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A Voteless People is a Hopeless People - L.E. Austin

Judges to hire expert to aid in evaluating North Carolina district maps

By Gary D. Robertson

RALEIGH (AP) - Nine North Carolina legislative districts redrawn by the Republican-controlled General Assembly over the summer still may be unlawful, a federal court said Oct. 26 while announcing it planned to hire an outside expert to evaluate them and possibly retool them again.

A three-judge panel, which last year determined that 28 of the 170 state House and Senate districts approved in 2011 were illegal racial gerrymanders, say problems remain in the latest version of the legislative maps.

In an order signed by one of the judges, the panel identified four districts that lawyers for the voters who sued originally over

the 2011 maps argue hadn't been rid of racial bias and five districts the attorneys contend violate the North Carolina Constitution.

"The court is concerned (the districts) either fail to remedy the identified constitutional violation or are otherwise legally unacceptable," the order signed by U.S. District Judge Catherine Eagles reads. The order also says the panel will appoint Stanford University law professor Nathaniel Persily as a "special master" to help the judges assess the districts and redraw again them if necessary.

Lawyers for legislative leaders had argued in court documents and in a hearing two weeks ago that the legislative districts approved in late August satisfied the judges' directives and that the court should sign off on them for 2018 elections. They said no racial data were used to help draw the maps.

The boundaries are important because the 2011 districts helped Republicans in subsequent elections expand and retain veto-proof majorities that pushed through a conservative agenda on taxes, education and social issues.

District-by-district statewide election results attached to the latest maps projected Republicans had a good chance to retain their supermajorities in 2018. But redrawing the two Senate districts and seven House districts Oct. 26 could improve odds for Democrats to pick up seats and influence. Districts surrounding the nine also would have to be altered.

Eagles cited the upcoming February candidate filing period and the "technical nature" of redistricting for hiring Persily, who has assisted judges drawing districts in New York, Connecticut, Georgia and Maryland.

Eagles gave both sides in the case two business days to express objections to his hiring, if any. He would be paid \$500 per hour. The panel, which includes U.S. Circuit Judge Jim Wynn and District Judge Thomas Schroeder, had given the two sides the option to provide names of possible special masters, but they couldn't agree.

The GOP chairmen of the General Assembly's redistricting committees criticized the possibility that the legislature's redistricting powers would be delegated "to a lone professor in California with no accountability to North Carolinians."

Giving only two days to respond to such an order "is an outrageous and extraordinary violation of the principles of federalism and our state's sovereignty," Rep. David Lewis and Sen. Ralph Hise said in a release. They said they were exploring all of their legal options.

Anita Earls, a lawyer for the voters who initially sued over the districts, said "it has been shown time and again that the state legislature refuses to draw

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NCCU Celebrates Homecoming with 42-14 Win over DSU

North Carolina Central University celebrated homecoming with a 42-14 victory over Delaware State University in front of a capacity crowd of 14,117 fans inside O'Kelly-Riddick Stadium on Saturday.

NCCU senior wide receiver Jacen Murphy collected 10 receptions for 189 yards and two touchdowns. His 10 catches ties for fifth in Eagles' single-game history, while 189 receiving yards ties for ninth all-time at NCCU.

NCCU (6-2, 4-1 MEAC) amassed 401 yards of total offense with freshman quarterback Chauncey Caldwell accounting for 252 total yards and four scores. The Durham, North Carolina native completed 17-of-29 passes for 242 yards and two touchdowns, while rushing for 10 yards and a pair of trips to the end zone.

Wide receiver David Miller grabbed three passes for 58 yards and a score for the Eagles, running back Ramone Simpson bulled his way into the end zone from a yard out, and quarterback Nail Ramadan tossed a 36-yard touchdown.

Defensively, NCCU recorded four sacks and three interceptions. Junior safety Davanta Reynolds picked off his fourth interception of the season and added four tackles and a pass break-up. Junior cornerback De'Mario Evans tallied six takedowns and an interception, while sophomore defensive end Kawuan Cox contributed six stops with two sacks.

Delaware State (1-7, 1-5 MEAC) was led by sophomore linebacker Brian Cavicante with 16 tackles, including 3.0 hits for a loss. Wide receivers Trey Gross (8 catches, 71 yards) and Kwannah Kollie (3 receptions, 107 yards) each caught touchdown passes for the Hornets.

Up next, NCCU travels to Hampton University on Nov. 4 at 1 p.m.

Chief justice opposes legislation for 2-year judicial terms

RALEIGH (AP) - The head of North Carolina's court system is against a proposal by some GOP legislators to reduce elected judges' terms to two years, saying it "would disrupt the administration of justice."

The statement by Republican Supreme Court Chief Justice Mark Martin on Oct. 25 to judicial workers marks another key state leader opposing the idea, along with Democratic Gov. Roy Cooper. Appeals Court and Superior Court judges serve eight years and District Court judges four. Any proposal would need statewide voter approval.

Martin says two-year terms would force constant campaigning and fundraising upon judges whose primary job is to be accountable to the law.

General Assembly leaders say it's among several ideas getting considered to change judicial elections, including ending head-to-head races. Martin supports a referendum on what's called "merit selection."



Remembering Music Great Grady Tate. See page 2.

Park Service drops funding for Black Panther Party project

By Matthew Daly

WASHINGTON (AP) - The National Park Service has withdrawn plans to pay nearly \$100,000 for a project honoring the legacy of the Black Panther Party after police groups complained to President Donald Trump.

The park service had pledged \$98,000 to the University of California, Berkeley for a two-year research project on the black power group, which was founded in Oakland in 1966.

The Fraternal Order of Police sent a letter to Trump expressing "outrage and shock" that the park service would pay to honor a group associated with killing a park ranger. A party member was convicted of murdering Ranger Kenneth Patrick in 1973 while he was on patrol at a national seashore near San Francisco.

Park service spokesman Jeremy Barnum said Monday, Oct. 30 that a "cooperative agreement" to fund the project was not finalized, and the agency withdrew funding "after an additional review of the project." He declined further comment.

Rep. Barbara Lee, D-Calif., called withdrawal of the funding "outrageous." The Black Panther Party was "an integral part of the civil rights movement and the public has a right to know their history," Lee said.

Lee, who represents Oakland, urged the park service and Interior Department to provide a full explanation of why funding for the project was dropped.

The police group said in its Oct. 19 letter to Trump that "the only meaning" that the Black Panthers "brought to any lives was grief to the families of their victims." The FOP said its research indicated that 16 law enforcement officers, including Patrick, were killed by Black Panther members.

"Why would the NPS seek to commemorate the activities of an extremist separatist group that advocated the use of violence against our country - a country they perceived as their enemy?" the police group wrote.

The Black Panthers formed in Oakland to defend African-Americans against police brutality and protect the rights of a downtrodden people to determine their own future. The party scared mainstream America with their calls for revolution that were at odds with Martin Luther King Jr.'s insistence on peaceful protest.