

June 4, 2013
VIA HAND DELIVERY

Mr. Josh Howard, Chair
North Carolina State Board of Elections
PO Box 27255
Raleigh, NC 27611-7255

Dear Mr. Howard:

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

1. 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](#))
2. SBOE staff allowed a registered lobbyist, Bob Hall, to produce and edit state documents in the form of the “non-partisan” voter guide that is mailed to every registered voting household in North Carolina. His level of participation in this activity exceeded that of the state employees actually tasked with producing the document and included suggesting edits to candidate statements and facilitating billing and payments from state government for vendors. ([Attachment 2](#))
3. SBOE staff took part in efforts to facilitate online voter registration in North Carolina before the 2012 election cycle with no notice to the appointed state board. This effort appears to violate state law that prohibits electronic voter-registration forms, apart from those offered by a state agency. This effort was in conjunction with a private for-profit company and may have also violated North Carolina General Statutes prohibiting paying per registration. In addition, the SBOE General Counsel falsely claimed, in emails to citizens, that DOJ attorneys had reviewed the legal opinion that said the online registration program complied with North Carolina General Statutes. ([Attachment 3](#))

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 the North Carolina Attorney General's Office, and from media articles.

I have also submitted requests to the Office of the State Auditor, the Secretary of State and the Department of Justice 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 registered voter, in accordance with NCGS 163-278.22(7). Upon information and belief, I attest and affirm that the attached documents are truthful statements of the facts, as I know them. Thank you for your attention to this matter.

Respectfully Submitted,

Col. Francis X. De Luca USMCR (Ret)
President, Civitas Institute

CC: Rhonda K. Amoroso
Paul J. Foley
Maja Kricker
Joshua D. Malcolm
Governor Patrick McCrory
Senate President Pro Tem Phil Berger
House Speaker Thom Tillis