From: vijaykapoor@avlcouncil.com <vijaykapoor@avlcouncil.com>
Sent: 6/19/2019 11:26:47 AM
To: 'Jonathan Wainscott'
Cc:
Subject: RE: More on Asheville, NC

Jonathan,

Thank you for sending this.Â After your previous email with the data, I did some research myself and found the same article.Â Iâ€™m very interested in seeing what LDF has to say about our situation.Â

Thanks again,
Vijay

From: Jonathan Wainscott <jonwainscott@gmail.com>
Sent: Tuesday, June 18, 2019 2:21 PM
To: vijaykapoor@avlcouncil.com
Subject: Fwd: More on Asheville, NC

---------- Forwarded message ---------
From: **Leah Aden** <laden@naacpldf.org>
Date: Tue, Jun 18, 2019 at 12:36 PM
Subject: RE: More on Asheville, NC
To: Jonathan Wainscott <jonwainscott@gmail.com>
CC: Assistance <assistance@naacpldf.org>, Leah Aden <laden@naacpldf.org>

Afternoon Jonathan.

Thank you for your emails and sharing this information. We will do our best to try to review it all and circle back with you as soon as possible.

(end)

Leah Aden
Deputy Director of Litigation
NAACP Legal Defense and Educational Fund, Inc.
40 Rector Street, 5th Floor, New York, NY 10006
212.965.7715 LAden@naacpldf.org
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From: Jonathan Wainscott <jonwainscott@gmail.com>
Sent: Monday, June 17, 2019 10:40 PM
To: Leah Aden <laden@naacpldf.org>
Subject: More on Asheville, NC

[Caution: EXTERNAL EMAIL]

Dear Ms. Aden,

I am contacting you to ask for some assistance in regard to removing Asheville, North Carolinaâ€™s at-large municipal elections structure and replacing it with a single-member district system. I found your letter to the Beaufort, South Carolina Mayor Billy

Keyserling dated November 4, 2013 requesting that City of Beaufort dismantle its at-large voting system for City Council and replace it with district elections, citing that the Beaufort City Council was all white while African-Americans made up 25% of this 12,000 person town. I also found a document produced by the NAACPLDF answering the frequently asked questions about at-large elections.

Asheville, NC is known to be a very liberal oasis in the Appalachian Deep South, and it is odd that the City of Asheville has held onto its at-large city elections to this day. Asheville gets its reputation for being a very liberal place because of its off-beat, quirky, free-spirited nature with a vibrant arts community and a rabid passion for the expression of liberal and progressive values. The City Council is seated by non-partisan, at-large elections whereby three seats on Council are filled by the top three candidates on a ballot of 6 in the general election. Each â€œhalfâ€ of Council is seated in alternating elections every two years. The term of office is 4 years and elections have been held in odd-numbered years. The Mayor is elected at-large from the top two candidates emerging from the primary election. Through this system, Asheville has managed to keep its council filled with Democrats. Though the elections are non-partisan, intense political polarity means that party identification carries the day. Coupled with the fact that Democrats outnumbered Republicans who voted in 2015 by 8.75:1 and 8:1 in 2017, it is practically impossible for a Republican to be elected to Asheville City Council and history shows that.

The stacking of Democratic voices and values on Asheville City Council should be a benefit to the African-American community, but the maniacal defense against any Republican voice on Council has been fought by keeping the municipal election in an at-large system which is a detriment to the dwindling 12% African-American population that still lives in one of the fastest gentrifying cities in the country. Historically black neighborhoods are dissolving amid the great influx of affluent white people drawn to the city by an advertising and promotion budget funded by a hotel occupancy tax that is now collecting upwards of $25,000,000 a year. The quasi-governmental agency that collects the 6% sales tax on hotel room rentals is the Buncombe County Tourism Development Authority (BCTDA). This agency specifically markets Asheville and Buncombe County to the well-heeled as a fantastic place to visit and relocate. The unintended consequence of fostering a tourism economy is resulting in ethnic cleansing by displacing the socioeconomically marginalized members of the community. The BCTDA is a staff of 26 people with no African-Americans on its staff. None. While the Asheville City Council has almost no control in how the hotel occupancy tax is spent, it has offered little protest to the racist practices of this agency. All of the tax collected from hotel room rentals in Buncombe County must be used to promote tourism. None of it is spent on direct essential needs of the community.

One of the most disturbing elements of decay in the African-American community in Asheville is the achievement gap between white and black students in the Asheville City School System. This achievement gap is the largest in North Carolina and one of the largest in the nation. There is a great disparity of involvement by the African-American population in Asheville among the most powerful agencies and institutions in the City. In addition to the lack of black people on the staff of the BCTDA, the Asheville Area Chamber of Commerce has only one black person on its staff (the janitor), and the major news outlets are dominated by white staff and news rooms. The local â€œmainstreamâ€ newspaper, The Asheville Citizen-Times has no African-Americans on its staff, nor does our local NPR affiliate station, and our local independent weekly newspaper, The Mountain Xpress has only one African-American- an office assistant proudly displayed in the second position of its staff directory on its website. African-American issues are reported on by the local press, but from a decidedly white perspective.

