

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

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NORTH CAROLINA STATE CONFERENCE OF )  
THE NAACP, EMMANUEL BAPTIST CHURCH, )  
NEW OXLEY HILL BAPTIST CHURCH, )  
BETHEL A. BAPTIST CHURCH, COVENANT )  
PRESBYTERIAN CHURCH, CLINTON )  
TABERNACLE AME ZION CHURCH, )  
BARBEE'S CHAPEL MISSIONARY BAPTIST )  
CHURCH, INC., ROSANELL EATON, )  
ARMENTA EATON, CAROLYN COLEMAN, )  
BAHEEYAH MADANY, JOCELYN FERGUSON- )  
KELLY, FAITH JACKSON, MARY PERRY, and )  
MARIA TERESA UNGER PALMER, )

Plaintiffs, )

v. )

PATRICK LLOYD MCCRORY, in his official )  
capacity as the Governor of North Carolina, KIM )  
WESTBROOK STRACH, in her official capacity as )  
Executive Director of the North Carolina State )  
Board of Elections, JOSHUA B. HOWARD, in his )  
official capacity as Chairman of the North Carolina )  
State Board of Elections, RHONDA K. AMOROSO, )  
in her official capacity as Secretary of the North )  
Carolina State Board of Elections, JOSHUA D. )  
MALCOLM, in his official capacity as a member of )  
the North Carolina State Board of Elections, PAUL )  
J. FOLEY, in his official capacity as a member of )  
the North Carolina State Board of Elections and )  
MAJA KRICKER, in her official capacity as a )  
member of the North Carolina State Board of )  
Elections, )

Defendants. )

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**DECLARATION OF REV. DR.**  
**WILLIAM J. BARBER, II**  
**Case No.: 1:13-CV-658**

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LEAGUE OF WOMEN VOTERS OF  
NORTH CAROLINA, A. PHILIP  
RANDOLPH INSTITUTE, UNIFOUR  
ONESTOP COLLABORATIVE,  
COMMON CAUSE NORTH CAROLINA,  
GOLDIE WELLS, KAY BRANDON,  
OCTAVIA RAINEY, SARA STOHLER,  
and HUGH STOHLER,

Plaintiffs,

v.

THE STATE OF NORTH CAROLINA, JOSHUA  
B. HOWARD in his official capacity as a member of  
the State Board of Elections, RHONDA K.  
AMOROSO in her official capacity as a member of  
the State Board of Elections, JOSHUA D.  
MALCOLM in his official capacity as a member of  
the State Board of Elections, PAUL J. FOLEY in his  
official capacity as a member of the State Board of  
Elections, MAJA KRICKER in her official capacity  
as a member of the State Board of Elections, and  
PATRICK LLOYD MCCRORY, in his official  
capacity as the Governor of North Carolina,

Defendants.

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**Case No.: 1:13-CV-660**

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UNITED STATES OF AMERICA,

Plaintiffs,

v.

THE STATE OF NORTH CAROLINA; THE  
NORTH CAROLINA STATE BOARD OF  
ELECTIONS; and KIM W. STRACH, in her official  
capacity as Executive Director of the North Carolina  
State Board of Elections,

Defendants.

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**Case No.: 1:13-CV-861**

JA0069

## Declaration of Rev. Dr. William J. Barber II

I, Rev. Dr. William J. Barber II, hereby declare as follows:

1. I am a U.S. citizen, resident of Goldsboro, North Carolina, a registered voter and the pastor of Greenleaf Christian Church Disciples of Christ where, since 1993, I have served the Goldsboro-based Congregation as pastor in support of the congregation's commitment to *deep Christian spirituality and a passion for justice*.

2. I am the elected President of the North Carolina State Conference of the National Association for the Advancement of Colored People ("NC NAACP"), serving for five consecutive terms since 2005. In accordance with the NAACP's Articles of Incorporation, Constitution and Bylaws, I serve as the sole official spokesperson for the NC NAACP Conference and its Branches and conduct my work entirely as a volunteer.

3. Founded in February 1909, the National Association for the Advancement of Colored People ("NAACP") is the nation's oldest, largest, and most widely recognized grassroots-based civil rights organization. As a national non-profit organization, the NAACP's mission is to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate racial hatred and racial discrimination.

4. Since 1938, the North Carolina State Conference of the NAACP has provided our assistance to all-volunteer adult and youth units across the state in their efforts to advance the mission of the NAACP in the topics of education, economic development, criminal justice, health, environment, and international affairs. An enduring priority for NC NAACP is to protect and expand hard-won voting rights.

