

Delivered Electronically

November 18, 2009

Governor Bev Perdue
Office of the Governor
20301 Mail Service Center
Raleigh, NC 27699-0301

Dear Governor Perdue,

The recent State Board of Election hearings on Governor Easley and his alleged campaign activities, as well as the Verizon contracting scandal, have once again shaken confidence in our state government. These repeated scandals are damaging our state's reputation for honest government and demand executive leadership. While we all hope the General Assembly will take on the call of reform in the 2010 session, there are a number of positive and immediate steps you could take as governor to help restore confidence in state government:

First, ask Ruffin Poole to resign from the Board of Directors of the Golden LEAF foundation. Mr. Poole's decision to refuse/fight a subpoena by the State Board of Elections demands this action. While Mr. Poole has a constitutional right against self-incrimination, it is disgraceful that a state appointee to a board as important as Golden LEAF would refuse to answer questions from another state board. Having already spent close to \$400 million of state money and with another half a billion in its accounts, Golden LEAF should play a forceful role in the state's economic future without North Carolinians worrying about unseemly corruptive influence. Golden LEAF's work should be held to the highest ethical standards. Recent testimony from the State Board of Elections indicates that Mr. Poole does not meet those standards. While you may lack legal grounds to demand Mr. Poole's resignation, the governor does command a bully pulpit and you would send a strong message of your expectations of those serving in state government if you asked Mr. Poole to resign immediately.

Second, release all the investigative reports on the missing 2005 State Highway patrol records including those from the special investigative panel you formed in August and the patrol's internal affairs unit. In May 2009, the News and Observer first reported Capt. Melvin's February 2009 visit to the Easley personal residence to deliver what Capt. Melvin has since described as a "personal" hard drive. Six months later, we still do not have answers to what Capt. Melvin delivered, nor do we have answers to the important question of whether the Highway Patrol has been engaged in a political cover-up. To date, the only report that has been issued from your administration is a four-page document which could be generously described as

“amateurish.” On August 26, 2009, N.C. Crime Control Secretary Reuben Young told reporters: “Governor Perdue and I are determined to do everything in our power to find the answers regarding the 2005 records.” It is now time for you to honor that commitment and release all of the investigative reports in this matter including those produced by the patrol’s internal affairs unit.

Third, impose a 90-day freeze on the environmental permitting process for Titan Cement and ask Attorney General Roy Cooper to conduct an investigation into whether any undue political pressure has been involved in the permitting process to date. The Attorney General’s investigation should focus on actions taken by the Easley Administration to exempt Titan from the State Environmental Policy Act (SEPA) as well as the state senate’s abrupt decision to kill legislation on this matter this year without a vote. Three recent events have diminished public confidence in the state’s environmental permitting process. These events include 1) the federal bribery convictions of a NC Department of Environment and Natural Resources (DENR) official and two corporate executives in the Agri-Ethanol case; 2) testimony during the State Board of Elections hearings that top Easley administration officials were helping a coastal developer with a permitting issue at the same time they were soliciting a \$50,000 contribution from that same developer; and 3) federal officials recently serving DENR with a half dozen subpoenas that indicate that they are probing whether anyone made payoffs or offered gratuities to state officials during the permitting process. The people of North Carolina, especially those living in southeast North Carolina near the proposed plant, have to know with 100% certainty that the Titan case has been handled fairly. Given recent events, that can’t be said right now. That is why I am asking you take this extraordinary extra step in this controversial case.

Three years ago, just months before Jim Black pled guilty to three separate felonies, I sent Governor Easley a similar letter that included this paragraph: “Too many North Carolinians still believe that government service is an opportunity to enrich themselves or protect their industry’s economic interests. Gubernatorial leadership, as well as further changes to our state’s campaign finance laws, will help alleviate this problem.” Governor Easley never responded to the letter, an action I believe spoke volumes about his interest in honest government. I hope and trust you will choose a different path.

Sincerely,

Joe Sinsheimer