

**NC Families First – “Another” Backup – North Carolina Supreme Court
:30**

Ad	Backup
<p>ANNCR: “A Congressional district known as the Octopus.”</p> <p>SUPER: 1st Congressional District.</p>	<p><u>Backup:</u></p> <p>Three-judge panel ruled “1st Congressional District, which spreads like an octopus across northeast North Carolina and has a tentacle that dips into Durham County” was drawn “specifically so that the majority of voters in each were black.” “The three-judge panel ruled that the 1st Congressional District, which spreads like an octopus across northeast North Carolina and has a tentacle that dips into Durham County, and the 12th Congressional District, which snakes along Interstate 85 between Greensboro and Charlotte, were drawn specifically so that the majority of voters in each were black.” (WRAL, 2/6/16)</p>
<p>VO: “Another called the snake.”</p> <p>ON Screen: 12th Congressional District</p>	<p><u>Backup:</u></p> <p>Beasley Dissent to state ruling: “serpentine district, which follows the I-85 corridor between Mecklenburg and Guilford Counties, to be drafted for political advantage is a proxy for racial disenfranchisement.” “Because race and politics historically have been and currently remain intertwined in North Carolina, I cannot escape my conviction that politics are a pretext for this <i>excruciatingly contorted race-based district</i>.... To allow this <i>serpentine</i> district, which follows the I-85 corridor between Mecklenburg and Guilford Counties, <i>to be drafted for political advantage is a proxy for racial disenfranchisement</i>.... Upholding this district’s tortured construction creates an incentive for legislators to stay ‘on script’ and avoid mentioning race on the record, and in this instance, <i>it is disingenuous to suggest that race is not the predominant factor.</i>” (Dickson v. Rucho, 367 N.C. 542, 589 (Beasley, dissenting) emphasis added)</p> <p>Federal ruling on CD 12: “race was the predominant factor in drawing CD 12.” “there is nevertheless direct evidence supporting the conclusion that race was the predominant factor in drawing CD 12.” (McCrorry v. Harris, 2/5/16, p. 33)</p> <p>“Now the snake is gone...” “The 12th District used to stretch from Charlotte to Greensboro along I-85 ... so narrow in places that people compared it to a snake. It was overwhelmingly Democratic, and 51 percent of voters were African-American. Now the snake is gone...” (WFAE, 6/3/16)</p>
<p>VO: And 28 state legislative districts...</p>	<p>Map used to elect NC General Assembly unconstitutional due to its use of 28 racially gerrymandered state legislative districts. “The map that has twice been used to elect the North Carolina General Assembly is</p>

<p>ON SCREEN: (News & Observer, 8/11/16)</p>	<p>unconstitutional because many of the districts are racially gerrymandered, a panel of federal judges ruled Thursday. [...] Of the 170 legislative districts, 28 are racially gerrymandered, judges ruled.” (News & Observer, 8/11/16)</p>
<p>VO: ...all drawn by politicians in Raleigh to segregate African American voters.</p> <p>ON SCREEN: Super: Segregate African American Voters. <i>Source: Fayetteville Observer, 2/18/16</i></p>	<p><u>On Screen:</u></p> <p>12th and 1st Congressional Districts “illegally segregate black voters from the rest of the state.” “In an effort to address the court ruling that said the 1st Congressional District and the 12th Congressional District are unconstitutional, that they <u>illegally segregate black voters</u> from the rest of the state, the Senate voted to change all 13 of North Carolina's congressional districts. The state House is to take up the issue today.” (Fayetteville Observer, 2/18/16)</p> <p><u>Backup:</u></p> <p>12th and 1st Congressional Districts “illegally segregate black voters from the rest of the state.” “In an effort to address the court ruling that said the 1st Congressional District and the 12th Congressional District are unconstitutional, that they illegally segregate black voters from the rest of the state, the Senate voted to change all 13 of North Carolina's congressional districts. The state House is to take up the issue today.” (Fayetteville Observer, 2/18/16)</p> <p>“The architects” of current NC General Assembly district maps drew maps that “crammed” more black voters into districts than necessary. “The architects of the current maps of General Assembly districts billed them as complying with the law and the Constitution, saying they fully guaranteed that African-American candidates would be able to win seats. They were right about that, as recent electoral experience has shown. But what they didn't say was that the revised districts crammed way more African-American voters into those districts than was necessary for success - and thus took them out of adjoining districts, which made it easier for Republican candidates to win, and for the GOP to maintain its grip on the General Assembly.” (Fayetteville Observer, Editorial, 8/14/16)</p>
<p>VO: All upheld by Judge Bob Edmunds. But federal judges rejected Edmunds' decision for misusing race for partisan gain.</p> <p>ON SCREEN: “Race-based redistricting” -</p>	<p><u>On Screen:</u></p> <p>“Race-based redistricting” disenfranchised African-Americans. “Decisions about the law can be difficult to reach because right and wrong usually exist on both sides of an issue. That apparently was not a problem facing the 4th U.S. Circuit Court of Appeals’ 3-judge panel in the case of North Carolina’s 2013 voter ID law. The panel’s stinging summary of its findings was razor sharp and cut straight to the problem: The willful intent to strategically disenfranchise African-Americans by the state’s Republican lawmakers; the second such finding this year, the first through race-based redistricting.” (Greenville Daily Reflector, Editorial, 8/2/16)</p>

