

REPAIRERS OF THE BREACH

January 17, 2018

The Honorable Charles E. Grassley, Chairman
The United States Senate Committee on the Judiciary
Washington, DC 20510
ceg@judiciary-rep.senate.gov

The Honorable Dianne Feinstein, Ranking Member
The United States Senate Committee on the Judiciary
Washington, DC 20510

via Electronic Mail

Re: *Opposition to the Re-Nomination of Thomas Farr to the Federal Judiciary*

Dear Chairman Grassley, Ranking Member Feinstein, and the U.S. Senate Judiciary Committee:

With extreme disappointment in the re-nomination of Thomas Farr for a judicial appointment to the U.S. District Court for the Eastern District of North Carolina, I write to express fervent opposition to confirmation of this nominee. This letter supplements the attached letter I sent to you on September 20, 2017, and discusses information that has emerged since that time. Farr's record clearly establishes that he is unfit and unqualified to serve in this critically important position. At a minimum, disturbing new information indicating that Farr misrepresented his past to the Committee and showing Farr's connections to the worst elements of white supremacy demand that the Committee hold a new hearing on this nomination. I respectfully request to be permitted to testify at that hearing.

I have spent my whole life in North Carolina, and I know this nominee. I know what he's done, what he stands for and just how detrimental he will be to the people of North Carolina and this nation if confirmed. Farr has been the lead attorney in a series of recent legislative efforts to [suppress political participation](#) by African Americans in the state. In 2010, Farr advised the General Assembly in what federal courts later termed a "[racial gerrymander](#)" of North Carolina House, Senate and U.S. Congressional districts. In separate lawsuits, each of these redistricting plans was determined to have [discriminated against African-American voters](#).

In 2013, the North Carolina General Assembly [enacted a bill](#) that shortened early voting, required voters to present government-issued IDs and eliminated same-day voter registration and out-of-precinct voting — all of which are techniques known to suppress voters. Farr advised the

Repairers of the Breach, Inc

1206 E. Ash St., Goldsboro, North Carolina 27530 | (919) 432-4103 | info@breachrepairers.org
What does the Lord require of you but to do justice, love mercy, and to walk humbly with your God? Micah 6:8

REPAIRERS OF THE BREACH

legislature on the bill and then became lead counsel in a three-year battle to defend it. Federal courts ruled the law unconstitutional and an attempt to disenfranchise African-American voters [“with almost surgical precision.”](#)

While now supporting Farr, Senators Thom Tillis and Richard Burr previously [blocked the ascent](#) of two highly qualified African-American women —Jennifer Prescod May-Parker, who was chief of the Appellate Division at the U.S. Attorney’s Office in the Eastern District, and Patricia Timmons-Goodson, a former state Supreme Court Justice. For them to approve instead a tenacious opponent of civil rights echoes a racial past whose bitterness we should transcend, not resurrect.

Farr began his career as a campaign aide to Senator Jesse Helms. Helms entered public life in campaigns that urged “White People Wake Up” and smeared the University of North Carolina as “the University of Negroes and Communists.” Helms was notorious for his diatribes against “Negro hoodlums” and “forced integration,” and for touting the “purely scientific statistical evidence of natural racial distinction in group intellect.” He became the state’s most vociferous opponent of the civil rights movement, which, as late as 2005, [Helms](#) declared had “ripped away at the customs and institutions people cared about.”

This week our nation is celebrating the vision and work of Rev. Dr. Martin Luther King, Jr. In 1983, Helms filibustered the proposed Martin Luther King holiday, accusing King of being an “action-oriented Marxist.” The following year, Thomas Farr became a Helms protégé, joining as legal counsel to his 1984 U.S. Senate campaign, during which Senator Helms publicly expressed his gratitude for the support of the Ku Klux Klan. Farr served in the same capacity for Helms’s race-baiting 1990 campaign against the African–American former mayor of Charlotte, Harvey Gantt. Carter Wrenn, one of Farr’s colleagues then and one of his supporters now, admits: [“We played the race card and I’m not proud of it.”](#) While Farr claims that he is not a racist, I know that the members of this Committee who have run in numerous election campaigns are well aware that Jesse Helms would have made sure that his chief campaign lawyer shared his basic values and strategies. As a lifelong North Carolinian, I know without a doubt that racism was at the essence of Jesse Helms. And racism and work on behalf of white supremacy and the policies advanced by Jesse Helms is at the essence of Tom Farr.

During Farr’s time on the campaign, the Helms Campaign Committee sent more than 105,000 intimidating postcards to North Carolinians, most of whom were African Americans eligible to vote, wrongly suggesting they were ineligible and warning that they could be prosecuted for fraud if they tried to cast ballots. [Farr denied](#) having any knowledge of this effort,

Repairers of the Breach, Inc

1206 E. Ash St., Goldsboro, North Carolina 27530 | (919) 432-4103 | info@breachrepairers.org
What does the Lord require of you but to do justice, love mercy, and to walk humbly with your God? Micah 6:8

REPAIRERS OF THE BREACH

but a former Department of Justice official said the Helms' disciple "absolutely" was involved in this and earlier illegal voter suppression tricks that the campaign described as "[ballot security efforts](#)." Only after this information came to light did Farr admit that he was present in a 1990 Helms' campaign meeting on voter suppression that ultimately resulted in this despicable incident.

This atrocious track record should prevent anyone from being appointed to the federal bench. The problematic nature of this nomination is compounded by the fact that Farr would preside over the Eastern District, which contains most of the state's counties with the highest percentages of African-American residents. Despite being home to North Carolina's "Black Belt," the Eastern District has never had an [African-American judge](#) in its nearly century and half of existence. It is a place that often feels like the civil rights movement never happened.

"We will have to repent in this generation," Dr. King wrote from an Alabama jail, "not merely for the vitriolic words and actions of the bad people... but for the appalling silence of the good people." Morality is not about left or right or Party affiliation. Members of this Committee from both sides of the aisle have condemned white supremacists in Charlottesville, Virginia and the most recent racist remarks made by the President who nominated Farr. I call upon the good people who are members of the Judiciary Committee not just to denounce the words of the President and the concept of white supremacy, but to vote against the confirmation of this nominee who would embody those words and concept on the federal bench.

Respectfully submitted,



Rev. Dr. William Barber, II
President, Repairers of the Breach

Repairers of the Breach, Inc

1206 E. Ash St., Goldsboro, North Carolina 27530 | (919) 432-4103 | info@breachrepairers.org
What does the Lord require of you but to do justice, love mercy, and to walk humbly with your God? Micah 6:8