There is a great coincidence in the date that you, Ms. Aden, wrote to the all-white City Council of Beaufort, SC requesting them to change their at-large voting system. On that very same day, November 4, 2013, the voters of Asheville elected our current Mayor, Esther Manheimer, our now Vice-Mayor Gwen Wisler, and re-elected incumbents Cecil Bothwell and Gordon Smith, all of whom are white, with the remaining seats not up for election that year being held by Jan Davis, Chris Pelly, and Marc Hunt- also all white. All 7 members of Council (Mayor included) were Democrats. Four out of the 7 members of Council (6 + Mayor) lived in what is now designated as District 3 (North Asheville) with the Mayor, Marc hunt, and Cecil Bothwell all living in one precinct and Gwen Wisler in an adjacent precinct. It is understood locally that the well-organized power in North Asheville controls the elections.

African-Americans have enjoyed greater political success than Republicans though. Mayor Manheimer succeeded Mayor Terry Bellamy, Ashevilleâ€™s first black mayor, a female, and the youngest Mayor in the history of North Carolina in 2005, re-elected in 2009, and chose not to run for re-election in 2013. After the absence of and African-American on Ashevilleâ€™s City Council, Keith Young became the only black person on Council in his first-place finish in 2015. While Democrats outnumbered Republicans 8.75:1 among the voters in the 2015 election, whites outnumbered blacks 10.22:1 and Keith Young took more votes than any other candidate. Again, a place on Asheville City Council requires and 3rd place finish or better on a ballot of 6 candidates. In 2017, Sheneika Smith won second place in her bid for Council. That year saw a voter turnout with Democrats outnumbering Republicans 8:1 and white voters outnumbering black voters 11.8:1. The 2017 election had much higher overall turnout and though Sheneika Smith (African-American female) came in second place, she collected about a thousand more votes than 2015 first-place finisher Keith Young (African-American male). In that same year, the seated Council called for a referendum regarding the creation of a district system designed by the North Carolina General Assembly (NCGA). On November 7, 2017 Asheville re-elected Esther Manheimer in a landslide victory over two-time challenger Martin Ramsey, self-identified as a Socialist of some sort. Vijay Kapoor became the first Asian-American, and first resident of South Asheville in quite some time taking first-place, with Sheneika Smith and incumbent Vice Mayor Gwen Wisler (White female).

This election was praised for both the cultural diversity (one Asian-American man, one African-American woman, an African-American man, a female Jewish Mayor, two white ladies, and just one white man, the arty/hippy type perfect for super liberal Asheville, Brian Haynes) as well as representation from all parts of the city.

In June of 2018, the NCGA passed Senate Bill 13 with a unanimous vote in the Senate. On July 2 last year the very first concerns to ever be expressed about how districts would affect the African-American vote came from Sheneika Smith and Keith Young.

This is the article (https://www.citizen-times.com/story/news/local/2018/07/02/asheville-city-council-districts-split-precincts-most-black-voters/746601002/) written by the Asheville Citizen-Times reporter Joel Burgess baiting Keith Young and Sheneika Smith into making a claim of racial gerrymandering by the state. They offer no data to back this up. The argument is simply that since all six precincts with the most number of black voters won't all be in the same district, that this constitutes gerrymandering and is weakening the black vote. Actual data analysis shows that to be the exact opposite. I will attach data.

When this article came out on July 2, 2018 Asheville was in the throes of some great racial turbulence due to the police beating of Jonnie Rush at the hands of APD Officer Chris Hickman. Additionally, the NCGA (or simply "Raleigh" in the vernacular of this specific conversation) does have a hostile relationship with Asheville and the actual gerrymandering that has happened across the state has confused and conflated the two. Since then, the citizens of Asheville, who are not a bunch of racist Republicans as so many Deep South states are, have been duped into thinking that the racist NCGA is forcing a horrible situation onto the electorate. The Mayor and Councilman Vijay Kapoor have recently indicated that the City has no case against the State but the electorate continues to believe that the math that determines gerrymandering is wrong and the only excuse left to keep our system at-large is because of The Will of the People.

I urge you look into this more yourself with the caveat that the local press has been working closely with the establishment. Please call me at your soonest convenience as this is a bit difficult to explain by letter. Please reach out to Mayor Manheimer and Councilman Kapoor or really the entire Asheville City Council and City Attorney to ask them what is going on here.

Iâ€™d also like you to see how woefully ignorant our local NAACP representative was at our most recent Council meeting:
https://www.youtube.com/watch?v=nHIL5gbRNyg

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