



**NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE**  
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**BENJAMIN TODD JEALOUS**  
President & Chief Executive Officer

October 22, 2010

**ROSLYN M. BROCK**  
Chairman, Board of Directors

The Honorable Tim Kaine,  
Chairman  
Democratic National Committee  
430 South Capitol Street SE,  
Washington, DC, 20003

Dear Chairman Kaine:

On behalf of the NAACP, our nation's oldest, largest and most widely-recognized grassroots civil rights organization, I am writing to share with you our continued commitment to and concerns about ensuring voter participation by every eligible American. As such, it is my fervent hope that you, as a civic leader, will do all you can in the next week leading up to and through the 2010 midterm election to ensure that the Democratic leaders in every state focus on supporting genuine voter registration, education, and get out the vote activities, while avoiding any deceptive or intimidating practices which may lead to voter suppression.

Sadly, we have already seen some deceptive and intimidating practices attempting to suppress the vote in this midterm election. Specifically, in North Carolina, the Republican State Conference Chairman, Mr. Thomas Fetzer, sent out a mailing which greatly distorted the *Racial Justice Act* in a manner which may, in turn, result in suppressing the vote. I have written to your counterpart, Republican Chairman Michael Steele, and asked that he contact not only Mr. Fetzer and require him to repudiate and correct the offensive mailer, but also that he reach out to all other 49 Republican State Conference leaders and urge them not to stoop to similar or otherwise suppressive tactics. Other types of deceptive or intimidating practices, which have been used in previous elections, are well documented and also abhorred by the NAACP.

I look forward to working with you and Mr. Steele and any and every other civic leader who should be concerned with maximizing voter turnout during elections. I also hope that you will feel free to contact me with any thoughts you may have on how we can minimize voter deception and intimidation and maximize civic participation. If you have any questions or comments, please feel free to contact either me or Mr. Hilary Shelton, the Director of the NAACP Washington Bureau and the Senior Vice President for Advocacy and Policy at (202) 463-2940. Thank you in advance for your attention to the concerns of the NAACP.

Sincerely,

Benjamin Todd Jealous  
President & CEO

enc: Letter from Dr. William Barber to Chairman Thomas Fetzer  
cc: Dr. William J. Barber II, President  
North Carolina State Conference



**NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE  
NORTH CAROLINA STATE CONFERENCE**

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[www.naacpnc.org](http://www.naacpnc.org) [www.ncprosecutorialmisconduct.com](http://www.ncprosecutorialmisconduct.com) [www.hkonj.com](http://www.hkonj.com)

Rev. Dr. William J. Barber, II  
President

Amina J. Turner  
Executive Director

October 22, 2010

Mr. Thomas Fetzer  
Chairperson  
North Carolina Republican Party  
1506 Hillsborough Street  
Raleigh, NC 27605

*Via FAX and First Class Mail*

Dear Mr. Fetzer:

I write on behalf of the thousands of NAACP members and justice advocates regarding the lies and distortions in your mailer you sent to voters about the Racial Justice Act. People from many different walks of life supported the RJA, those who believe in the death penalty and those that do not. No North Carolinian, even if they don't support the Racial Justice Act, can support the lies and distortions in your mailer.

In a news article you admitted your executive committee mailed "the flier . . . to several legislative districts across the state and aimed against several Democrats up for re-election." You said that "the legislators' names were changed for the respective districts." *W-S Journal, 10/21/10*

We demand you renounce and repudiate this mailer and pledge not to use fear-mongering tactics based on race again. The NAACP was formed 101 years ago with one objective—to eliminate race discrimination and race hatred from our society. This mailer matched the low-point in racist election tactics in North Carolina, set by Jesse Helms' infamous 'white hands' ad, aired just a few days before that Election Day to prevent any intelligent rebuttal.

Your mailer refers directly to the Racial Justice Act. To lie and distort a bill that was passed to fight race discrimination is racist. We demand a public apology to the N.C. General Assembly, to the advocates who fought for the Racial Justice Act, and to the public at large for this egregious mailer. We note you had a couple of photos of white men in it, but we both know that when the average voter thinks of someone benefiting from the Racial Justice Act, they think of a black person. The mailer's obvious purpose is to get people to vote their fears, before any factual rebuttals and enlightenment might bring some reason into play in this important election. We are sure that the timing of the mailers was designed to prevent the truth about these glaring untruths from reaching the voters:

**UNTRUTH 1:** Your Mailer declared in big letters: Under the Racial Justice Act, some men on death row could be "made eligible for parole immediately."