5. Today, the NC NAACP believes that House Bill 589 ("H.B. 589"), if allowed to stand, will have an irreparable impact on the right to vote of African Americans in North

Carolina. History proves that the right to vote is like a day in one's life—once taken, it cannot be retroactively given back.

6. My own interest in voting rights began as a child watching my father register Black voters for the first time in their lives in Plymouth, North Carolina. My commitment grew when I was elected as student government President of Plymouth High School and then President of the Washington County Youth Branch of the NAACP. It truly took root in college. I was student body President of North Carolina Central University where I earned my B.A. in Political Science and graduated *Cum Laude* in 1985.

7. After graduation, like my father, I was called to the ministry. I earned my Masters in Divinity from Duke University School of Divinity as a Deans Scholar and Benjamin Mays Fellow. I then earned my doctorate degree from the Drew Theological Seminary at Drew University in Madison, New Jersey with a concentration in Public Policy and Pastoral Care.

8. I was appointed as the Executive Director of the North Carolina Human Relations Commission for the state of North Carolina in 1993. While serving my church in Goldsboro, I have also served in a volunteer capacity as Chairman and a founding member of Rebuilding Broken Places Community Development Corporation, founded in 1999. Rebuilding Broken Places provides services to the economically underprivileged in Goldsboro, North Carolina, a city suffering under severe rates of poverty in the African American community. I have also had the opportunity to serve as a Trustee to two universities in the state, and to sit on numerous boards of organizations supportive of civil rights and civic engagement.

9. As the National NAACP Board Chair of the Legislative Political Action Committee since 2011, I have witnessed the sea change caused by the Supreme Court's decision in *Shelby County v. Holder*. I have closely followed the spate of state-based legislation

introduced across the country to dismantle voting rights, and most significantly and personally devastating to me, the legislation passed in July in my home state of North Carolina.

### **Impact of H.B. 589 on North Carolina NAACP**

10. Today, NC NAACP has the largest number of members of any NAACP conference in the South and the second largest in the country. With more than 90 active branches in urban centers and rural communities, the NC NAACP has members in every county formerly covered by the Voting Rights Act pre-clearance formula, now left vulnerable to increased discriminatory disenfranchisement after *Shelby*.

11. Due to the breadth of NC NAACP's membership, NC NAACP members and branches already have been affected by the chilling effects of the impending provisions of H.B. 589. In the recent May 2014 primary elections, the new laws' provisions had a noticeable effect, especially on minority voters. These voters, who had voted for years at polling places in which they were registered and by verbally attesting to their identity and address, were now asked if they had a "photo ID". Based on our voting rights work in the past and the expansion of challengers' roles under H.B. 589, NC NAACP also anticipates an increase in disenfranchisement tactics in counties where our members have suffered indignities and intimidating tactics in the past.

12. Because of the NC NAACP's history of supporting the voting rights of our members and of all racial minorities in the state, the State Conference understands the challenge and importance of allocating sufficient resources, time, and energy to voter education, registration, and engagement to encourage civic participation by all North Carolinians, and most particularly African Americans and other racial minorities whose fundamental right to the ballot

was brutally denied in the past. Due to the changes to the law created by H.B. 589, we now anticipate an even greater need to increase our voter education and engagement efforts.

13. Indeed, since I assumed the Presidency of NC NAACP 9 years ago, the passage of H.B. 589 presents the greatest challenge we have faced to our organization's mission and efforts to support the civic engagement of African Americans. Alone, H.B. 589 is the greatest single state-sponsored suppression of African American electoral rights that NC NAACP has opposed. H.B. 589's impact is all the more pernicious when it is examined in the context of the race-based 2010 redistricting plan which was also enacted by the North Carolina General Assembly.

#### **Overview of Voting Rights Work of the State Conference**

14. Historically, the NC NAACP's branches played a prominent role in promoting the right to vote and civic engagement in North Carolina. Our consistent stand for voting rights is all the more important in a state where, since we achieved a high water mark during Reconstruction, not a single Black candidate was elected to the General Assembly until 1970. Since our founding, NC NAACP has fought for the rights of African Americans through the courts, the ballot box, house-by-house and street by street to make real the promise of full and free franchise.

