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Supreme Court allows Ohio, other state voter purges

Clarence Thomas Supports Decision

By Mark Sherman

WASHINGTON (AP) - States can target people who haven't cast ballots in a while in efforts to purge their voting rolls, the Supreme Court ruled June 11 in a case that has drawn wide attention amid stark partisan divisions and the approach of the 2018 elections.

By a 5-4 vote that split the conservative and liberal justices, the court rejected arguments in a case from Ohio that the practice violates a federal law intended to increase the ranks of registered voters. A handful of other states also use voters' inactivity to trigger processes that could lead to their removal from the voting rolls.

Justice Samuel Alito said for the court that Ohio is complying with the 1993 National Voter Registration Act. He was joined by his four conservative colleagues in an opinion that drew praise from Republican officials and conservative scholars.



Justice Clarence Thomas

The four liberal justices dissented, and civil rights groups and some Democrats warned that more Republican-led states could enact voter purges similar to Ohio's.

Ohio is of particular interest nationally because it is one of the larger swing states in the country with the potential to determine (Continued On Page 6)

NAACP Poor People's March

The Durham Branch of the NAACP has buses going to the "Poor People's March" in Washington, D.C., on Saturday morning, June 23, \$64 per person, round trip coach from Durham, Chapel Hill and Raleigh. Snacks and beverages on the bus trip. Round trip subway pass to the Jefferson Park in D.C. Call 919-493-2404, Charles Perry.

NAACP Branch Monthly Meeting

The Durham Branch of the NAACP will host its monthly General body meeting on Sunday, June 24, 4 p.m., at Pilgrim United Church of Christ, 3011 Academy Rd.

Please come out and support your local NAACP Branch.

Insurer must defend Bill Cosby defamation suits, court says

BOSTON (AP) - A federal appeals court says an insurance company must pick up Bill Cosby's tab to fight defamation lawsuits brought by women who accused him of sexual misconduct.

But the ruling by the 1st U.S. Circuit Court of Appeals in Boston doesn't mean the insurance company, AIG, must pay any damages.

Cosby faces civil lawsuits alleging he defamed women when he accused them of lying about their allegations.

Cosby was convicted in April on three counts of aggravated indecent assault. The 80-year-old comedian is due to be sentenced in September and faces the prospect of spending the rest of his life in prison.

Cosby has denied all allegations of wrongdoing.

An AIG spokeswoman declined to comment Monday.



The National Museum of African American Art has an exhibit featuring Oprah Winfrey. See story on page 6)

Analysis: Gun ruling includes Mississippi history lesson - An AP news analysis

By EMILY WAGSTER PETTUS
Associated Press

JACKSON, Miss. (AP) - A Mississippi Supreme Court decision about guns in courthouses provided different perspectives from several justices, including a history lesson about gun rights from Justice Leslie B. King, the only African-American currently serving on the nine-member court.

The majority of justices ruled that some chancery judges were wrong to ban people with enhanced concealed-carry licenses from taking guns into courthouses. The ruling said judges in the 14th Chancery District overstepped their authority because the Mississippi Constitution specifies that only the Legislature "may regulate or forbid carrying concealed weapons."

The Legislature enacted a law in July 2011 saying that people with enhanced concealed-carry licenses may take guns into courthouses, although not into courtrooms. Judges in the 14th Chancery District issued an order in November 2011 banning anyone other than law enforcement officers from having concealed guns in and around all parts of courthouses in the district in Chickasaw, Clay, Lowndes, Noxubee, Oktibbeha and Webster counties.

A resident with an enhanced concealed-carry license challenged the chancery judges' ban, and the matter made its way to the state Supreme Court.

In a dissenting opinion, King provided a different perspective about which branch of government had intruded on the powers of another branch. King wrote that the Mississippi Constitution specifies the judicial branch is in charge of the administration of justice, and he said the Legislature had encroached on judges' responsibility to regulate what is allowed in courthouses.

King, a former state legislator from Greenville, also wrote about the constitutional right to bear arms, saying that the original intent of a concealed-carry provision in Section 12 of the Mississippi Constitution of 1890 "was to allow the Legislature to restrict and prohibit concealed carry, not to expand it."

