Mark Binker's story about Blueprint NC online. But in its story *WRAL left out important information* about its long-running connection to Blueprint and to many of the organizations which comprise the Blueprint NC network. In a quick blog post last week I explained there was a deep and long connection between the Goodmon family-controlled Capitol Broadcasting and Blueprint NC and other activist liberal groups. WRAL is only one part of a media conglomerate. Capitol owns TV stations, radio stations and new media companies across North Carolina, plus other properties.

Also, the Goodmon family has four family members on the nine-member board of the A.J. Fletcher Foundation. According to the group's web site, this includes Barbara Goodmon, the President; Jim Goodmon, the Chairman of the Board; and two Goodmon sons. The Executive Director of the Fletcher Foundation was formerly the head of the NC Center for Voter Education, which was an original Blueprint NC member. While the exact amount is hard to determine, the Fletcher Foundation has directly funded Blueprint NC and has given at least \$1.7 million to Blueprint and other affiliated groups.

The connections go past just contributions. Chris Fitzsimon, a former WRAL reporter, is head of the liberal NC Policy Watch, the original lead attack group in the Blueprint coalition. Fitzsimon is provided free airtime on Goodmon-owned WRAL-FM from which he launches daily attacks on political opponents. The Fletcher Foundation has been a long time funder of Policy Watch, which is a project of the North Carolina Justice Center, also a large recipient of Fletcher Foundation grants.

Grants from A.J. Fletcher to Blueprint NC and Affiliates, 2008-2011			
 From the Civitas Institute (nccivitas.org)			
Grantor	990 Year	Grantee	Amount
AJ Fletcher Foundation	2008	Common Cause NC	\$25,000
AJ Fletcher Foundation	2008	NC Justice Center	\$335,000

AJ Fletcher Foundation	2009	NC Housing Coalition	\$70,000
AJ Fletcher Foundation	2009	NC Justice Center	\$335,000
AJ Fletcher Foundation	2009	Ending Homelessness Raleigh Wake Fund TCF	\$25,000
AJ Fletcher Foundation	2010	El Pueblo	\$25,000
AJ Fletcher Foundation	2010	NC Justice Center	\$380,000
AJ Fletcher Foundation	2010	NC Housing Coalition	\$70,000
AJ Fletcher Foundation	2010	Blueprint NC	\$35,000
AJ Fletcher Foundation	2011	Common Cause NC	\$40,000
AJ Fletcher Foundation	2011	NC Justice Center	\$308,000
AJ Fletcher Foundation	2011	NC Housing Coalition	\$75,000
AJ Fletcher Foundation	2011	Wake Up Wake County	\$10,000
			\$1,708,000

In addition to the funding and personnel overlap, WRAL is also essentially doing one of the items in the strategy memo. The memo calls for its allies to track McCrory "Campaign Promises" and "slam him when he contradicts his promise." WRAL appears to have taken that action by launching its "Promise Tracker," complete with skull and crossbones symbols.

This is not the first time Civitas has written on Blueprint NC and its members. In January 2010 while researching ACORN, we reported on Blueprint NC along with this handy chart. Blueprint played a key coordinating role leading up to the 2008 election and its extensive network was very involved in "Get Out the Vote" activities in North Carolina. We also wrote a later article about Blueprint's role in influencing the news you are getting.

In addition to "Promise Tracker," WRAL has shown considerably more interest in the NC legislature since Republicans won the majority. After the 2010 election, the station hired a full-time Capital Bureau Chief, Laura Leslie, who previously worked for the local public radio affiliate. In 2012 they added Mark Binker, who was a reporter for the Greensboro *News & Record*. They assign additional personnel to stories as the need arises. From 2010 to today, WRAL went from no full-time legislative and state government coverage to two-plus reporters on the beat.

There is much lamenting among not only conservatives but also the public at large about the degradation of news coverage. A lot of complaints center on news reports not matching up with what people actually see around them. In the digital era, the ability of ordinary citizens to be their own "fact checkers" has hastened the trend towards more informed consumption of what we view, read and hear.

When a news outlet fails to give consumers all of the pertinent facts, it erodes trust in all of the reporting by that outlet and the media in general. With the Blueprint NC report there is real reason to wonder why WRAL did not report all the aspects of this story.

