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Unaffiliated Voters shaping up to be Key to Midterm Elections

BY RAY NOTHSTINE



Given the large number of undecided voters in North Carolina, unaffiliated voters are once again crucial to the November election outcome. An August Civitas Poll of unaffiliated voters showed that 29 percent of unaffiliateds have not made up their mind on which party they will vote for when it comes to the state legislature, and 34 percent are undecided in the congressional races. Likewise, 34 percent are undecided on which party they will support for the North Carolina Supreme Court.

Democrats are leading the polls in generic ballot polling for all three races. Among unaffiliated voters, Democrats lead Republicans by seven points in state legislative races, three points in the congressional races, and four points in the state Supreme Court race. Two of those three races fall within the poll's +/- 4.4% margin of error.

The three constitutional amendments supported by Civitas had a strong showing in the poll. Voter ID had the support of 63 percent of those surveyed, lowering the income tax cap to 7 percent had the support of 60 percent, and the right to hunt and fish polled at 65 percent. They are all popular amendments, and even with only unaffiliated voters polled, every one of them hit a minimum threshold of 60 percent support.

Most casual voters don't start paying attention to races until after Labor Day, so there is still time for the GOP to make up ground with unaffiliated voters. At the same time, with so many still undecided, Democrats could open up a bigger lead. It's possible that more recent scandals or questions concerning President Donald Trump could galvanize more of the electorate towards Democrat candidates across the state and nation.

Trump's approve/ disapprove (– 3) rating is within the margin of error in North Carolina for unaffiliated voters, but the poll was taken before the convictions of former Trump Campaign Chairman Paul Manafort and former Trump attorney Michael Cohen, possibly implicating Trump in alleged criminal wrongdoing in the minds of some voters.

Given the number of undecided voters, whatever way they decide to break will obviously be key to November's outcome.

The poll surveyed 500 likely unaffiliated voters in North Carolina with a +/- 4.4% margin of error. The survey was conducted August 8-21, 2018. The full poll and crosstabs can be found at www.NCCivitas.org.

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FROM THE EDITOR

The spending of public money via tax revenue far too often goes unchallenged. In most cases, it's widely applauded. Anybody who has followed budget issues, particularly in the 1990s, witnessed public meltdowns and media hostility towards proposals to merely slow the rate of growth at the federal level. Baseline budgeting, which automatically assumes anticipated spending growth each year, is accepted as the norm and is just one reason our federal spending and debt has spiraled out of control.

Generally speaking, politicians love to spend money, particularly for the purpose of bolstering their own job security. It's a problem that threatens freedom and economic growth in North Carolina too.

Brian Balfour sheds important light on the proposed spending behind the "Our North Carolina Promise" campaign in a piece titled "The High Price of NC Democratic 'Promises.'" The spending grab bag has the potential to add nearly $5 billion to our state budget, requiring substantial tax increases. It's an important article because so few publications and media outlets across the state are reporting on the sticker shock. In an election year that could potentially shift the balance of power, we believe voters must be informed.

Our front page story for this issue focuses on our poll results from unaffiliated voters. With so many undecided voters amongst that growing unaffiliated segment across North Carolina, there is little doubt that outcomes will hinge on how those voters break as the election draws near.

Leah Byers has written an important piece on judicial elections in North Carolina. The North Carolina Supreme Court race is the headlining statewide race and certainly one of the most important given the Left's strategy to push more and more decision-making authority within the judiciary branch. This not only threatens the balance of power and constitutional government, but stymies the will of the people by undercutting their elected legislators.

There is much more content in this issue and as always, Civitas will keep readers informed well beyond any upcoming election, fighting to remove government barriers to freedom. We value and depend on your support to make that a reality.

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CYAN MAGENTA YELLOW BLACK

The High Price of NC Democrats' "Promises"

BY BRIAN BALFOUR

- ***North Carolina Democrats have outlined election year "promises" in a new document, "Our Carolina Promise"***
- ***Implementing the proposals would add nearly $5 billion to the state budget***
- ***To finance these "promises" would require either a 38 percent personal income tax hike or a 65 percent increase in sales tax revenue***

To win votes this election year, North Carolina Democrats are making grandiose promises that, if implemented, would cost state taxpayers at least a staggering $4.8 billion in new spending.

How big is the proposed spending increase? North Carolina's current General Fund budget is $23.9 billion. Fulfilling Democratic "promises" would result in a 20 percent spike in state spending, which would easily be the largest year-over-year spending increase in modern state history. To pay for this spending spree, an average family of four would add about $1,900 to their already sizeable state tax burden.

Making matters worse, this wouldn't be a one-time expenditure. The Democrats' plan would ratchet up the baseline for recurring spending obligations by 20 percent, with future spending growth adding on to the new, much higher, baseline.

Dubbed "Our North Carolina Promise," the state Democratic Party has put together an election-season platform full of pricey promises that would expand government's control over every major aspect of our lives. From the description on their website – "From our schools and our health to our jobs and our people, this is Our Carolina Promise" – no aspect of society would be exempt from the preferred method of Leftist problem solving: soaking taxpayers to finance ballooning government spending.

Lofty sounding platitudes are easy on the ear – if there is no price tag attached. That is where this article comes in.

The "Carolina Promise" platform includes 22 bullet point items, ranging from "equal pay for equal work" to "keep judges fair and independent." Items such as those are ambiguous and difficult to quantify as a cost to taxpayers.

Others, however, such as "increase per-student spending by $2,400" and "expand Medicaid" can – and should — be quantified.

