

June 4, 2013
VIA HAND DELIVERY

The Honorable Elaine F. Marshall
Secretary of State
North Carolina Secretary of State
2 South Salisbury St.
Raleigh, NC 27601-2903

Dear Secretary Marshall:

I am writing to formally request that the North Carolina Secretary of State investigate current and former staff members of the North Carolina State Board of Elections (SBOE) and registered lobbyist Bob Hall with regards to the following issue:

SBOE staff in 2012 collaborated with registered lobbyist Bob Hall to use state resources, personnel and equipment to engage in partisan political activity in possible violation of general statutes prohibiting state employees from participating in partisan political activity on state time and using state resources. These efforts were in conjunction with lobbying for more Help America Vote Act funding from the NCGA and thus may have also violated state lobbying laws, as Mr. Hall is a registered lobbyist and this was a clear effort to influence legislation. ([Attachment 1](#))

As background, I am attaching reports and documentation by the Civitas Institute. The facts presented in the Civitas articles are drawn from documents received from official public records requests to the SBOE and from media articles.

I have also submitted requests to the Department of Justice, the Office of the State Auditor and the appointed board of the State Board of Elections for them to investigate items under their respective purviews.

I would be happy to discuss this matter further with you or other officials from your department. If you have any questions, please do not hesitate to contact me at Francis.deluca@nccivitas.com or 919-834-2099. I look forward to further discussions.

I respectfully submit this complaint and request for investigation as a North Carolina citizen and in my capacity as President of the Civitas Institute. Thank you for your attention to this matter.

Respectfully Submitted,

Col. Francis X. De Luca USMCR (Ret)

President, Civitas Institute

CC: Governor Patrick McCrory
Senate President Pro Tem Phil Berger
House Speaker Thom Tillis