

N.C. NAACP sues three counties alleging voter suppression

BY CASH MICHAELS
FOR THE CHRONICLE

The N.C. NAACP is suing three counties in federal court, alleging that they are illegally cancelling voter registrations because of alleged changes in addresses, in violation of the federal National Voters Registration Act (NVRA). With less than a week before the Nov. 8 general election, and with early voting ending on Nov. 5, voting rights advocates are calling the alleged practice yet another attempt at black voter suppression. The civil rights organization filed both a lawsuit and an application for a temporary restraining in

the U.S. District Court for the Middle District for North Carolina against the state Board of Elections on Monday. At press time, a hearing was scheduled for federal court in Winston-Salem on Wednesday. According to the application for a restraining order put forth by the N.C. NAACP's attorneys, the NVRA "protects Americans' fundamental right to vote by ... requiring that states meet certain requirements before cancelling a voter's registration on the basis of a change in residence. Specifically, states must either (1) receive written confirmation from the voter that he or she has

moved to a different residence outside the county, or (2) send a prescribed notice to which the voter fails to respond, and then wait for two federal election cycles in which the voter does not vote. Only after written confirmation, or notice, no response, and the two-cycle waiting period, may a state proceed with removal from the voter registration rolls." The application continued, "The NVRA also protects access to the franchise by prohibiting any systematic program to remove voters from the rolls within 90 days of a federal election." The N.C. NAACP alleges that the Boards of

Elections (BOEs) in Moore County, Beaufort County and Cumberland County "have cancelled thousands of voters' registrations on the basis of an alleged change in residence. Those purges of voter rolls resulted from proceedings that were triggered by challenges filed by private individuals, based on a single mailing returned as undeliverable. In most cases, these cancellations of registrations were supported by no other evidence - and none were supported by written confirmation from the voters of any alleged change in residence or compliant with the NVRA's notice and waiting-period provisions. In

many cases, the North Carolinians purged from voting rolls through these proceedings still reside at the addresses where they are registered, or have moved within the same county and remain eligible to vote there. Nonetheless, single items of returned mail have resulted in cancellation of their registrations," the complaint states. And it has been determined that the majority of voters being removed from the county election rolls are African-Americans. At least 4,500 voters have been purged, 3,900 of them in Cumberland County alone. The state Board of

Elections counters that those local boards are following state statutes that authorize private citizens to challenge voter registrations on the basis of returned mailings. The state BOE confirms that "thousands of voters have been challenged in the past three months on the basis of returned mail." The N.C. NAACP is not only asking for a temporary restraining order to immediately stop the local BOEs from purging black voters before the Nov. 8 General Election, but also a permanent injunction to restore the voting registrations of all of those purged.

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going to spend a tremendous amount of time." Meanwhile, both Trump, and his vice presidential running mate, Indiana Gov. Mike Pence, have made multiple visits to North Carolina over the past two weeks alone, and with good reason. The Republican Party is strong in North Carolina, and throughout presidential electoral history, it has been reliably conservative in electing the top of the ticket by wide margins from Richard Nixon in 1968 to George W. Bush in 2004, the only detour being in 1976 when peanut farmer and Georgia Gov. Jimmy Carter, a Democrat,

temporarily broke the North Carolina mold. Barack Obama's 14,777-vote squeaker over John McCain in 2008 created shockwaves, showing that a progressive Democrat could win in the South again with the right coalition of African-Americans, young people and women. In 2012, President Obama lost North Carolina to Republican Mitt Romney by just 100,000 votes statewide, though he won re-election overall. While the black vote turned in strong numbers, a dip in Obama's white voter support created the North Carolina deficit. But observers noticed subtle changes to the state's voting population, even though the Republicans

were in command of the governorship and the state legislature. North Carolina's urban centers of Charlotte, Greensboro and Raleigh were growing with more moderate and progressive out-of-state residents, while the state's mostly rural enclaves were shrinking in population. Democratic strategists saw the population shift as something they could exploit, while Republicans surmised that rural and small town voters, who tend to be older and more conservative, in eastern North Carolina particularly, were dependable enough to stay in the fold. Thus, we've seen the Trump campaign focus on areas like Kinston, Wilmington and Greenville, while Hillary

Clinton has focused on cities like Charlotte, Raleigh and Winston-Salem to draw college students, African-Americans, and of course, women. Each campaign vying to cultivate where it thinks North Carolina strength is. The result - polls in the last several months that have shifted back and forth between Trump and Clinton, illustrating a phenomenon analysts believe is still happening. North Carolina is becoming more of a mid-Atlantic state like Maryland, and less of a Southern state like South Carolina. Thus the tension that many analysts suggest makes North Carolina a must-watch state on election night. "North Carolina could be the state where the pres-

idential contest has the biggest effect on down-ballot elections, influencing key races from U.S. Senate to governor and other critical races that could dramatically change the political direction of the state," states the online magazine Facing South. "What makes North Carolina unique in 2016 is the number of close races where coattails from the presidential election could tip the balance. For example, North Carolina is the only state in which races for president, U.S. Senate and governor are all rated "toss-ups" by the Cook Political Report." Add to that the fact that so far, North Carolina's early voting numbers since Oct. 20 show Democrats turning out in larger num-

bers than Republicans, but Republicans expected to dominate on Nov. 8, and it's anybody's guess who will win the state. The latest Elon University poll issued Tuesday shows the race too close to call between Clinton and Trump in North Carolina at 42 percent each. If there is one bit of encouraging news for Democrat Clinton, however, it's that according to the polls, her support among African-Americans is solid, with 100 percent saying that she has their vote over Trump. Blacks are 2 of every 10 voters in North Carolina, while whites are 7 of every 10, according to the most recent U.S. Census figures.

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- See the complete list of **Early Voting sites**, dates, and times;
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No Voter ID required.

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