Greenville Reflector,
Editorial, 8/2/16

Backup:

Edmunds wrote 2014 decision. (Dickson v. Rucho, [2014](#))

Beasley Dissent to state ruling: “it is disingenuous to suggest that race is not the predominant factor.”
“Because race and politics historically have been and currently remain intertwined in North Carolina, I cannot escape my conviction that politics are a pretext for this *excruciatingly contorted race-based district*.... To allow this *serpentine* district, which follows the I-85 corridor between Mecklenburg and Guilford Counties, *to be drafted for political advantage is a proxy for racial disenfranchisement*.... Upholding this district’s tortured construction creates an incentive for legislators to stay ‘on script’ and avoid mentioning race on the record, and in this instance, *it is disingenuous to suggest that race is not the predominant factor.*” ([Dickson v. Rucho](#), 367 N.C. 542, 589 (Beasley, dissenting) emphasis added)

Edmunds twice ruled for election districts later ruled discriminatory. “Twice, [Edmunds]’s sided with the court’s conservative majority to allow the continued use of the racially gerrymandered legislative districts.” ([IndyWeek](#), [6/1/16](#))

State Supreme Court gave “legal protection” to maps until federal court ruling. “The state Supreme Court’s foot dragging has narrowed the window for overturning the maps. Two election cycles have already occurred using maps that may be thrown out and now there’s likely to be a third state legislative election based on them. At a minimum, given the ruling on districts 1 and 12, North Carolina already has held votes twice in unconstitutional congressional districts. Now the legal protection the state Supreme Court provided for the gerrymandering is unraveling. The federal ruling stressed the state Supreme Court’s error by citing December’s dissent by state Associate Justice Cheri Beasley, who said disenfranchisement of black voters is not excused by saying it is based on politics rather than race.” (News & Observer, Editorial, [2/6/16](#))

Federal judges found redistricting was “based on the illegal use of racial quotas that violated the constitutional rights of black voters.” “Late Friday, a panel of three federal judges ruled in favor of plaintiffs challenging the lines of North Carolina’s 1st and 12th congressional districts. The panel ruled that the redistricting was based on the illegal use of racial quotas that violated the constitutional rights of black voters. The judges ordered the lines redrawn within two weeks.” (News & Observer, Editorial, [2/6/16](#))

April 2015: US Supreme Court “threw out” NC court ruling, ordering NC Supreme Court to reconsider whether legislature relied too heavily on race when redistricting. “The U.S. Supreme Court on Monday threw out a North Carolina court ruling that upheld Republican-drawn electoral districts for state and congressional lawmakers. The justices ordered the state Supreme Court to consider anew whether the North Carolina legislature relied too heavily on race when it redrew voting districts following the 2010 census. The high court issued a similar ruling last month involving a complaint from black Alabama Democrats that the