Below is a breakdown of the massive price tag that accompanies the Democrats' "Carolina Promise."

Increase per-student K-12 Spending by $2,400 = $3.7 Billion

According to the platform document, "North Carolina spends $2,400 less per-student than the U.S. average." With an average daily membership count (ADM) of more than 1.5 million students in the 2017-18 school year, this would cost more than $3.7 billion.

(NOTE: The platform document also promises to increase average teacher and principal salary to the national average. Since teacher and staff compensation comprise the majority of K-12 expenditures, Civitas did not include this expenditure separately, as it would be rolled into the per-student expenditure increment.)

Increase Number of School Nurses to National Standard = $79 Million

From the platform document: "North Carolina Democrats are committed to keeping our students and schools healthy and safe by bringing NC up to the national standard for number of school nurses and supporting new support staff for our schools."

Because "new support staff" is too vague to quantify, Civitas focused on the promise to bring school nurse numbers "up to the national standard." According to a 2017 report by the legislative Program Evaluation Division, "meeting current standards for school nurses statewide may cost up to $79 million annually."

Expand Early Childhood Programs (Pre-K) to All Eligible Children = $166 Million

Ironically, Republican legislative leaders included in a 2017 bill funding increases that would eliminate the current N.C. Pre-K waitlist by 2020. The Democrats' platform document, however, calls for much more than that.

"Democrats promise to expand early childhood programs to not only end the pre-K waitlist but to ensure that parents who are trying to help their children get a quality education have access to early childhood education programs."

A reasonable way to interpret this "promise" is that the intent is to expand funding to include all North Carolina children eligible for the program. According to a Longleaf Politics report, there are about 62,000 low-income children eligible for the N.C. Pre-K program, but only half are currently being served. The report estimates that the price tag to pay for all remaining eligible children would come to about $166 million.

Expand Medicaid = $341 Million

The Democrat "platform" makes a promise to "expand Medicaid to more than 600,000 working people." Civitas has written extensively about how expanding the state's already overcrowded Medicaid program would not provide access to care for the newly-enrolled, because coverage does not equal care.

Leaving the extreme shortage of doctors to treat Medicaid patients aside, let's focus on the taxpayer price tag for Medicaid

(Continued on page 4)

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The High Price of NC Democrats' "Promises"

CONTINUED FROM PAGE 3

expansion.

Senate Bill 290, introduced in 2017, would expand Medicaid as laid out in the Democrats' "Carolina Promise."

Funding for the newly eligible Medicaid enrollees under expansion would be provided 100 percent by the federal government in the first three years and phased down to 90 percent thereafter.

According to language in SB 290, the price tag for North Carolina's proposed Medicaid expansion would be steep.

By FY 2018-19, the federal share for expansion was projected to be $3.5 billion per year, with the state portion amounting to $341 million.

Restore 'Cuts' to Department of Environmental Quality = $14.6 Million

According to the platform document, to "ensure clean air and safe drinking water" the Democrats will reverse "harmful cuts to the Department of Environmental Quality."

This promise is vague, however, Gov. Cooper can help us put a price tag on it. In a May press release, Cooper highlighted the fact that his budget proposal included "$14.6 million to give state agencies the resources and personnel to monitor and protect air and drinking water and hold polluters accountable."

Restore the Earned Income Tax Credit = $108 Million

Since its elimination in 2014, Democrats and leftists have been clamoring for North Carolina to restore its state Earned Income Tax Credit (EITC).

The state EITC was eliminated in the 2013 tax reform. NC Policy Watch reported reinstating it would have cost $108 million at the time. Reinstating the credit today would likely be higher, but we'll give the benefit of the doubt and use this conservative estimate.

Increase Access to Broadband, Especially in Rural Communities = $10 Million

The "Carolina Promise" platform also includes a promise to "Increase access to high quality broadband, especially in rural communities."

The 2018 state budget included $10 million in grants to local communities to expand broadband internet service. The grants targeted rural communities with lower rates of connectivity. Clearly, the Democrats who authored the "Carolina Promise" feel this falls short. One can conservatively estimate that they would prefer to see this amount at least doubled to $20 million; meaning their plan would cost North Carolina taxpayers an additional $10 million.

Increase Funding for Government Job Training Programs = $360 Million

According to Carolina Promise, "Democrats will increase access to vocational education to help workers learn the skills employers need and open new doors to well-paying jobs for more North Carolinians."

While vague, it is still possible to assign a reasonable cost estimate to this "promise." For instance, we can use the "Moral Monday" demand from 2014 to increase workforce development programs by 50 percent as a proxy. Legislation created to respond to these demands found that such an increase would cost taxpayers $360 million per year.

How To Pay For It?

The massive $4.8 billion price tag to implement the Democrats' promises would, of course, need to be paid by hardworking North Carolina taxpayers. This hard truth is conveniently left out of the platform document.

But just what sort of tax hike would be required to generate such a large amount?

According to the Office of State Controller, total state personal income tax collections last year totaled $12.5 billion. Generating $4.8 billion in additional revenue would require a whopping 38 percent increase in personal income taxes.

If North Carolina decides not to raise income taxes it can raise revenue by increasing the sales tax rate. Statewide sales tax collections totaled $7.34 billion last year. To raise the $4.8 billion required to finance the Democrats' promises would necessitate a stunning 65 percent increase in sales tax collections – requiring a rate increase from 4.75 percent to 7.84 percent.

Bear in mind, these tax estimates leave out any negative effects that such dramatic tax hikes would have on the behavior of North Carolina taxpaying workers and businesses. As businesses leave or downsize due to the higher tax burden and its drag on our economy, there will be fewer taxpaying workers left to pay the massive bill. Additional tax hikes would likely be needed.