15. In the last decade, before the passage of H.B. 589, the NC NAACP State Conference has engaged in voter registration drives, efforts to encourage civic engagement by youth, and Get Out the Vote ("GOTV") drives. The NC NAACP engages in voter empowerment work through all-volunteer Political Action Chairs and Committees active at both the state and local levels. GOTV efforts have included large-scale "Souls to the Polls" campaigns on Sundays after church, Million Voter Marches, and non-partisan civic engagement trainings, events, and

assemblies across the state. Our organization has placed a particular emphasis on promoting the use of early voting, same-day registration, outreach to young people, and Souls to the Polls.

16. We have also worked to promote voting rights in partnership with other organizations in the state. In 2006, the North Carolina NAACP convened a network of organizations called the Historic Thousands on Jones Street People's Assembly Coalition ("HKonJ") to work on diverse causes and in diverse communities. We based the Coalition on Rev. Dr. Martin Luther King Jr.'s belief that "an injustice anywhere is a threat to justice everywhere." The NC NAACP hosted our first annual "HKonJ People's Assembly" in February of 2007. More than 3,500 supporters attended the mass assembly in Raleigh to sanction and sign the Coalition's "HKonJ 14-Point People's Agenda." Point five of the People's Agenda calls for increasing access to publicly funded elections, opposes voting rights restrictions, and promotes the expansion of voting rights including the enactment of same-day registration.

17. Today the HKonJ Coalition has grown to over 160 partners. On February 8, 2014, after the passage of H.B. 589, the 8<sup>th</sup> annual HKonJ "*Moral March on Raleigh*" attracted an estimated 80,000 people to Raleigh. This was the largest civil rights march in the South since the historic Selma march in support of voting rights in 1965.

#### **NC NAACP's Support of Pre-H.B. 589 Election Laws in North Carolina**

18. Alongside our grassroots voter empowerment work, in recent decades, the NC NAACP State Conference and branches supported and called for voting modernization reforms that would expand access to voting rights and ensure more equality in voting access for African Americans and other racial minorities in the state. These reforms included the implementation of

early voting, the counting of provisional ballots cast out-of precinct, same-day registration, and pre-registration for 16 and 17 year olds.

19. The impact of these reforms were tremendous, and along with statewide civic engagement efforts by organizations like the NC NAACP, the forward-thinking reforms produced a watershed change in voter participation—from 2000 to 2012 the participation of eligible African Americans voters increased by more than 20 percent.

20. These key reforms took place roughly over a decade. In 1999, the General Assembly increased the opportunity to vote by enacting the first early voting period in North Carolina history. Then, in 2002, the General Assembly extended early voting to three weeks, including additional opportunities for Sunday voting. At the same time, the General Assembly made out-of-precinct provisional voting permissible and enacted straight-ticket voting. Finally, in 2005, the General Assembly passed an act “Reconfirming Provisional Voting,” which made clear that any provisional ballots cast outside the voter’s precinct on election day should be counted once it was referred to the appropriate precinct.

21. The NC NAACP played a prominent role in promoting the successful passage of same-day registration legislation in 2007. At the time, we heralded this as one of our most important victories in coalition with our HKonJ partners in support of a more racially just state.

22. In 2009, the General Assembly passed legislation which allowed 16- and 17-year-olds to pre-register to vote. The NC NAACP and partnering organizations in the HKonJ coalition strongly supported this expansion of the right to vote, which would increase access to registration to racial minorities.

23. The sum total of these programs created a voting system that we believed was more fair, more accessible, and more utilized by African Americans and other minorities. Put

simply, the new voting procedures, together, increased people's ability to exercise the right to vote in a manner that NAACP members became accustomed to and now rely upon in the state, and that our organization relies upon.

**Recent Voting Related Work of the NC NAACP Pre-H.B. 589**

24. After reforms were introduced, the NC NAACP was a leader in the state in promoting the use of the modernized voting system. In 2008, for example, Executive Board Member Rev. Dr. Mazie Ferguson helped coordinate "Souls to the Polls 2008-2009," an ecumenical effort to assist North Carolina citizens to register and vote. Dr. Ferguson saw Souls to the Polls as a continuation of her life work as an architect for social change.

25. The same year, the NC NAACP's Voter Education Protection-Registration-Empowerment Program (VEPREP) reached 125,000 households with robocalls to Get Out the Vote in African-American communities, where 45% or more had not voted in primary elections; we distributed over 30,000 Voter Cards to inform citizens of their voting rights and to encourage people with previous felony convictions to exercise their voting rights; and we developed Public Service Announcements that aired on urban and gospel stations to encourage residents to take advantage of same-day registration and early voting. We kicked off our NAACP Statewide Voter Registration drive in memory of Rev. Dr. Martin Luther King, Jr. on April 4<sup>th</sup>, in commemoration of the 40<sup>th</sup> anniversary of his assassination.