King pointed out that Mississippi has a long record of restricting black people from owning or carrying guns.

"While a review of Mississippi law does not reveal any general restrictions or prohibitions on concealed carry of weapons prior to the late 1800s, African-Americans, both slave and free, were restricted from carrying or owning weapons," King wrote. "Slaves were generally banned from carrying weapons, absent permission from a justice of the peace on application of his master, and then the slave was only allowed to carry and use a weapon within the limits of his master's land."

He also wrote: "After the Civil War ended, Mississippi passed 'Black Codes' in 1865, which continued the prohibition against black people owning a gun without a special license."

During the early years of Reconstruction, communities of free black people "were often well-armed, and able to defend their rights.... White Southern entities consequently began to systematically disarm African-Americans," King wrote.

Historians broadly acknowledge that the Mississippi Constitution of 1890 - which the state still uses in amended form - was written to restrict African-Americans from participating in the political process and from enjoying full rights as citizens. Some of the provisions that have since been struck down included segregated schools, poll taxes and a ban on interracial marriage.

"Section 12 of the 1890 Constitution changed the right to bear arms back from 'all persons' to 'citizens,' and allowed the Legislature to regulate or forbid carrying concealed weapons. This alteration was one of several 'craftily designed to obstruct or deny certain rights to African-Americans,'" King wrote, citing historian Westley F. Busbee Jr. "Such measures regulating or prohibiting concealed carry could be selectively enforced."

During debates in recent years, members of the Mississippi Legislative Black Caucus have mentioned selective enforcement, raising concerns that African-Americans who are legally carrying guns could be questioned or treated more harshly than white people.

Lawyers: N Carolina law punishing felons who vote is racist

By Emery P. Dalesio

RALEIGH (AP) - Five convicted felons accused of illegally voting in 2016 should have the charges against them dropped because the North Carolina law is racist, lawyers said in court filings Friday.

Lawyers for the Southern Coalition for Social Justice in Durham filed requests for judges to dismiss charges against five Alamance County residents accused of voting before they regained their full citizenship rights.

North Carolina requires convicted felons to complete any probation or parole before they have the right to vote again. A state elections board audit of the 2016 elections found 441 felons voted before having that right restored, and more than two-thirds of them were black.

Attorneys contend the 1901 law was intended to suppress black voting, and violating it is a felony, while a person who intimidates voters or breaks up an election "by force or violence" is only charged with a misdemeanor.

"We are asking the court to declare the law unconstitutional based on its racially discriminatory application," said John Carella, an attorney representing one of the five voters, Whitney Cherrelle Brown. At the time of the November 2016 elections, Brown, 31, was still on probation for a conviction the previous January for obtaining property by false pretenses, a felony.

The cases were among 12 that local prosecutors filed in an effort to punish improper voting, Carella said. State elections board records show similar violations were uncovered in all of North Carolina's 100 counties.

The state elections board opened 555 felon voting investigations in 2017 after getting additional referrals from county authorities. More than half remain under investigation, while 149 cases were referred to prosecutors, spokesman Pat Gannon said Friday. Of those, two people were convicted and 17 others indicted, while prosecutors declined to charge 69 people, Gannon said.

Alamance District Attorney Pat Nadolski did not return a phone message seeking comment on why he decided to prosecute the cases.

Jon Guze, a legal analyst at the conservative John Locke Foundation, said it's not clear from the statistics cited that African-Americans experience an outsized impact from the law because they also make up a majority of convicted felons.

"Also pertinent, I would think, is the fact that North Carolina's law in this area, which is similar to the law in many other states, seems reasonable on its face," Guze said in an email.

But Guze said he agreed with Carella that punishing felons who vote illegally with a new felony seems excessive and that the law should be changed to require that prosecutors prove intent to commit fraud.

Separately, legislative Republicans unveiled a proposed amendment to the state Constitution on Wednesday that would ask voters to decide whether a photo ID requirement should be required before voting.

The GOP-controlled General Assembly included a photo ID requirement in a broader 2013 election law after suggesting, without evidence, that voter fraud was taking place in North Carolina. A federal appeals court determined later that legislators acted intending to discriminate against minority voters when passing the law that (Continued On Page 6)