The bottom line: The Democrats promise to be very generous with taxpayer money. Implementing the proposals would require oppressive tax hikes on hardworking North Carolinians, causing significant damage to the state's economy.

Taxpayers have good reasons to be wary about promises that come with such a steep price tag.

**NOTE: This article is a commentary on a public policy proposal. This article should not be construed as support or opposition to any political candidates or parties.*



CYAN MAGENTA YELLOW BLACK

Toppling of Silent Sam – Deeper Ties to the Left in North Carolina?

BY LEAH BYERS

On August 20, 2018, a mob destroyed a Confederate monument on the campus of the University of North Carolina at Chapel Hill. Silent Sam was dedicated in 1913 and honored UNC students that fought in the Civil War.

Eighteen people have been arrested in connection with the night of vandalism and subsequent protests. Of those arrested, one is an associate professor at UNC Chapel Hill. So, who are the other individuals and groups responsible for this egregious act of total disregard for the rule of law?

In September, WRAL detailed a comprehensive list of the names of the arrested along with their charges and the date of their alleged crimes.



One alleged vandal is Raul Arce Jimenez, who is charged with misdemeanor riot and misdemeanor defacing of a public monument in connection with the August 20th destruction of the statue. Some news sources identified him as an organizer of the rally.

Jimenez appears to have a history with these types of mob-style acts of vandalism. Earlier this year, Jimenez was found not guilty on charges related to the toppling of a Confederate monument in Durham.

Additionally, Jimenez has ties to an array of Left-leaning groups in North Carolina that are featured in the Civitas Mapping the Left project. One group, the Youth Organizing Institute (YOI), still lists Jimenez as one of its two co-directors. YOI receives funding from the Ben & Jerry's Foundation and the Proteus Fund. YOI's parent organization, the Southern Vision Alliance, receives funds from prominent progressive donors such as the Z. Smith Reynolds Foundation and the Mary Reynolds Babcock Foundation.

Jimenez's rationalization for the vandalism of the monuments is best expressed in his own words. In one interview with Fox News, he said, "if they are upset with the way the community took action, they should look for a way to reverse that law passed in 2015 protecting those monuments." Fox also quotes Jimenez as saying the toppling of the monument was a "righteous act of people power."

This is an incredibly dangerous mindset that abandons the rule of law in favor of mob rule. Our legal processes are in place for a reason; they provide legitimate outlets for citizens to express their grievances. Our state is a diverse place. One small group should not be allowed to completely disregard the will of their fellow citizens, as expressed through their elected government representatives, just because they are able to rally the brute force necessary to make their desired change.

When people or groups decide to circumvent the established forums for public discourse, based on some illusion of righteousness, where do we draw the line? Is any crime excusable if it is motivated by a criminal's genuinely held belief in its righteousness?

There are fringe radicals on either side of the ideological spectrum. But in a society that glorifies "social justice warriors" and their tantrum-like behaviors, the Silent Sam incident should raise red flags. Will the Leftist establishment, with which Jimenez is tied, condemn his alleged actions? Or are we moving towards a society that rewards vigilantes who take "justice" into their own hands?

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Changes represent the difference in voter registration between August 4, 2018 and September 1, 2018										
County	Total Voters	Total Change	Democrats	Democrat Change	Republicans	Republican Change	Libertarians	Libertarian Change	Unaffiliated Voters	Unaffiliated Change
Totals	6,998,662	28,201	2663626	4183	2,090,963	4,841	36,346	495	2,206,917	18,399
Alamance	101,615	492	38123	104	33,162	99	501	2	29,822	283
Alexander	24,364	52	6144	-9	10,788	23	87	1	7,344	37
Alleghany	7,426	-6	2607	-16	2,618	6	35	0	2,166	4
Anson	17,376	40	11590	-9	2,474	14	21	2	3,263	29
Ashe	19,080	89	5287	1	8,129	32	69	-2	5,594	58
Avery	11,825	-3	1399	-5	6,965	4	47	-1	3,414	-1
Beaufort	33,280	106	13169	-9	10,821	33	89	1	9,196	79
Bertie	14,189	49	10053	14	1,551	1	26	1	2,559	33
Bladen	22,980	77	12494	-43	3,976	40	40	0	6,468	79
Brunswick	101,542	764	27340	53	38,038	312	378	10	35,776	384
Buncombe	195,440	777	75072	173	46,088	127	1,434	7	72,810	459
Burke	58,288	131	18126	-27	20,772	57	267	1	19,116	100
Cabarrus	136,539	725	41508	164	49,403	107	797	20	44,808	424
Caldwell	54,585	-217	13937	-164	24,545	-84	359	-1	15,736	28
Camden	7,864	20	2206	-10	2,485	13	46	0	3,126	16
Carteret	52,576	254	11972	29	22,371	94	239	0	17,993	130
Caswell	15,686	13	7884	-6	3,296	2	36	0	4,469	17
Catawba	104,732	167	25273	-19	44,718	9	412	5	34,323	169
Chatham	53,222	240	20822	31	12,944	23	238	5	19,209	177
Cherokee	23,301	101	5570	-4	10,045	67	127	0	7,558	38
Chowan	10,267	11	4826	4	2,647	3	23	0	2,771	4
Clay	8,612	37	1852	-4	3,595	16	47	1	3,115	22
Cleveland	64,439	45	25678	-101	21,032	24	247	6	17,478	116
Columbus	37,361	90	20482	-90	7,245	72	61	3	9,571	105
Craven	69,455	416	23073	70	24,259	135	371	9	21,746	201
Cumberland	217,776	1,373	98649	343	49,567	180	1,212	37	68,332	809
Currituck	19,879	125	3949	10	7,372	60	163	5	8,393	49
Dare	29,886	110	8742	4	9,244	28	216	0	11,680	76
Davidson	108,202	227	25744	-42	50,529	63	459	9	31,461	192
Davie	29,704	5	5407	-5	15,066	-17	111	2	9,118	23
Duplin	30,230	104	13929	-25	8,120	14	120	-1	8,059	115
Durham	224,190	828	123284	303	27,645	-18	1,118	15	72,104	514
Edgecombe	38,243	-59	26609	-61	6,214	-3	82	-1	5,335	5
Forsyth	258,541	1,048	105202	331	75,737	-8	1,268	15	76,299	698
Franklin	44,152	187	18055	11	13,355	35	202	4	12,537	137
Gaston	144,227	444	44658	15	54,518	65	710	2	44,331	355
Gates	8,722	42	4590	8	1,780	13	28	-1	2,324	22
Graham	6,410	4	1890	-2	2,825	1	26	-1	1,669	6
Granville	38,572	81	18659	19	9,395	6	138	-5	10,379	61
Greene	11,475	27	6498	0	2,084	-7	22	1	2,869	33
Guilford	372,064	1,560	168524	282	95,062	47	1,810	28	106,624	1,189
Halifax	38,836	125	25390	42	4,653	21	91	1	8,700	61
Harnett	75,281	366	26363	33	26,139	89	504	9	22,271	234
Haywood	44,561	156	16461	8	13,558	57	251	3	14,283	87
Henderson	84,751	372	18039	86	31,734	108	452	15	34,516	162
Hertford	15,478	17	11202	-10	1,472	2	36	0	2,766	23
Hoke	32,608	179	15261	36	6,812	8	203	7	10,331	128
Hyde	3,424	7	1957	-5	534	5	13	0	920	7

