



November 28, 2018

Dear Senators:

On behalf of the congregations and communities we serve, this letter is written to express our great concern about and rejection of the nomination of Thomas Farr to be a federal judge in North Carolina.

We reject this nomination out of concerns for his past association with Jesse Helms, his attacks on voting rights and workers' rights, his record on employment discrimination against African Americans and other vulnerable populations, and the absence of fair-mindedness needed for this seat.

We are frankly appalled that someone with his record could become a federal judge in 21st century America. President Trump sent an unmistakable message to us and other people of color by nominating Farr, a message we ask you to reject.

As you know Thomas Farr was a close and longtime ally of one of the most notoriously racist U.S. senators of the past half century: Jesse Helms. Farr was legal counsel to Helms' reelection campaign in 1984, which a three-judge panel of federal judges cited at the time as an example of how racism continued to be a powerful force in North Carolina politics. Farr again chose to represent the Helms campaign in 1990, when it aired an infamous ad of white hands crumpling up a rejection letter while the announcer said, "You needed that job, and you were the best qualified. But they had to give it to a minority because of a racial quota."

That same campaign also mailed over 100,000 postcards to mainly black voters suggesting that they were ineligible to vote and that voting could lead to criminal prosecution for voter fraud. Although Farr now claims not to have known about this unlawful voter intimidation scheme until after the fact, records from the subsequent investigation by the Justice Department's Voting Rights Section suggest otherwise. Either way, Helms' racism was well known, and Farr repeatedly chose to support him.

Farr's affiliation with Helms is only the tip of a very ugly iceberg. He played important roles in creating and defending North Carolina's 2013 voter suppression law imposing a restrictive photo ID requirement, and curtailing or eliminating early voting, same-day registration, out-of-precinct voting, and preregistration of 16 and 17 year-olds.

The Fourth Circuit struck the law down as not only having a racially discriminatory impact, but also as actually being intended to make voting harder for African Americans. The judges found



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that the law's provisions "target African Americans with almost surgical precision." One reason the law was so effective at its unlawful, immoral, and un-American goal was that Thomas Farr—who was not a member or staff of the legislature—helped the bill drafters sort through DMV data on distribution of drivers licenses by race, confirming that African Americans were less likely than whites to possess such a license. When the law was challenged, Farr defended it in court, just as he has defended racially harmful redistricting.

During a career that has spanned decades, this nominee has "committed himself to two missions: disenfranchising voters of color and attacking worker rights" and subsequently cannot be gifted a lifetime appointment to do further harm to generations of today and those yet to come.

We adamantly oppose this nomination to a lifetime seat on the Eastern District of North Carolina. Thomas Farr does not complement our continued work as a people and country to overcome racial, discriminatory, inequities of the past that are still a part of present day. The integrity of the courts is far too important to allow someone who would be everything but a fair minded constitutionalist to be seated.

Our sacred text teaches us that "Justice, Justice You Shall Pursue." It is a cornerstone of our faith, just as it is a cornerstone of our Constitution, and both would be offended by making Thomas Farr a federal judge.

We strongly encourage you to reject the nomination of Thomas Farr by voting NO. He doesn't deserve the seat on the federal bench or your affirming vote.

Best Regards,

The African American Ministers in Action



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