

N.

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE

NORTH CAROLINA STATE CONFERENCE

P O Box 7186, Greensboro NC 27417

Phone: 919-682-4700 • Fax: 919-682-4711 www.naacpnc.org

Rev. Dr. T. Anthony Spearman
State President

Joseph Alston
Executive Director

March 24, 2020

The Federal Election Commission
Chair, Vice Chair, and other Members
c/o General Counsel Washington, D.C.

MUR # 7750

CELA



Re: NC NAACP Complaint against **Faith and Power PAC**, C00736751.

Dear General Counsel and Members of the Federal Election Commission:

The North Carolina State Conference of NAACP Branches ("NC NAACP") files this historical case against Faith and Power Pac, FEC File C00736751. I am Rev. Dr. T. Anthony Spearman, the Complainant. I have sworn to this statement below, per your instructions. Please call me at my office with any questions. On information and belief, I allege:

1. On 29 January 2020 'Ezekiel Patterson' electronically signed **FEC Form 1** and filed it with the FEC. This '**Statement of Organization**' is attached to this Complaint as Exhibit 1, and is expressly incorporated in this complaint, as are all FEC Forms attached as Exhibits.

2. Mr. Ezekiel Patterson, at all times material to this complaint, knew he was working for the national Republican Party to support the re-election of Sen. Thom Tillis to the United States Senate. All of Mr. Patterson's paymasters knew the FEC prohibits the scam described in this complaint. Mr. Patterson and those acting in concert with him knew, as Ex. 1 states, that *"Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S. C. d 437g. Any change in information should be reported within 10 days."*

3. **Exhibit 2**, incorporated in this Complaint, itemized the first major contributions to the just-formed **Faith and Power Pac**. Mr. Patterson used a mailing address in Jacksonville, NC when he reported to the FEC that the first contributor to **Faith and Power Pac** is the "**Senate Leadership Fund**" located at **45 North Hill Drive, Ste 100, Warrenton, Virginia**. This is a Republican Party front, which we allege on information and belief, spent every penny it contributed to Mr. Patterson's **Faith and Power Pac** to fully support the re-election of Sen. Thom Tillis. Mr. Patterson and his confederates in Warrenton, Virginia, were aware that the NC NAACP has been actively re-building the moral fusion alliance of white-blackbrown electorate, which has brought light and hope to the Tar Heel State.

4. The **Senate Leadership Fund** up in the DC suburbs in Warrenton contributed millions of dollars to promote this obvious race-based wedge tactic to confuse progressive Black and White voters, deliberately creating bad blood between the two main competitors in the Democratic Primary. On information and belief, the wedge-experts in Warrenton named their NC paper outfit **Faith and Power Pac** deliberately to confuse older African American voters and their friends, because every Black Christian, including your Complainant, knows the "faith" Jesus lived and taught was the ark that kept African slaves and their descendants afloat during the 250 years of slavery and Jim Crow in the rural and urbanizing south. Most unreconstructed white politicians have taken cover behind a distorted history of Jesus and Moses, to

rationalize their discriminatory day-time policies and night-time terror against Black and Fusion Electorates across the south, including North Carolina.

5. On 1/31/2020 the Senate Leadership Fund contributed \$2,450,000.00 to the two-day old **Faith and Power Pac** in Jacksonville, NC. This contribution, according to **Exhibit 3**, signed by Mr. Patterson, as the Treasurer of **Faith and Power Pac**, certified the PAC's 'Independent Expenditures' had disbursed or obligated \$2,428,265.81 million for producing ads, placing ads, printing and mailing mailers, and making phone calls for the "Federal Candidate supported or opposed by the expenditure." Patterson certified the Federal Candidate: "Erica Danette Smith."

6. At all times, on information and belief, Patterson and others associated with him in this common scheme knew, when he filed these FEC forms, that the \$2.4 million dollar contribution was in full support of Sen. Thom Tillis' re-election.

7. Patterson signed FEC form, incorporated herein as Exhibit 5, certifying he had disbursed \$250,011.88 million to a Florida business, **Neylan & Partners**, on Valentine's Day, 2020 to produce and air tv ads to 'support' 'Federal Candidate' Erica Danette Smith for the U.S. Senate. Patterson certified the \$2.5 million he had received from Warrenton, to his Jacksonville address, was forwarded on to Naples, FL to produce and air tv ads and buy print and post mass mailers to "oppose" Cal Cunningham, Erica Smith's main competitor in the Democratic Primary to be Sen. Tillis's opponent. Patterson certified that **Faith and Power Pac** **Faith...PAC** had spent \$2,678,277.69 million to **support** Ms. Smith, and \$2,928,289.56 to oppose Mr. Cunningham.