Iredell	120,033	486	30194	8	49,476	161	586	10	39,766	304
Jackson	28,472	91	10134	7	7,588	29	173	1	10,572	52
Johnston	126,954	582	38757	59	48,455	164	725	16	38,994	329
Jones	7,319	25	3535	3	1,844	12	22	0	1,918	10
Lee	36,561	160	14659	48	10,363	15	175	4	11,360	92
Lenoir	38,575	62	20774	-2	9,572	13	117	2	8,111	49
Lincoln	57,635	316	13655	-17	25,321	150	259	-2	18,398	183
Macon	26,030	132	6498	20	10,533	66	130	1	8,867	45
Madison	17,004	32	6504	-14	4,430	11	106	1	5,963	34
Martin	17,060	8	10034	-31	3,306	1	39	1	3,678	36
Mcdowell	29,442	40	8246	-40	11,161	28	151	-2	9,882	52
Mecklenburg	731,956	3,894	319855	1008	170,932	397	4,483	51	236,592	2,397
Mitchell	11,039	-9	1149	3	6,645	-7	29	1	3,216	-6
Montgomery	16,517	52	7075	0	5,073	28	58	-1	4,308	25
Moore	67,616	290	16455	55	27,425	129	345	4	23,386	101
Nash	66,613	195	33179	31	18,754	29	217	4	14,456	127
New Hanover	169,742	639	53032	107	53,261	109	1,192	12	62,240	407
Northampton	14,604	4	10423	-14	1,444	5	25	0	2,710	13
Onslow	108,188	838	27704	124	39,115	289	960	12	40,395	405
Orange	113,779	513	52581	248	16,360	36	716	-1	44,108	227
Pamlico	9,715	4	3789	-8	3,174	5	39	0	2,713	7
Pasquotank	29,012	113	13089	-3	6,172	32	171	0	9,574	83
Pender	41,290	212	12577	18	15,514	67	247	9	12,947	117
Perquimans	10,065	25	4023	-5	2,747	19	31	1	3,261	8
Person	26,707	56	11961	-5	6,653	23	96	0	7,995	36
Pitt	123,695	642	55898	143	31,930	129	722	6	35,123	360
Polk	16,018	64	4368	11	5,587	30	80	1	5,979	21
Randolph	91,685	166	18653	-11	45,924	63	485	7	26,614	105
Richmond	30,346	19	16399	-29	5,964	10	76	2	7,905	35
Robeson	76,648	114	48571	28	9,506	13	193	1	18,370	69
Rockingham	60,049	105	22344	-19	20,811	49	225	8	16,663	64
Rowan	95,046	377	27745	17	38,354	73	396	1	28,543	284
Rutherford	45,069	100	14292	-26	16,982	56	221	1	13,566	67
Sampson	38,152	64	16218	-34	13,937	26	115	5	7,877	66
Scotland	22,708	65	12772	4	3,741	12	53	4	6,140	44
Stanly	41,611	100	10918	-42	18,364	64	139	2	12,186	75
Stokes	31,103	50	7592	-27	15,050	33	156	1	8,300	43
Surry	45,807	60	13448	-38	19,351	35	118	0	12,887	63
Swain	10,325	-80	3928	-44	2,689	-23	31	0	3,675	-14
Transylvania	25,818	45	6682	5	8,277	5	121	2	10,738	33
Tyrrell	2,423	-2	1376	-1	352	-2	9	0	686	1
Union	155,247	840	39652	70	63,956	149	695	11	50,930	606
Vance	30,152	49	19704	-15	4,380	13	69	2	5,997	49
Wake	730,854	3,631	270163	911	188,430	108	4,808	75	267,355	2,504
Warren	13,560	20	9224	-10	1,828	7	36	0	2,472	23
Washington	8,808	28	5871	10	1,146	0	26	1	1,765	17
Watauga	46,430	782	12222	198	14,123	114	514	19	19,566	449
Wayne	75,035	148	32142	-23	23,905	38	310	6	18,672	123
Wilkes	42,756	41	9738	-14	21,984	-5	141	0	10,891	59
Wilson	55,999	101	29145	18	13,491	16	155	-1	13,204	66
Yadkin	24,074	65	4026	-16	13,268	22	76	1	6,701	57
Yancey	14,060	49	5104	9	4,933	17	52	2	3,970	20