26. Beginning in 2011, after the NC General Assembly had passed redistricting maps that we contend discriminatorily diluted the voting power of African Americans, we organized "GET OUT THE VOTE" and "MILLION VOTERS" campaigns to expand access to the ballot for African Americans and infrequent, eligible voters.

27. In 2012, the theme of our 69<sup>th</sup> Annual NC NAACP State Convention honored the imperative for civic engagement in North Carolina: “If We Ever Needed to Vote, We Sure Do Need to Vote Now.” Held 10 days prior to the voter registration deadline, we joined with African American church denominational leaders, including the General State Baptist Convention, the Lott Carey Foreign Mission Convention, and the AME Zion Church, representing thousands of churches in North Carolina, all speaking with one voice calling for mass voter mobilization and Souls to the Polls.

28. The three-day Convention included a pre-convention Continuing Legal Education (CLE) training, a Religious Emphasis Day that attracted lawyers and advocates from across the state under the theme: “An Examination of the Voting Rights Act, Election Laws and a Person’s Right to Vote an Effective Ballot.” We announced the Million Voters March initiative; released a new report on the Tea Party’s “True the Vote” efforts to intimidate and undermine the right to vote; and announced a new legal partnership with a coalition of legal entities in the state, and nationally, to ensure voter protection against all forms of intimidation and suppression in early voting and on election day.

29. Non-partisan trainings during the Convention included: “Mobilizing Churches and Church Members”; “Continuing the Legal Fight to Protect Our Voting Rights & Defend Our Democracy”; “Fighting the Attempts to Buy Our Democracy,” which focused on campaign finance reform; “Million Voters March 3: Our GOTV Strategy from Now Until November”; “The Power of Women: Their Votes, Their Voices”; and “Million Voters March III: What’s at Stake.” Throughout the convention, members were invited to attend Voter Activation Network Training.

30. In 2012, NC NAACP launched two signature Voting Rights campaigns: the *1,000 Churches, Temples and Mosques: 100% Voter Registration Campaign* to engage the faith community in registering 100% of their eligible members as voters with the Souls to the Polls strategy and a “Fresh Freedom Summer” initiative promoted registration by making an appeal to younger eligible voters of color, a growing proportion of the electorate in the state, with a historic graphic of the 1964 Mississippi martyrs –Michael Schwerner, James Chaney, and Andrew Goodman—who died while registering voters in Mississippi. The engagement of youth voters has been a central focus of the NC NAACP as we work to pass on the legacy of our historic fight for the right to vote.

31. In the 2012 election, we saw the impact of these efforts. Voter turnout was at the second highest level in NC history. African Americans disproportionately used the early voting period in the 2012 election. Our campaigns used new methods, such as robo calls and the Voter Activation Network, and tried-and-true methods, like door-to-door canvassing, to make real the hard won right to vote.

32. In 2011, the NC NAACP provided Voter Activation Network (VAN) training for NAACP youth and adult leaders in our *Million Voters March 3* mass non-partisan voter registration and Get Out the Vote campaigns. We held GOTV tours in 27 communities that included college campuses and NC’s “Black Belt.” New and younger leaders became VAN captains. They generated walk and phone lists to contact infrequent voters and the unregistered. Our primary focus was to promote one stop same-day registration and early voting. This work resulted in both an increase in African American registration, and an increase in African American early voting compared to 2008.

### **NC NAACP's Consistent Stand Against Voter Suppression and Intimidation**

33. While we have worked to expand the right to vote, the NC NAACP has also fought intimidation in voting throughout our history to protect the right to vote. Historically, NC NAACP members stood against efforts of white supremacists to use fear and violence to block African Americans' right to vote in North Carolina. In recent years, we have played a prominent role in standing up against race-based intimidation or suppression efforts, including filing complaints to the FBI and local police.

34. For example, in May 2008, the NC NAACP filed a formal voter-suppression complaint with the North Carolina Department of Justice against a group called Women's Voices that undertook deceptive and illegal robo-calls to state residents, and disproportionately to African Americans, prior to the May primary. In the November election, we were appalled to learn of the display of a casket at an early voting location in Craven County with a picture of presidential candidate Senator Barack Obama on the coffin. At the time, the NC NAACP said, "we believe this act is a clear violation of the law and obvious voter intimidation and voter suppression." Besides calling for an investigation, we also called on both major political parties to denounce the casket incident and acts of intimidation in general.