This article was posted in Corruption & Ethics, Elections & Voting, Legislative Activity by Francis De Luca on

To read the entire article (with links) go to: <http://www.nccivitas.org/2012/lobbyist-bob-hall-and-gary-bartlett-planned-attack-on-republican-legislature/>

Lobbyist Bob Hall and Gary Bartlett Planned Attack on Republican Legislature

Posted on December 14, 2012 by Susan Myrick in Corruption & Ethics, Elections and Voting

A Civitas investigation has revealed how lobbyist Bob Hall, Director of the liberal advocacy group Democracy North Carolina, is a behind-the-scenes driving force at the State Board of Elections (SBE) – even to mapping out partisan attacks on Republican legislators to the extent that it is hard to tell where the SBE ends and Democracy NC begins.

In 2012 Hall, a registered lobbyist led an attack on Republican legislators over a budget issue. In planning the lobbying campaign, Hall coordinated with the State Board of Elections staff on tactics and information. Although the actual planning of the legislative campaign began in earnest in January 2012, the public campaign and coordination started in 2011, as seen in this AP article . The article was attached to an email from a vendor sent to the State Controller’s Office, from which it was enthusiastically forwarded to the SBE. The article gives SBE Executive Director Gary Bartlett and lobbyist Hall a platform to push the story that the state-passed budget may cause an election “train wreck,” in the words of Hall.

A January 5, 2012 email from Neil Baddour of the SBE staff gave information to Bartlett, which he forwarded to Hall on Saturday, January 14, 2012. Fifty-six minutes later the real effort got under way when Hall sent a “confidential” email and attached strategy memo to Bartlett, which Bartlett forwarded on January 17 to SBE Deputy Director Johnnie McLean. What was the memo that was attached? It was the game plan from Hall for trying to get the legislature to spend an extra \$660,000, and the political strategy for attacking Republicans in the media. The very same day McLean responded via email directly to Hall saying: “We have reviewed your document and identified a few changes you may want to make.”

We know that at least two SBE employees (Bartlett and McLean) reviewed the memo and it is likely that others also contributed to the edited memo attached. For state employees to conduct partisan political work on state time and equipment is a clear violation of the law (NCGS 126.13). To have state employees do it at the behest and direction of a lobbyist is even worse.

The memo itself contains two direct partisan mentions, one complimenting the 2008 Democratic-controlled legislature and the other critical of the Republican leaders in the current General Assembly. And to make it clear that staff had no doubt that this was a partisan effort; the memo itself contained strategy language at the bottom of the memo that includes the following partisan strategy items:

- *Media/Editorials: ... exposes the selfish partisan agenda of Republicans; fits into the larger story of voter suppression, etc.*
- *We win even if we lose: Even if we don't get the money, this fight hits the GOP where they are most vulnerable to voter anger over appearing to suppress voting; it will help with the ID fight.*

Hall’s involvement with governmental agencies does not stop with the SBE. He forwarded an email (from Director Bartlett to Rep. David Lewis) on November 15, 2011 to Amy Bason, General Counsel to the

North Carolina Association of County Commissioners (NCACC), to enlist their help to “release the funds.” In the email to Bason, Hall says he gained access to the forwarded email through a public records request. But Civitas has found no evidence of any public records requests made by Hall to the SBE for emails from Lewis specifically or legislators in general. It appears that Bartlett just forwards his email from legislators to a lobbyist for their review and use.

So to summarize, lobbyist Bob Hall and SBE Director Gary Bartlett conspired on a strategy to boost funding for Bartlett’s agency and directly attack the Republican legislature. All of this was done at the direction of Hall with SBE staff assistance and with Bartlett the conduit. The legislative fight over the HAVA (Help America Vote Act) funds actually happened later in 2012 after the legislature convened in May.

The HAVA fight played out as the budget was being crafted, Hall led the attack and the SBE played a supporting role. In the end, fortunately, sound budgeting won the day and despite the gloomy predictions of Hall and his allies the 2012 election went smoothly without the additional money.

The collaboration between Hall and the SBE raises serious questions about who really runs North Carolina’s election system: Officials representing the people, or unelected liberal special-interest lobbyists working out of the public’s sight?