The Importance of the North Carolina Judicial System – A Brief History and Current Climate

BY LEAH BYERS



The Left in North Carolina has demonstrated its willingness to use the court system as a vehicle to contest policies with which they disagree. That strategy fundamentally abuses the purpose of the court system; it should not be used as a second law-making branch. Instead, the state needs a court system that will judge laws on their constitutionality alone, not on their alignment with judges' personal policy preferences.

With this context in mind, the North Carolina Supreme Court race is arguably the most influential contest on this November's midterm ballot. It is the headlining statewide race and has important implications for the leanings of the state's high court.

The state's judicial branch should be committed to objective constitutional evaluation of laws. In today's hyper-partisan climate, however, North Carolina's judiciary could be the next ideological battleground.

History of Partisan Judicial Races

North Carolina had partisan judicial races until 1996. The then-Democrat-controlled General Assembly changed the races to nonpartisan in response to an uptick in Republican judicial victories.

In 2015, the Republican-controlled General Assembly made the Court of Appeals races partisan. Following the 2016 election, they also changed Supreme Court and District and Superior Court races to partisan ones. The 2018 election will be the first for which those changes go into effect.

Despite the new partisan labels, the General Assembly cancelled Supreme and District Court primaries for the 2018 election only. This change was enacted due to judicial redistricting uncertainties that were not resolved by the time a primary would have needed to take place.

Due to this change, the 2018 judicial races can contain any number of candidates, and the top vote-getter will be the winner.

2016 "Upset" Outcome

The 2018 Supreme Court race is especially important for conservatives in the state because the Court currently has a 4-3 liberal slant. One left-leaning justice, Samuel Ervin, occasionally acts as a swing vote. A Democrat win in 2018 would give the liberals a strong 5-2 majority, negating the possibility of a swing vote.

This situation was created, in part, by the 2016 Supreme Court race, in which liberal Mike Morgan upset incumbent Republican Bob Edmunds. Morgan won by eight points, a big win over an incumbent and Republican. In other state-wide races that year, Republicans performed well. Donald Trump won, U.S. Senator Richard Burr won his reelection bid, and the Republicans maintained their veto-proof majorities in both chambers of the General Assembly. Notable Democrat statewide wins include Gov. Roy Cooper and Attorney General Josh Stein.

Some speculate that Morgan won by such a large margin due to his name being listed first on the ballot. Other races on the ballot listed their candidates with the governor's party candidate coming first. Many people who voted for Republicans in other races may have assumed that Morgan was the Republican candidate since he was also listed first. However, the ballot order for that race was determined by a random drawing at the state board of elections. The race was non-partisan, meaning that at least some voters probably did not realize that Morgan was a Democrat. This was likely compounded by a phenomenon known as "position bias." Candidates listed first on the ballot generally have a slight advantage over their competitors.

(Continued on page 9)

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The Importance of the North Carolina Judicial System

CONTINUED FROM PAGE 8

A Three-Candidate Race

As previously mentioned, there were no primaries for the 2018 judicial elections. This opened the door for multiple candidates from the same party to be on the same ballot. This year's Supreme Court race features three candidates: two registered Republicans and one registered Democrat.

Incumbent Republican Barbara Jackson is up for reelection and Democrat Anita Earls has been a known challenger for the seat. At the last minute, Chris Anglin entered the race, as well. Anglin is running as a Republican, although he changed his voter registration from Democrat on June 7, less than three weeks before filing to run in the state Supreme Court race. Some of his campaign or legal advisors are prominent Democrats. This combination of factors has led some to believe he entered the race as a Republican to siphon votes from Jackson and increase Earls' chances of winning. The latest Civitas polling shows Earls jumping out to a commanding lead in the race.

In July, the General Assembly held a special session during which they passed legislation to require that Supreme Court candidates be registered with their party for at least 90 days before filing in order to obtain that party label on the ballot. Anglin challenged the law in court and won. So, Anglin and Jackson will each be listed as Republicans on the ballot, with Earls being the only Democrat. This could help Earls win the seat. Besides being the Democratic candidate, Earls is also the founder of the Southern Coalition for Social Justice, a Leftist group that uses the court system to advance their policy agenda.

Far-Reaching Implications

The sway of the Supreme Court is especially influential in North Carolina due to the Left's strategy known as "Sue 'til Blue." This means that the Left – including groups such as the North Carolina Association of Educators, the North Carolina NAACP, and now Gov. Cooper – will use the court system to contest policies with which they disagree, often regardless of the policy's constitutionality. Liberals in North Carolina find themselves pursuing this route often because of their staunch opposition to many of the conservative policies recently put forth by the Republican-controlled General Assembly.

