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Chairman Jason Simmons
NC Republican Party
1506 Hillsborough Street
Raleigh, NC 27605

re: Plan of Organization Art. IX, section E.2

Dear Chariman Simmons,

There seems to be some confusion recently over the meaning of the abovereferenced section on the Plan of Organization of the NCGOP, a sction of which I was the author duing one of my stints on the NCGOP Plan of Organization Committee.

This section was written to address a situation that occurred in a general election campaign for the 1st State House district. It was a competitive open seat with a solid GOP nominee who had served as an Assistant Secretary in the Reagan administration. During the campaign, the Democrat nominee, a county commissioner, began running large newspaper ads with the endorsements of three Republican county commissioners from Piedmont counties. Complaints to the party organizations in the home counties of those commissioners brought no action for their party disloyalty and there was no other remedy. This section was specifically written to provide a remedy in such situations, allowing the proceedings to be initiated by any county GOP organization in the state for party disloyalty.

During committee deliberations, another committee member mentioned a similar problem that had occurred with no means of recourse in his area. There was also committee discussion that in some instances someone might be so powerful in their home county that the only way to address these problems was to have them brought by other counties. My recollection is that the vote in committee was unanimous.

Because we wanted this provision to have a deterrent effect on such behavior, our committee report specifcilly mentioned that this remedy would now be available to any county in the state in the event of party disloyalty. My recollection is that this provision passed as part of the Plan amendment package with a unanimous or overwhelming vote.

The legislative history of this provision is very, very clear as was its intent.

The first actual use of this provision was against former NC House co-Speaker Richard Morgan who had abandoned the GOP House caucus to do a private deal with the Democrats in an evenly divided House. After Morgan's action, he narrowly won renomination against a poorly funded challenger and then lost renomination against a well funded challenger in the primary in the following cycle. The party disloyalty proceedings were brought some months after Morgan's primary loss. They were NOT brought by his home county of Moore, which mostly opposed the proceedings against him. After a hearing, the State Executive Committee found that Morgan had committed party disloyalty and banned

him from participation in party activities for five years.

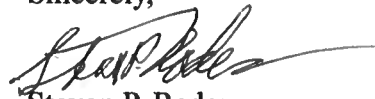
The actual practice in use of this provision of the Plan also confirms that it has actually been used as was intended to allow these charges to be brought by any county organization in the state.

Whoever decided that these proceedings had to be initiated by someone's home county obviously had little or no institutional knowledge of either how and why this provision came about or how it has actually been used. It is also obvious that they did not seek out such knowledge.

The other question is why that opinion has not been shared with the counties bringing this latest party disloyalty proceeding, leaving them in limbo. If they had been notified in a timely manner, they could have sought to correct the erroneous ruling that was made.

I would greatly appreciate your taking corrective action on this matter.

Sincerely,



Steven P. Rader

(former NCGOP General Counsel 1992-1997)