

A Better NC – “Accountable” Backup

Audio/Video	Citations
<p>Audio: North Carolina Chief Justice Cheri Beasley believes our Supreme Court should hold politicians in Raleigh accountable.</p> <p>Video: Image of Chief Justice being sworn in CG: Beasley: North Carolina Supreme Court hold politicians accountable</p>	<p><u>Support for opinion:</u></p> <p>Beasley dissented in the <i>Dickson v Rucho II</i> case. “Justice Beasley wrote that it violates the Constitution to draw district lines based on race when it is not necessary to comply with the VRA and concluded that the General Assembly’s approach gives it “the power to determine which of the voters in the minority group will be represented by a candidate of their choice, and which voters will not.” (Center for American Progress; 1/20/16; <i>Dickson v. Rucho</i>, 781 SE 2d 404 - NC: Supreme Court 2015)</p>
<p>Audio: Now extremist Paul Newby wants her job.</p> <p>Video: Extreme Justice Paul Newby SOURCE: Fayetteville Observer 9/21/16; WRAL, 7/16/19</p>	<p><u>Support for opinion:</u></p> <p>Fayetteville Observer Editorial: “Supreme Court Justice Newby is out of line with public support of HB2” “But last week, we saw a rare deviation from that norm, a surprising revelation by a North Carolina Supreme Court judge who attended a Fayetteville rally supporting controversial House Bill 2, nicknamed the ‘bathroom bill.’” (Fayetteville Observer, 9/21/16; <i>reprinted in NC Policy Watch</i>)</p> <p>Court watchers called remarks Newby made about his fellow justices in 2019 unusual. “t was unusual for Newby to call out his fellow justices, court watchers said Tuesday, and another signal of how partisanship has seeped into judicial races. “There’s something uncomfortable about it,” former Supreme Court Justice Bob Orr said.” (WRAL, 7/16/19)</p>
<p>But Newby wrote the decision defending politicians who racially gerrymandered districts to enact their political agenda.</p> <p>Image of Paul Newby CG: Paul Newby wrote the opinion defending racial gerrymandering. SOURCES: <i>Dickson v Rucho II</i>; News & Observer, Editorial, 2/6/16; NPR, 10/6/11</p>	<p>Newby wrote the majority decision in <i>Dickson v Rucho II (2015)</i> that upheld the legislature’s 2011 districts. “The North Carolina Supreme Court ruled in a subsequent 4-2 decision that the trial court had not made adequate findings of fact to conclude that the “VRA districts” were drawn predominately based on race.” (Brennan Center, 1/4/19; <i>Dickson v. Rucho</i>, 781 SE 2d 404 - NC: Supreme Court 2015)</p> <p>Federal judges later 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</p>

	<p>the constitutional rights of black voters. The judges ordered the lines redrawn within two weeks.” (News & Observer, Editorial, 2/6/16)</p> <p><u>to enact their political agenda:</u></p> <p>Republicans targeted North Carolina to control 2011 redistricting and enact their agenda. “Finally, the RSLC proposed “strengthening Republican redistricting power by flipping 15 chambers from Democrat to Republican control” and defending nine other GOP majorities. The key targets: Alabama’s House and Senate, both chambers in Colorado, the Indiana and Iowa House, the Nevada and New York Senate, both chambers in North Carolina, Ohio’s House, the Oregon Senate, the Pennsylvania House and both chambers in Wisconsin.” (Salon, 2/6/18; Real Facts NC 2/15/18)</p> <p>Art Pope pumped money into NC politics to control redistricting and push a “far-right political agenda.” “Pope, the chairman and COO of a discount-store conglomerate, pumped millions of dollars into helping the RedMap strategy succeed during the 2010 state legislative races. “He and his family members have basically poured money into the state’s politics; \$40 million is about what they’ve spent through their foundations,” says Mayer. “About \$35 million of that has gone towards pushing a far-right political agenda in North Carolina. In the 2010 state races, where people don’t spend much money, he and the groups that he helped found — that were supposedly independent groups — spent \$2.2 million. It doesn’t sound like a lot nationally, but it can make all the difference in the context of one state. So basically what you’re looking at is one very wealthy corporate captain who, when motivated enough, can exert enormous influence in a state.”” (NPR, 10/6/11)</p>
<p>Paul Newby’s ruling enabled them to continue tax breaks for corporations, underfunded public schools, protect polluters.</p> <p>Image of Paul Newby CG: Paul Newby’s ruling Enabled: Corporate Tax Cuts, Underfund Public Schools, Protect Polluters. SOURCES: NC Policy Watch; 1/16/13; S257, veto overridden 6/28/17; S711, veto overridden 6/27/18</p>	<p><u>Newby’s Ruling:</u></p> <p><i>See above</i></p> <p><u>extreme agenda:</u></p> <p>NCGA Republicans outlined a “far right” plan in 2013. “Berger has decided to go all in with the far right agenda and appears to see it as his pathway to seeking the GOP nomination to take on Kay Hagan in 2014. Moreover, his legislative “agenda” was/is an utterly predictable recitation of Locke Foundation/Civitas/Art Pope priorities:” (NC Policy Watch, 1/16/13)</p> <p><u>Tax breaks for corporations:</u></p>

2017 Republican budget gave tax breaks to the wealthy and corporations. “While the latest tax reductions benefit nearly all taxpayers, Democratic Gov. Roy Cooper vetoed the budget with the cuts contained inside in part because they gave breaks to the wealthy and to corporations. Republicans overrode the veto.” (Associated Press, [7/10/17](#); S257, Vetoed [6/27/17](#), Senate Veto Override [6/27/17](#), House Veto Override [6/28/17](#))