When the court had a conservative slant prior to the 2016 election, such tactics were less likely to succeed. For example, the state Supreme Court upheld the state's Opportunity Scholarship program along a 4-3 ideological split in 2015. Chief Justice Mark Martin wrote in the majority opinion:

Our review is limited to a determination of whether plaintiffs have demonstrated that the program legislation plainly and clearly violates our constitution. Plaintiffs have made no such showing in this case. Accordingly, the trial court erred in declaring the Opportunity Scholarship Program unconstitutional.

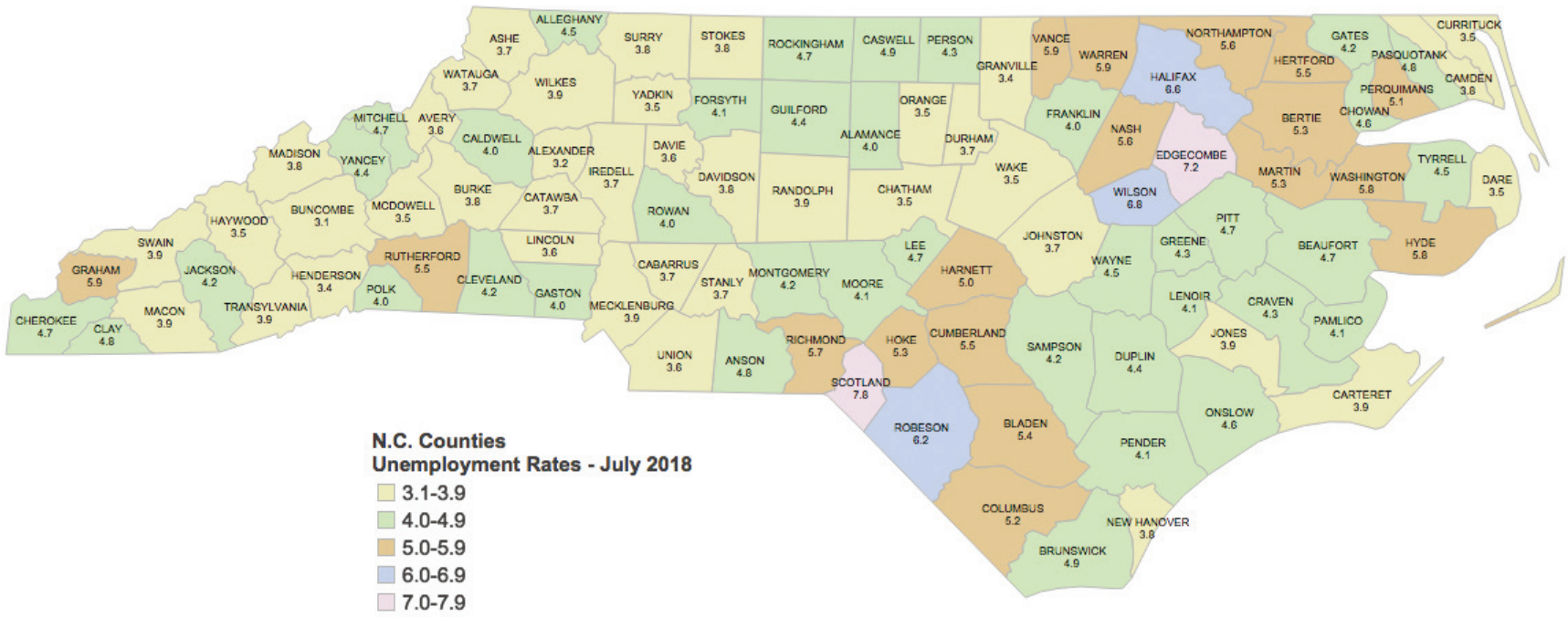
The sway of the Supreme Court is especially influential in North Carolina due to the Left's strategy known as "Sue 'til Blue."

The ruling should not be considered a "conservative" victory per se just because Opportunity Scholarships are a conservative school choice policy. It should instead be viewed as a properly functioning court – one that determines a law's constitutionality, not policy preferences.

The judicial branch should theoretically weigh in only on the constitutionality of laws passed by the General Assembly. The content of the laws should be determined by the legislative branch alone, as designed by the state constitution.

Unfortunately, we have seen the willingness of the federal judicial system to "legislate from the bench," a term used to describe a type of judicial activism in which judges make merit verdicts on laws based on their own personal beliefs or preferences. North Carolina has experienced this firsthand from the federal court system numerous times. Most recently, the U.S. Fourth Circuit Court of Appeals threw the state's November elections into uncertainty with a gerrymandering ruling that the Wall Street Journal's editorial board called a judicial political 'coup.'

A liberal stronghold on the state Supreme Court could advance similar judicial activism in North Carolina at the state level. Along with a Democrat governor willing to litigate every issue, that could be a lethal combination to all conservative policies in North Carolina going forward. More broadly, judicial activism is a threat to the role of citizens in the representative lawmaking process. The legislative branch is designed to be sensitive to the will of the people, so that citizens have adequate influence on the lawmaking process of the state. No matter the ideological leanings of the judges, democracy is eroded when laws originate from judicial decree.



The above map shows the July 2018, (not seasonally adjusted) unemployment rates for North Carolina counties. (data from N.C. Department of Commerce) The July statewide unemployment rate was 4.1 percent. The unemployment rate saw a slight dip from June when it was 4.2 percent.

Scotland County reported the highest unemployment rate at 7.8 percent, while Buncombe County had the lowest at 3.1 percent. Asheville at 3.3 percent has the lowest unemployment rate among metro areas, while Rocky Mount had the highest at 6.1 percent. Thirteen of the state's metro areas saw decreases from last month, while one increased, and one remain unchanged.