35. In 2008 and 2010, the NC NAACP was aware of documented aggressive poll observers and hecklers during early voting in Wake County and Fayetteville, and in both elections we made strong public statements calling for no voter intimidation in the state.

36. In October 2010, North Carolina NAACP and the National NAACP together objected to the use of a mailing by Republican State Conference Chairman, Mr. Thomas Fetzer, that greatly distorted the Racial Justice Act—a legislative initiative strongly supported by the NC NAACP and the HKonJ Coalition, which was aimed at correcting racial injustice in the use of

the death penalty in the state. The Racial Justice Act allowed death-row inmates to make statistics-based appeals to the impact of racism in their case such that, if successful, could change their sentences to life in prison without the possibility of parole. In the mailing, distributed to several districts across the state after changing legislators names for the respective districts, the mailer declared in big letters: Under the Racial Justice Act some men on death row could be made “eligible for parole immediately.” The mailer showed the picture of two inmates, an African American man and a white man, with the subtitle “Keep Death Row Inmates Where they Belong and Get Rid of Criminal Coddler [name of legislator].” The white man “brutally murdered two people” and the African American man featured in the ad “raped and murdered an 11 year old child.”

37. Then and now, we believe that this mailer was reminiscent of racial appeals in political ads like the 1988 “Willie Horton” campaign and Jesse Helms’ infamous racially charged “White Hands” ad, and that it was distributed in a manner that could, in turn, result in suppressing the vote. The NC NAACP called on Mr. Fetzer to repudiate and correct the offensive mailer and end the racial appeals.

38. During the 2012 election early voting period, again the NC NAACP was made aware of reports of poll observers and campaign workers harassing voters. The Board of Elections Director Gary Barlett said at the time, “I have heard more complaints, more misinformation and more what I call intimidation or suppression than any time during my [almost 20 year] tenure.” The State Board of Elections sent out a memo reminding employees that they were obliged to “prevent and stop improper practices and attempts to obstruct, intimidate, or interfere with any person in registering or voting.”

39. In November 2012, the NC NAACP also filed a complaint with the U.S. attorney's office about a display travelling the state with effigies of the President and others being hung by nooses, witnessed at minority polling places. Particularly concerning, then and now, to the NC NAACP was the potential chilling effect of intimidation on minority voters in the state who themselves may have faced race-based intimidation in the past.

#### **NC NAACP's Consistent Stand Against Voter ID and Voter Suppression**

40. In 2011, NC NAACP along with our HKonJ partners stood against and defeated the first attempt to pass Voter Photo ID by the NC General Assembly when the Governor vetoed the legislation, and the General Assembly was unable to garner the votes to pass this voter suppression tactic. At the time, Governor Perdue explained her veto by explaining that "there was a time in North Carolina history when the right to vote was enjoyed only by some citizens rather than by all. That time is past, and we should not revisit it."

41. To my knowledge, North Carolina was the only southern state that was able to thwart the strategy of voter suppression to limit access to the polls for racial minorities, seniors, college students, the poor, and other ethnic and language minorities.

42. In March of 2012, the NC NAACP sent an open letter to the NC Association of County Commissioners in opposition to some Boards of County Commissioners' attempts to gain the authority from the General Assembly to pass Voter ID laws for local elections.

43. Our position against voter ID has been crystal clear since it was first proposed. We believe that the system of signature attestation already in place in the state had the proper criminal sanctions attached and was working. We opposed Voter ID because of the parallels to the history of the poll tax in the state; the chilling effect and confusion that requiring identification documents could create; and the disproportionate impact voter ID would have on

African American voters and other racial minorities in the state due in part to the relationship between poverty and race in the state of North Carolina.

44. In January 2012, the NC NAACP and partners launched a Truth & Hope Tour of Poverty in North Carolina. This statewide tour traveled over 2,000 miles, making 31 stops with approximately 4,500 people participating, exposing the devastating impact of poverty throughout our state to fellow NC residents and lawmakers.

45. Through this process and through NC NAACP branches' work across the state, and especially in communities with some of the most highly concentrated poverty in the state, the NC NAACP as an organization is particularly cognizant of the significant burden of high poverty that African Americans and Latinos in the state disproportionately bear. Such high poverty produces very real barriers to the ballot that far too many otherwise eligible voters face, including decreased access to transportation, to political and social power, and even limited funds for acquiring basic identification documents. These already difficult barriers are worsened still by photo identification laws like H.B. 589.

