Exhibit 14

May 17, 2011 Letter From Rucho/Lewis to McKissick
May 17, 2011

The Honorable Floyd B. McKissick, Jr.
300 N. Salisbury Street, Room 520
Raleigh, NC 27603-5925

Dear Senator McKissick,

As the redistricting process continues, we have now heard from citizens across North Carolina at public hearings covering 36 sites and counties. On the heels of this endeavor, we wanted to make a special effort to reach out to you to seek your input on some issues that we have identified as important to redistricting plans. Please consider the questions below and respond accordingly. As we continue through the redistricting process, we intend to do so prudently and deliberately. So that we can best consider your response to these questions, we would appreciate hearing back from you in the next ten days. Please direct your response by mail to Senator Rucho’s office or by email to Bob.Rucho@ncleg.net. Thank you for your input in the redistricting process, and as always, please contact us at any time with your questions or concerns.

1. What counties were the subject of a finding of liability under Section 2 of the Voting Rights Act in the case of Thornburg v. Gingles, 478 U.S. 30 (1986) (“Gingles”)?

2. Following Gingles, and in all subsequent legislative redistricting plans, has the General Assembly created legislative districts in these counties with a total black population of at least 40 percent or higher?

3. Has there ever been a judicial ruling modifying, overturning, or vacating the judgment entered in Gingles?

4. During public hearings held by the House and Senate Redistricting Committees in 2011, several witnesses asked that the General Assembly create redistricting plans that avoid “cracking,” “stacking,” and “packing.” Has the United States Supreme Court defined these terms and if so, in what cases have these terms been defined and how have they been defined?
The Honorable Floyd B. McKissick, Jr.
May 17, 2011
Page 2

5. Please explain the elements needed to prove a violation of section 2 of the Voting Rights Act as explained in Gingles and as clarified in Bartlett v. Strickland, 129 S.Ct. 1231 (2009).

6. Please explain your opinion of the holding by the North Carolina Supreme Court in Strickland v. Bartlett, 361 N.C. 491 (2007), with emphasis on the Court’s holding that the General Assembly must consider citizen voting age population when deciding whether and where to create majority minority districts.

7. Does the U.S. Census Bureau report citizen voting age population? If not, can the General Assembly reasonably estimate citizen voting age population and, if so, how should that calculation be made?

8. Do African Americans constitute a larger percentage of the citizen voting age population than the voting age population, and if so, why?

9. What is the likelihood that African Americans would constitute a majority of the citizen voting age population if a legislative district in North Carolina was constructed to have a majority African American voting age population?

10. Has the United States Supreme Court provided any guidance on the number of majority African American districts that can or should insulate the state from any potential lawsuits claiming that legislative plans violate Section 2 of the Voting Rights Act? If so, please cite the case as well as any opinions you may have based upon such cases regarding the number of majority African American State House or State Senate districts that could or should be created by the General Assembly.


12. Following the decisions in Stephenson I and II, in the 2003 legislative plans, how did the General Assembly treat “VRA districts” (as defined in Stephenson I and II) relative to county groups? Were VRA districts nested within single counties or county groups or were they separated from county groups and treated as being a group of their own?
The Honorable Floyd B. McKissick, Jr.
May 17, 2011
Page 3

13. Did the county grouping principles followed by the General Assembly in the 2003 plans comply with Stephenson I and II? If not, please explain where and how the plans violated the Stephenson county grouping principles.

14. Please explain your understanding of any criteria in Stephenson I and II that the General Assembly draws “compact” districts within single counties or county groups. Did the 2003 House and Senate plans comply with this criteria, and if not, please explain the location of any such violation and why you think that a particular district or districts violated this criteria.

15. Please explain your understanding of any criteria established in Stephenson I and II that the General Assembly consider “communities of interest” in drawing districts within a single county or county group. Did the 2003 House and Senate plans comply with this criteria, and if not, please explain the location of any such violation and why you think a particular district or districts violated this criteria.

Sincerely,

Bob Rucho
Senator Bob Rucho
Senate Redistricting Chairman

Representative David R. Lewis
House Redistricting Chairman
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