The 2017 Budget cut the corporate income tax. “This budget will cut individual income tax rates to 5.25 percent from 5.499 percent and the corporate rate to 2.5 percent from 3 percent in the second year, costing the state \$900 million annually when fully implemented. This means that the legislature will eventually have cut \$3.5 billion annually in all its tax cuts – money that could have gone for services. North Carolina, for example, ranks 41st nationally in per pupil spending for public education. Here is a question for lawmakers: Which is most likely hindering industrial recruitment and economic development in small-town North Carolina – high taxes or poor schools?” (News & Observer Editorial, [6/24/17](#), S257, Vetoed [6/27/17](#), Senate Veto Override [6/27/17](#), House Veto Override [6/28/17](#))

Cut funding for public schools:

The 2017 budget required a \$3.2 million cut from the “Department of Public Instruction, the state agency that works with North Carolina’s public schools.” “State lawmakers required a \$3.2 million cut this year from the Department of Public Instruction, the state agency that works with North Carolina’s public schools. The State Board of Education on Tuesday approved \$2.5 million in cuts, including layoffs and the elimination of vacant positions in the divisions that help low-performing schools and provide training to teachers.” (News & Observer, [7/25/17](#); S257, Vetoed [6/27/17](#), Senate Veto Override [6/27/17](#), House Veto Override [6/28/17](#))

Low performing schools would get less help as a result of the budget cut. “North Carolina’s low-performing schools will get less help this year as a result of budget cuts approved Tuesday by the State Board of Education. State lawmakers required a \$3.2 million cut this year from the Department of Public Instruction, the state agency that works with North Carolina’s public schools. The State Board of Education on Tuesday approved \$2.5 million in cuts, including layoffs and the elimination of vacant positions in the divisions that help low-performing schools and provide training to teachers.” News & Observer, [7/25/17](#); S257,

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The 2017 Republican budget continues the trend of cutting taxes rather than raising per pupil spending.

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Protect polluters:

S711 protects hog farms against citizen lawsuits filed over odors, flies, buzzards, and other nuisances. “A state Senate committee approved a proposal to protect hog farms against citizen lawsuits filed over odors, flies, buzzards and other nuisances caused by large-scale hog farming operators.” (News & Observer, [4/25/17](#); S711, Senate veto override [6/26/18](#), House veto override [6/27/18](#))

S711 limits punitive damages, meaning that unless a farm operator has a criminal conviction or has received notice of violation that state farm laws were broken, damages won’t be allowed. “The law further limits when punitive damages can be awarded. Unless a farm operator has a criminal conviction or has received a regulatory notice of violation that state farm laws were broken, such damages won’t be allowed.” (News & Observer, [6/27/18](#); S711, Senate veto override [6/26/18](#), House veto override [6/27/18](#))

The language of S711 coincides with pending nuisance suits involving pork giant Murphy-Brown. “The timing of the bill language, unveiled only two days ago, coincides with nuisance suits being heard or pending in federal court, overseen by US District Court Judge Earl Britt. In April, Murphy-Brown lost the first case in which the jury awarded the 10 plaintiffs a total of \$50 million in compensatory and punitive damages. Because of a state law capping punitive damages, Britt reduced the amount to \$3.25 million.” (NC Policy Watch, [6/7/18](#); S711, Senate veto override [6/26/18](#), House veto override [6/27/18](#))

	<p>WH Group, a Chinese corporation, purchased Smithfield in 2013 and now owns Murphy-Brown. “Kaeske added that WH Group, the Chinese corporation that purchased Smithfield in 2013 for an estimated \$4.7 billion, made \$2 billion in profits last year. The cost of covering all the lagoons in the North Carolina, Kaeske told the court, would total about \$500 million, around half of what Smithfield makes each year after taxes. Between 2010 and 2015, he said, four Smithfield executives earned a combined total of \$245 million. Kaeske's emphasis on the company's bottom line did not sit well with Smithfield attorney Mark Anderson, who said he was "frustrated, listening to all this talk about big corporations, big money"—rhetoric he called "anti-corporation and anti-agriculture." Throughout the trial, hog farming industry advocates have consistently painted the litigation as an assault on hard-working family farmers, although the lawsuits are not targeting the farmers that contract with Murphy-Brown. Anderson, in his opening remarks, said the lawsuits are motivated by "out-of-town people with an agenda.”” (Indy Week, 4/25/18)</p> <p>Dozens of nuisance suits would be thrown out after S711 becomes law. “The second case, one of dozens scheduled throughout the year, is being heard now. But Jackson said the bill intentionally would nullify any cases that were not being tried by the day the legislation became law. Dozens of nuisance suits, already filed with the court, would be thrown out. Murphy-Brown would not have to risk losing again. Sen. Warren Daniel, a Republican from Burke and Cleveland counties, proposed an amendment that would allow the dozens of nuisance cases pending before the court to continue. He later withdrew the amendment.” (NC Policy Watch, 6/7/18; S711, Senate veto override 6/26/18, House veto override 6/27/18)</p>
<p>Let's keep Chief Justice Cheri Beasley – because she's fair and independent.</p> <p>Image of Cheri Beasley Chief Justice Cheri Beasley. Fair and Independent.</p>	<p>n/a</p>
<p>DISCLAIMER</p>	<p>n/a</p>