



October 31, 2016

Via first-class mail

The Honorable Pat McCrory
North Carolina Office of the Governor
20301 Mail Service Center
Raleigh, NC 27699-0301

Dear Governor McCrory,

I am writing to you out of concern that some North Carolina voters will stay away from the polls or experience problems at the polls, because certain candidate statements and news stories have created an atmosphere of intimidation and violence. The Washington Post recently reported on a poll that found half of all likely voters are at least somewhat fearful that there will be violence on or after Election Day. Nearly one in five likely voters are very concerned about violence on or after Election Day.

The poll does not provide a demographic breakdown of its respondents, but it is reasonable to assume that fear of Election Day violence is higher in communities that have been historically targeted by voter suppression efforts and rhetorically targeted by the campaign of Mr. Trump: Black, Muslim, and Latino Americans, and Americans who are non-native English speakers.

The words of Trump supporter and Ohio resident Steve Webb provide a disturbing insight into how some Trump supporters are interpreting Mr. Trump's statements. "I'll look for...well, it's called racial profiling." Mr. Webb told the Boston Globe. "Mexicans. Syrians. People who can't speak American. I'm going to go right up behind them. I'll do everything legally. I want to see if they are accountable. I'm not going to do anything illegal. I'm going to make them a little bit nervous."

As you know, targeting voters for surveillance and intimidation on account of their religion, race, nationality, or language is illegal under federal law. For that matter, federal law prohibits intimidating or threatening any citizen who is lawfully entitled to vote from doing so during federal elections.

Moreover, North Carolina, like most states, carefully regulates poll monitoring and voter challenges. The process by which the public can access a polling place for any purpose other than voting or assisting another person (who needs assistance) with voting is regulated, as is the process for bring challenges. In your state, only appointed individuals can be observers in the polling place, and observers must be registered voters in the precinct for which they are appointed, have good moral character and cannot be candidates. And observers are not permitted to campaign at the voting place, impede the voting process, interfere or communicate with voters, or observe any voter casting a ballot. N.C. Gen. Stat. § 163-45. Challenges can only be made

registered voters who live in the same precinct as the person being challenged. N.C. Gen. Stat. §§ 163-87, 163-1. A voter's right to vote can only be challenged, among other things, on the basis of residency, citizenship, if the voter is not at least 18 years old, and if the voter has already voted in the election. N.C. Gen. Stat. §§ 163-87; 163-85(c).

As a president of a nonpartisan organization dedicated to ensuring the voting rights of every eligible citizen, I ask that you take steps to reassure North Carolina voters that they can expect a safe voting environment where they will be able to cast their ballot and have it counted, including speaking out against efforts to intimidate or threaten any citizens trying to exercise their right to vote and any efforts to establish a presence in polling place in violation of North Carolina state law. I also ask that you work with Attorney General, Roy Cooper, and the North Carolina State Board of Elections to develop protocols to respond to the concerns of election officials or voters who encounter acts of intimidation at the polls.

By most accounts, this election year has fallen far outside the norms of American political behavior. One norm we do not want to see fall by the wayside is our history of nonviolent political succession. Please act to ensure that North Carolina voters can cast their ballots free of fear and intimidation so that this election year will serve as an example for future generations of Americans and also to those abroad who look upon us as a model for the peaceful, democratic transfer of political power.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Slater", with a long horizontal flourish extending to the right.

Michael Slater
President