#### **NC NAACP, Moral Mondays, and the H.B. 589 Legislative Process**

46. For the NC NAACP, the month of March 2013 was dedicated as *Voting Rights Month* in honor of the historic anniversary of the month of the Selma-to-Montgomery marches in 1965. The NC NAACP used bulletin inserts, newspaper ads, mass Bloody Sunday leaflets, radio announcements, and marches and services to raise people's awareness across the state about the many brave Americans who had been killed or beaten to overcome the mass disenfranchisement that ruled the South until the late 1960s. Our message was clear: we need more voting, not less.

47. On April 4, 2013, on the 41<sup>st</sup> anniversary of the assassination of Martin Luther King, Jr., the first version of H.B. 589 was filed as a 12-page bill focused on requiring voter identification.

48. On April 9, the NC NAACP and HKonJ sponsored a People of Color Justice and Unity Legislative Day. More than 500 grassroots volunteers came to spend a day at the General Assembly providing legislators with fact sheets about the faces of poverty and opposing voting rights roll backs.

49. On April 10, the NC NAACP presented testimony opposing the voter ID bill, and informed legislators on the House Election Committee about the impact that the bill would have on racial minorities. I gave testimony alongside over 50 others who stood in opposition to the bill, at what was at that time the only hearing scheduled for public comment.

50. Two days later, in Greensboro, the North Carolina A&T University Branch organizers protested and rallied to stand against the voter ID bill. On April 17, on the 53<sup>rd</sup> Anniversary of the founding of the Student Non-Violent Coordinating Committee (SNCC), NC NAACP Youth and College members attended a meeting of the NC House Committee on Elections and staged a walkout, wearing stickers that explained our position: "Say No To Voter Suppression."

51. On April 22, 2013 a group of students led by the NC NAACP Youth & College Chapter protested the bill by wearing black tape over their mouths representing the freedom that they believed the legislature was taking from them and the impact of the the potential passage of voter ID on racial minorities and on youth voters. On April 24, the bill passed in the House.

52. On April 29, after the first version of H.B. 589 passed, and clergy from across the state sent an open letter to the Governor declaring that the state was at a moral crossroads, the

NC NAACP held the first Moral Monday protest in the State Capitol building. Seventeen people, including myself, were arrested that day for attempting to pray and sing in the State Capitol as we sought to call on our legislators to take the moral highground for the “good of the whole.” From April 29<sup>th</sup> to July 22<sup>nd</sup>, twelve Moral Monday protests took place in the state capitol. Over 950 people were arrested for peacefully appealing to the legislature to do what was morally and constitutionally right for the people of North Carolina.

53. Without any public hearing, on July 23, 2013, the Senate version of the bill was introduced and was what NC NAACP believed to be an entirely different bill than the one we initially spoke out against—it had grown to be a “monster voter suppression bill.” The revised bill, in addition to adding even stricter requirements for voter identification, made significant cuts to early voting, limited weekend or Sunday voting, eliminated same-day registration, invalidated “out of precinct” provisional ballots, and eliminated straight-ticket voting, among other changes. Each of these changes targeted a method of voting that NC NAACP either strongly emphasized to promote full and fair engagement of African Americans in the voting process, or a method that had been shown to be used disproportionately by African Americans or other racial minorities.

54. No one in the public, including the NC NAACP, ever had the opportunity to give public comment on these new provisions to the Committee or in a public hearing on the impact that these changes would have on racial minorities or on voters as a whole.

55. The new “monster voter suppression bill” sped through the legislature with an extraordinary speed. It was introduced on July 23<sup>rd</sup>, passed the Senate the following day on July 24<sup>th</sup>, and was then passed by the House on July 25<sup>th</sup>. NC NAACP had members present for the entire floor debate in the Senate and the House. When the House voted to pass the bill after less

than two hours of debate, African American members of the House who were present stood and held hands in protest against the passage of the bill.

56. NC NAACP members actually cried that evening, but we woke up with our spirits renewed because we knew that we were prepared to fight the voter suppression law that was being called “the most restrictive voting bill in the country.”

57. On July 29<sup>th</sup>, just following the end of the legislative session, the NC NAACP held its final Moral Monday where over 10,000 people gathered for a final rally and assembly outside the state capitol in opposition to the actions of the General Assembly and in support of a moral agenda for the state that would expand, not restrict the right to vote for North Carolinians.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on May 16, 2014.



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Rev. Dr. William J. Barber II