



Gov. Perdue's really bad week

RALEIGH

Although fans, foes, and disinterested observers may differ about the causes, I suspect they would all agree that Beverly Perdue has had a rough first term as governor of North Carolina.

Unfortunately for her, the events of the past few days have only made things worse.

On Thanksgiving weekend, the Republican-led General Assembly convened in Raleigh for a brief special session.

The main item on the agenda was a Senate vote on a bill the House already approved earlier this year to roll back a 2009 law making it easier for murderers to challenge their death sentences.

The so-called Racial Justice Act allows inmates to go beyond the facts of their own cases to assert broader claims of racial discrimination. Perdue and other supporters of the 2009 law said their intention was to address bias in sentencing. Of course, the real objective was to halt North Carolina's death penalty through endless litigation.

Objective achieved. Of the 157 inmates on death row, 154 have sought hearings under the new law. White, black, brown, it doesn't matter — all are claiming to be victims of discrimination. The bill would have been more accurately titled the Racial Injustice Act, given that it constitutes a brazen attempt to use



CONSERVATIVE

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racial demagoguery to deny the administration of justice for the families of murder victims.

If you read the racial-bias claims carefully, you will find that they do not involve the race of the killer.

There is no evidence that, all other factors being equal, blacks are more likely to be executed than whites. The real claim is that those who kill white victims are more likely to get the death penalty than killers of black victims are.

This is an odd claim to make if you oppose capital punishment, because its implication is that juries fail to value black victims as much as white ones — which is why they don't apply the death penalty as much. Based on this logic, as the vestiges of racism continue to fade, the use of capital punishment should increase. I'd welcome that. Would its opponents?

Of course not. They simply oppose the death penalty itself, either on moral or efficiency grounds. Fine. They should make those arguments. But they should stop making disingenu-

ous arguments about racism.

To get back to Perdue's dilemma, her problem is that the Senate voted 27-17 to concur with the House rollback of the Racial Justice Act. It is now on her desk. If she sticks to her position and vetoes the bill, she will once again have taken a position contrary to that of most North Carolinians, including many moderate Democrats. But if she allows the rollback, the left-wing base of her party will go ballistic.

If that wasn't bad enough, the day after the special legislative session began, a Wake County grand jury indicted her campaign fundraiser Peter Reichard and two other people for a criminal conspiracy to evade campaign-finance laws during her 2008 run for governor.

The timing gave state lawmakers of both parties the opportunity to weigh in for the TV cameras. One who seized the opportunity was Rep. Bill Faison, an Orange County Democrat who has made no secret of the fact that he's interested in running for governor should Perdue decide not to file for reelection. "She doesn't seem to be acting like somebody who should be running for governor," Faison remarked.

Two other issues drew discussion during the special session. One was the deal Gov. Perdue just struck to allow the Eastern Band of the Cherokees to expand their casino. The other was

a House bill to block a scheduled rise in the state gas tax.

Neither issue was concluded to Perdue's benefit. The legislature left town without acting on her gambling compact. And the Senate refused to go along with a gas-tax cap, a popular (though in my view unwise) measure that Perdue would probably have signed and thus gotten some credit for.

All in all, the governor had a lousy week — and her reelection prospects just got a little dimmer.

JOHN HOOD is president of the John Locke Foundation and publisher of CarolinaJournal.com.

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