



November 15, 2018

National Association for the Advancement of Colored People
Registered Agent
National Corporate Research, LTD.
10 East 40th Street 10th Floor
New York, New York 10016

NAACP National Headquarters
General Counsel
4805 Mt. Hope Drive
Baltimore, MD 21215

NAACP Houston Branch
Yolanda Smith
2002 Wheeler St.
Houston, Texas 77004

Re: Appeal for New Election

To Whom It May Concern,

This letter is to serve as an appeal for a new election pursuant to Article IX, Section 2(o) of the Bylaws for Units of the NAACP. Attached you will find a petition with a minimum of 50 signatures as required.

Please note that I, and the members I represent, want nothing more than to bridge the divide that has appeared, and dispel the cloud that currently sits over the NAACP. Our number one goal before anything else is to aid in the rehabilitation of the NAACP. However, to make this a reality we must make it known that dissention should never be the problem, but corruption and lack of transparency should always trouble us. It is our sincerest hope and wish that Headquarters take corrective action in a just and equitable manner befitting national leadership.

“The only thing necessary for the triumph of evil is for good men to do nothing.”
-Edmund Burke

Our grievances are as follows:

- a. Numerous challenge ballots were not placed in envelopes but instead put directly into the ballot box.
- b. There were 3 different “rolls” none of which we had the opportunity to review. We have no way of knowing the legitimacy of any of the memberships despite our having

- had asked National Headquarters and the Branch about the membership rolls and their creation on October 28th 2018. Please see the attached email.
- c. There were a minimum of 75 persons who were not on the membership rolls but were “verified” through “alternate means”, which were not shared with Watchers.
 - d. Of two individuals running for office, Claude Cummings Jr. and Bishop James Dixon, one or both “purchased” **at least** 200 blank memberships not attributed to any individual on October 16th 2018. On election day, November 15th 2018, the same individual(s) bussed individuals in to vote (presumably for their slate). These individuals then created or renewed memberships and backdated them to the pre paid blank memberships previously “purchased”. Other individuals were found on one of the fraudulent rolls, many of which showed a membership start date of October 15th 2018.

i. Please note that the NAACP Constitution states:

NAACP Constitution - ARTICLE IV (1). *“Any **person** in accord with the principles and policies of the Association may become a member with the consent of the Board of Directors. Such **person** shall become a member by agreeing to abide by the rules and policies of the Association and the decisions of the Board of Constitution of the NAACP Directors and by paying in advance the annual membership fee established by the Board of Directors.”*

ii. The Bylaws for Units of the NAACP states:

NAACP Bylaws ARTICLE IX (2)(k). *“...For all other purposes, a member in good standing is **one** who has paid the requisite minimum membership fee to the branch at least (30) thirty days prior to the date the election is held or the nominating petition is filed. For all other purposes, a member in good standing is **one** who has paid the requisite minimum membership fee to the branch.”*

iii. While not on point please consider this portion of the Bylaws for guidance:

NAACP Bylaws ARTICLE IX (1)(d). *“...For the purpose of signing a nomination petition, a member in good standing is **one** whose name appears on the **roll of a Unit** in good standing within the State/State-Area Conference at least thirty (30) days prior to the date the nominating petition is filed.”*

- e. A **person** is defined as, “a human being regarded as an individual”. From this definition we can see that the NAACP Constitution speaks to a **person** (or individual) becoming a member, “by agreeing to abide by the rules and policies of the Association and the decisions of the Board of Constitution of the NAACP Directors and by paying in advance the annual membership fee established by the Board of Directors.” The Constitution has not made an allowance for someone or some organization to purchase multiple memberships that are not assigned to a **person**. This is further evidenced by the fact the second requirement to be a member is, “...agreeing to abide by the rules and policies of the Association and the decisions of the Board of Constitution of the NAACP Directors...”. In short, a **person** may

- become a member by 1) purchasing a membership and 2) agreeing to rules and regulations.
- f. Now that we are aware what constitutes a member we can turn our attention to the Bylaws ARTICLE IX (2)(k). It states the **one** (an individual) is a member in good standing if they pay the requisite fee to the branch. It is imperative that we recognize that the Bylaws specify **one**.
 - g. For further guidance I have included Bylaws ARTICLE IX (1)(d). While it speaks to the purpose of signing a nomination petition, it is instructive because it uses the same language of “**one**” with the additional language of “**whose name appears on the roll of a Unit...**”. This gives us insight as to the correct interpretation of any vague bylaws or constitutional entries.
 - h. Also, regarding letter “d” above, when the watchers and other interested parties asked for verification of payment, membership forms, bank statements showing the payments, dated receipts or any other veritable items. We were summarily denied.

Our requested remedies are as follows:

- a. The complete invalidation of the election results of November 15, 2018.
- b. The removal of Bishop James Dixon and Claude Cummings Jr. as candidates.
- c. The setting of a new election date to be decided by Headquarters, Lloyd C. Ford, and Dr. James Douglas.
- d. For the new election to be ran solely by Headquarters and the Missouri City Branch of the NAACP.
- e. The review and agreement of a membership roll by Headquarters, Lloyd C. Ford II, and Dr. James Douglas. Each Candidate for President may have one advisor.
- f. Each Candidate for President will be allowed a copy of the agreed upon membership roll.
- g. The setting of one or more townhall debates for members to ask questions of the President and 1st Vice President candidates. Time, date, and location to be decided by Headquarters, Lloyd C. Ford II, and Dr. James Douglas.

For your reference the election supervisory committee and poll watchers were as follows:

1. Roger Harris
2. Desmond Watley-Calloway
3. Astoria Stubbs
4. Linda Nwoke
5. Porchia Harris
6. Chris Darkins
7. Jahmes Bonner

Sincerely,

TITUS & MILLS PLLC

By: Eddison S Titus,
For the Firm

EST/EST

Certified Mail Number:
Return Receipt Requested