Compared to July of last year, all of the metro areas experienced decreases in unemployment and all counties experienced decreases except for one county that remain unchanged. The number of workers employed in July increased from June by 17,530, for a total workforce of 4,846,645 across North Carolina.

New Civitalk Podcast Brings Conversational Tone

A new podcast called "Civitalk" is now two months old. Podcasting remains one of the fastest growing media markets in America and around the world. According to Eddison Research, over 124 million Americans listen to audio podcasts. That number is only surging upward as ad revenue from podcasts double each year.

"Civitalk," co-hosted by Civitas communications director Brooke Medina and editor Ray Nothstine is designed to be more conversational and engage new followers to the principles and work of the Civitas Institute. It hopes to be an added dimension for an organization that is improving and extending its outreach. The weekly podcast will be uploaded for iTunes and Android devices soon and can currently be found on the Civitas website.

"We just want to engage people at the cultural and policy level, really engage them in real conversations about North Carolina and the future of this nation," said Nothstine. "Our style, if anything, is about authenticity. Politics is downstream from culture and we are very aware of that," he added.

CONNECTING CULTURE
CIVITALK
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John McCain, the Hanoi Hilton, and Public Virtue

BY RAY NOTHSTINE

Sen. John McCain, who passed away in August, is undeniably the most famous prisoner of war held captive and tortured by the North Vietnamese. McCain was one of 591 Americans returned by North Vietnam over several months during "Operation Homecoming" in 1973. But in our current politicized era, McCain's fame somewhat overshadows the leadership and lessons of many other great Americans tortured by their Marxist captors.

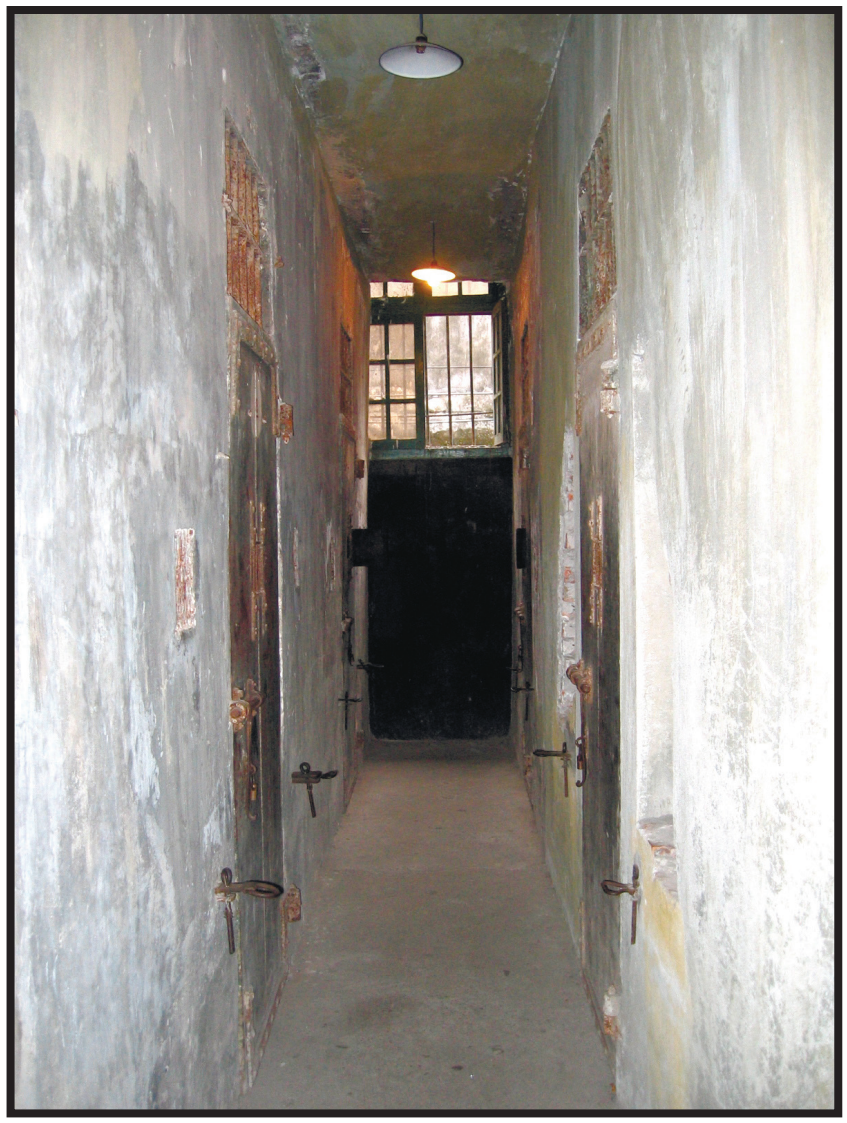
McCain often praised fellow prisoners as being "stronger" and "braver" than himself, giving credit to leaders like Medal of Honor recipient Bud Day for saving his life. Sadly, much of the media and our politically obsessed culture are focused more on leveraging McCain's death for today's political scoreboard. However, if America wants to right its ills, it must relearn the moral lessons and servant leadership from those tortured in Hỏa Lò Prison – the infamous Hanoi Hilton – and other camps.