	<p>Republican-dominated legislature illegally packed black voters into too few voting districts. In Alabama, the justices said a lower court used the wrong test when it upheld legislative districts and determined that race was not the primary motivating factor in drawing boundary lines. The Supreme Court said judges in North Carolina must revisit their ruling in light of the Alabama decision.” (WRAL, 4/20/15)</p> <p>Federal ruling on Legislative Districts: “that race was the predominant factor motivating the drawing of all challenged districts.” “After careful consideration of the evidence presented, we conclude that race was the predominant factor motivating the drawing of all challenged districts. Moreover, Defendants have not shown that their use of race to draw any of these districts was narrowly tailored to further a compelling state interest.” (Covington et al. v State of North Carolina et al. 8/11/16, pg. 2)</p> <p>February 2016: Federal Judges overruled Edmunds on NC’s congressional maps, finding them racially gerrymandered. “Three federal judges on Friday threw out the congressional voting maps the Republican-led General Assembly drew five years ago, ruling that two districts were gerrymandered along racial lines.” (WRAL, 2/5/16)</p> <ul style="list-style-type: none"> ➤ Three-judge panel ruled that 1st and 12th districts drawn specifically so majority of voters were black. “The three-judge panel ruled that the 1st Congressional District, which spreads like an octopus across northeast North Carolina and has a tentacle that dips into Durham County, and the 12th Congressional District, which snakes along Interstate 85 between Greensboro and Charlotte, were drawn specifically so that the majority of voters in each were black.” (WRAL, 2/5/16) ➤ 4th US Circuit Court of Appeals ruled on case. "There is strong evidence that race was the only nonnegotiable criterion and that traditional redistricting principles were subordinated to race," 4th U.S. Circuit Court of Appeals Judge Roger Gregory wrote for the court. "In fact, the overwhelming evidence in this case shows that a (black voting-age population) percentage floor, or a racial quota, was established in both CD 1 and CD 12. And, that floor could not be compromised." (WRAL, 2/5/16)
<p>The clear choice for state Supreme Court? Judge Mike Morgan. He’s endorsed by President Obama. Mike Morgan. North Carolina needs a judge who’s fair.</p> <p>ON SCREEN: Judge Michael Morgan</p> <p>Enorsed by: The News &</p>	<p>Backup:</p> <p>HEADLINE: “Obama endorses Mike Morgan in NC Supreme Court race” (News & Observer, 10/24/16)</p> <p>Morgan Endorsed by NC Fraternal Order of Police: “North Carolina Fraternal Order of Police proudly endorses the following candidates:... North Carolina Supreme Court Michael Morgan.” (NC Fraternal Order of Police, 8/16/16)</p> <p>Obama: Morgan has “track record of administering fair and impartial justice.” “As a dedicated community member with a strong commitment to his church, Mike understands what ordinary families are going through and he has a track record of administering fair and impartial justice,’ Obama said in his YouTube message. ‘He’s got the experience, temperament and judgment to serve the people of North Carolina on the</p>

<p>Observer</p> <p>Fraternal Order of Police</p> <p>Michael Morgan for State Supreme Cour</p> <p>DISCLAIMER: PAID FOR BY N.C. FAMILIES FIRST. NOT AUTHORIZED BY ANY POLITICAL PARTY, CANDIDATE, OR COMMITTEE.</p>	<p>Supreme Court.” (News & Observer, 10/24/16)</p> <p>News & Observer endorsement of Morgan: “Judge Michael Morgan has the kind of legal temperament the high court always needs, but especially needs now.” “That is why we support the election of Wake County Superior Judge Michael Morgan to the state Supreme Court. He has served on the bench for 26 years and has shown a keen awareness of how the lofty debates about the law affect ordinary people. Morgan understands that in the American system the law should empower the weak and protect the vulnerable from the powerful. Judge Michael Morgan has the kind of legal temperament the high court always needs, but especially needs now. We urge you to vote for a Supreme Court that sees its mission as a judicial body above politics. We urge you to vote for Judge Michael Morgan.” (News & Observer, editorial endorsement, 10/25/16)</p>
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