**FACT:** The Racial Justice Act only allows death-row inmates to make statistical-based appeals that might, if successful, change their sentences *to life in prison without the possibility of parole*. But this inconvenient fact would have spoiled the whole flier. So your executive committee chose to use an untruthful statement to pander to racial fears.

**UNTRUTH 2:** Your mailer implied that the white man on death row might get out on parole “immediately” and use a crow-bar to break into homes in the recipients' neighborhood.

**FACT:** The white man on death row you put on the mailer did not file with the Racial Justice Act. He will, as the law now stands, be executed by the State of North Carolina.

**UNTRUTH 3:** Your mailer implies that “activist judges” will let men on death row out on parole “immediately,” to wantonly terrorize “your” neighborhood.

**FACT:** The Racial Justice Act allows prisoners on death row to present evidence of racial bias in their case and, if race discrimination is proved, the successful petitioner shall be resentenced to life in prison without the possibility of parole. The General Assembly passed this Act after the courts had found wrongful convictions and subsequent exonerations of three black men from death row in North Carolina in the last few years. In each of these cases, at least one victim of the crime was white. There were no black jurors in one case, and only one black juror in the other two. Out of the 159 people on death row in North Carolina, 31 of them had all-white juries and 38 more had only one person of color on their jury. A recent study by Michigan State University found that N.C. prosecutors struck qualified black jurors at more than twice the rate at which they struck white jurors. This study also found that in cases with at least one white victim, the defendant is 2.6 times more likely to be sentenced to death than if the case did not involve a white victim. This racial difference was corroborated by a July 2010 study by Radelet and Pierce which found the odds of receiving the death penalty increased by 2.96 times for defendants convicted of killing white victims.

These empirical facts were the basis for the legislature to pass the Racial Justice Act. This past the summer the gross misfeasance and malfeasance in the SBI's labs was revealed. This has caused district attorneys, judges, and many law enforcement officials to re-think their positions on whether our criminal justice system is fair to poor and minority defendants.

The NAACP is non-partisan. We endorse no partisan candidates, and we support no political party. We are, however, very zealous in our efforts to stop race discrimination. Your sloppy research, your not-so-subtle appeal to racial fears, and your boorish behavior toward the Holliman family, who themselves suffered the great family tragedy of losing a daughter to a violent crime, are over-the-top.

We've been through this before, whether it's the infamous “Willie Horton” ad, or Jesse Helms' “White Hands” ad. Honest debate is one thing, but deliberate dishonesty is another.

Repudiate and apologize for this mailer, Mr. Fetzer. Help us build One Nation, with Liberty and Justice for All. Stop your divisive, cynical, tactics now.

Sincerely,

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Rev. Dr. William J. Barber II  
President, N.C. NAACP

C: North Carolina State Conference NAACP Adult and Youth Branches

HkonJ Partners

General Assembly Leadership  
Racial Justice Act Advocates

# Thanks To Hugh Holliman, death row inmates could leave prison early and move in next door...



**WAYNE A. LAWS**  
MURDER FIRST DEGREE  
DOC NUMBER: 0234897  
SENTENCE TYPE: DEATH ROW



**HENRY L. MCCOLLUM**  
MURDER FIRST DEGREE; CHILD RAPE  
DOC NUMBER: 0265108  
SENTENCE TYPE: DEATH ROW

**jdnews.com**  
Journal of Daily News, Charlotte, N.C.

"The law would also allow some convicted killers to go from death row to parole almost immediately."

*The Daily News, Jacksonville, N.C., 08/10/2009*

Meet Wayne Laws. He brutally **MURDERED** two people. And get to know Henry McCollum. He **RAPED AND MURDERED AN 11 YEAR OLD CHILD**. Both are on Death Row today.

But thanks to ultra-liberal **Hugh Holliman**, they might be moving out of jail and into Your neighborhood sometime soon.

**Holliman** voted to allow activist judges to weaken the sentence of Death Row inmates... making some eligible for parole immediately!

1. 3/3/2009 SB 461 (2R) North Carolina Racial Justice Act

## Keep Death Row Inmates Where They Belong And Get Rid of Criminal Coddler Hugh Holliman

Ad by the North Carolina Republican Executive Committee

NC Republican Executive Committee  
1566 Hillsborough Street  
Raleigh, NC 27605

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