Another notable POW at Hỏa Lò was Admiral James Stockdale. He is well-known in American politics too, as Ross Perot's running mate in 1992. Stockdale was supposed to be a stand-in candidate until Perot settled on a more "polished" replacement. But Perot never pulled the trigger. Stockdale's performance in the debate with former Vice President Dan Quayle and then-Senator Al Gore was widely mocked, particularly by entertainment figures. Ed Rollins, former campaign director for Reagan-Bush 84, worked with the Perot campaign and called it the greatest political injustice of his lifetime. "Congress should pass a law requiring every person who laughed at him during the vice-presidential debate to read the citation that explains why Stockdale received the Medal of Honor for his conduct as a senior prisoner of war in Hanoi for more than eight years," wrote Rollins.

Before his foray into national politics, which was just a favor to a friend, Stockdale was a college president, a Hoover Institution fellow, lecturer, and scholar of the classics. In his book "Thoughts of a Philosophical Fighter Pilot," Stockdale wrote, "Those who study the rise and fall of civilizations learn that no shortcoming has been surely fatal to republics as a dearth of public virtue, the unwillingness of those who govern to place the value of their society above personal interest."

Robinson Risner is another POW McCain effusively praised. For good reason. Risner has a statue commemorating his heroics and defiant attitude towards his torturers on the U.S. Air Force Academy campus near Colorado Springs, Colo. He wrote one of the most haunting and arresting accounts of his ordeal in "The Passing of the Night." Like Jeremiah Denton's "When Hell Was in Session," and Jerry Coffee's "Beyond Survival," these books are authoritative depictions of the centrality of faith in the fight against a materialistic worldview and secularism that has now wreaked moral havoc and angst across the Western world.

Many of these men preceded McCain in death. After all, they were the more senior officers who sacrificially and so often took the brunt of the torture, attempting to shield those under their command. Virtually all of them were aviators, and many never flew again, their bodies too twisted and ravaged for the cockpit. Some POWs like Lance Sijan and Ronald Storz were tortured to death for their country. Many of them languished so long in North Vietnamese prisons that they came back to an entirely different America that, for them, offered up shocking images of moral and cultural decline.



Much of the political and media praise being heaped on McCain is for partisan political purposes, such as CNN's coverage, which stressed every point on which the talking heads perceived McCain to be politically different from (and better than) President Donald Trump. But the legacy and witness left by these warriors is not about power or politics, but service and sacrifice. "In the Hanoi Hilton, I learned that leading with honor is about doing the right thing, even when it entails personal sacrifice," wrote former POW Lee Edwards.

In his literary masterpiece "When Hell Was in Session," Denton noted that "We can now add our testimony to that of great heroes like Solzhenitsyn and Sakharov." In a country starving for truth, a new generation of Americans would be wise to read and acquaint themselves with the testimony of why such sacrifice produced such unity and greatness against enormous odds. One can hope that much of the enormous outpouring of deserved gratitude and respect for McCain can transcend politics, and move the nation towards a life of sacrifice in the service of something far greater.

This commentary was originally published by the Acton Institute.

NaShonda Cooke Story Raises Many Questions

BY BOB LUEBKE



In September, NaShonda Cooke, a teacher at Carroll Middle School in Raleigh appeared on the cover of Time magazine as part of an article about the financial challenges of being a teacher. Printed over Cooke's picture on the cover are two sentences.

I have 20 years of experience, but I can't afford to fix my car, see a doctor for headaches or save for my child's future. I'm a teacher in America.

In the article, Cooke goes on to say, "It's not about wanting a pay raise or extra income. . . It's just about wanting a livable wage"

Cooke is a single mom with two children, one with autism.

Cooke's annual salary from the Wake County Public Schools is $69,165.

The salary is for two positions; Cross Categorial Resource Teacher ($55,401) and an Intervention Teacher ($13,764). According to records, her salary is for 10.5 months of employment.

First, let's provide a little perspective. According to the US Census Bureau, median household income for Wake County is $70,620. The median household income in North Carolina is $48,256.

Cooke earns more than most of her teaching colleagues in Wake County and across the state with the average teacher salary is about $50,900. Nationally the average teacher salary is about $59,000.

Of course, it should be noted that North Carolina teachers have received five consecutive pay raises since 2014. Teachers have received an average increase of $8,700 – or nearly 20 percent of their base salary – since 2014.

Cooke says she wants a livable wage and struggles to pay bills and save for her children's future.

I would like to ask Ms. Cooke: what is a livable wage? Earlier this year at the May 16th teacher rally I asked several teachers a similar question, "What is a fair salary?" None of the teachers I asked provided an answer.

The average teacher employed with Wake County Public Schools receives an annual benefits package (health insurance, retirement etc.) worth $18,000. If she continues to teach, Cooke would also have the option to retire at 55 with benefits, another perk with a significant monetary value.

I am sure Ms. Cooke hoped that highlighting her plight might gain sympathy for the plight of teachers everywhere. For me, it only raises more questions. Struggling on a household income of $70,000? Most would greet that statement with raised eyebrows and a request to see her budget.

Cooke says she struggles to save money, pay rent, students loans, health insurance premiums, and afford college for her child.

Welcome to the real world, Ms. Cooke. I don't know many people who don't struggle with the things you mentioned. Life is hard, and a job is no guarantee that you'll be inoculated from the struggles.

Cooke and other teachers want higher salaries. They have every right to make their case in the public square. Long ago teachers organized to make themselves a more formidable force. Perhaps it's time to re-think the current model that makes teacher salaries a political fight. Why don't we ever hear about protests, marches or magazine covers discussing the salaries of private school teachers?

Cooke wants others to know of her plight. That's fair. We may also want to know of her activism in NCAE, and her role on Gov. Cooper's Teacher Advisory Commission. Facts conveniently left out of the Time magazine article.

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