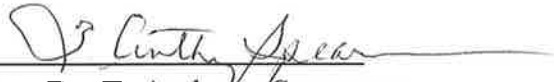
8. Patterson, as shown in Exhibit 5, "under penalty of perjury [certified] the independent expenditures reported herein were not made in cooperation, consultation, or concert with, or at the request or suggestion of any candidate or authorized committee or agent of either, or (if the reporting entity is not a political party committee, any political party committee or its agent. Patterson knew, when he signed this FEC form, the **Senate Leadership Fund** was intentionally using him and his North Carolina address as an unethical, possibly illegal, cover for a major "political party committee" engaging in old Jim Crow race-based wedge tricks, to create confusion between Black and White voters, to destroy years of NC NAACP and our partners' work to build Black-White alliances, friendships and fusion electorates!

9. **Faith and Power Pac**, its mysterious treasurer, Mr. Patterson, and those acting in concert with him, knowingly and falsely reported to the FEC that they made 'independent expenditures' in 'support' of a NC Black woman political leader, minister of God, and an engineer, Ms. Erica Smith, and also spent considerable sums of money (perhaps the same money!) to **oppose** her white competitor in the Democratic primary. **Faith and Power Pac** reported expenditures of over \$2.7 million by February 19, 2020 to make tv ads and slick mailers, to intentionally confuse Democratic voters, implying Ms. Smith accepted funds from Republicans—a fatal accusation for any Black candidate in the south. The two leading Democratic competitors were forced to respond to rebut the mysterious group's wedge ads, rather than helping the voters decide on the best candidate to challenge the incumbent.

10. The NC NAACP is sick and tired of these dirty tricks and respectfully request this complaint be given to your best investigators who recognize immediately these historical tricks of race-based character assassinations of experienced, well-educated African American leaders who seek electoral office. We need every wise Black voice possible to during this transformative period for American democracy. Exposing this scam and holding its architects accountable will help to reassure North Carolinians in this time of moral and health crisis.

Summary: Faith and Power Pac submitted false reports to the FEC. Mr. Patterson, when tracked down, should be deposed by FEC investigators, and all his records should be turned over to you. There is time for you to issue a full report this summer so North Carolina voters will have the full picture. Complainants will insure that race-based wedging schemes are exposed and prevented from interfering with our right to vote for the candidate of our choice.

I, Rev. Dr. T. Anthony Spearman, President of the State Conference of North Carolina NAACP Branches, swear the allegations made herein are true on information and beliefs, based on the information attached hereto.


Rev. Dr. T. Anthony Spearman

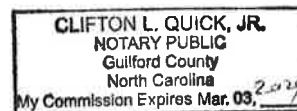
Greensboro, NC 27406

Attached, Exhibits 1-5

Notary Seal

This complainant was signed and sworn to before me on this the 26th day of March, 2020.

*Signed and attested before me this 26th day of March 2020.
My commission expires 3-3-28.*



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01/29/2020 12 : 44

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**FEC
FORM 1****STATEMENT OF
ORGANIZATION**

Office Use Only

1. NAME OF COMMITTEE (in full) (Check if name is changed) Example: If typing, type over the lines. 12FE4M5

FAITH AND POWER PAC

ADDRESS (number and street)

521 YOPP RD

(Check if address is changed)

STE 214 PMB 1008

JACKSONVILLE

CITY ▲

NC

STATE ▲

28540

ZIP CODE ▲

COMMITTEE'S E-MAIL ADDRESS

(Check if address is changed)

faithandpowerpac@gmail.com

Optional Second E-Mail Address

COMMITTEE'S WEB PAGE ADDRESS (URL)

(Check if address is changed)

2. DATE 01 29 2020

3. FEC IDENTIFICATION NUMBER ► C C00736751

4. IS THIS STATEMENT * NEW (N) OR AMENDED (A)

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer PATTERSON, EZEKIEL, . . .

Signature of Treasurer PATTERSON, EZEKIEL, . . .

[Electronically Filed]

Date 01 29 2020

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g. ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

Office
Use
Only

For further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202-694-1100

FEC FORM 1
(Revised 06/2012)

FEC Form 1 (Revised 02/2009)

Ex 1
Page 2

5. TYPE OF COMMITTEE

Candidate Committee:

- (a) This committee is a principal campaign committee. (Complete the candidate information below.)
- (b) This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

Name of
CandidateCandidate
Party AffiliationOffice
Sought:

House

Senate

President

State

District

- (c) This committee supports/opposes only one candidate, and is NOT an authorized committee.

Name of
Candidate**Party Committee:**

- (d) This committee is a (National, State or subordinate) committee of the (Democratic, Republican, etc.) Party.

Political Action Committee (PAC):

- (e) This committee is a separate segregated fund. (Identify connected organization on line 6.) Its connected organization is a:

Corporation

Corporation w/o Capital Stock

Labor Organization

Membership Organization

Trade Association

Cooperative

In addition, this committee is a Lobbyist/Registrant PAC.

- (f) ☒ This committee supports/opposes more than one Federal candidate, and is NOT a separate segregated fund or party committee. (i.e., nonconnected committee)

In addition, this committee is a Lobbyist/Registrant PAC.

In addition, this committee is a Leadership PAC. (Identify sponsor on line 6.)

Joint Fundraising Representative:

- (g) This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, at least one of which is an authorized committee of a federal candidate.
- (h) This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, none of which is an authorized committee of a federal candidate.

Committees Participating in Joint Fundraiser

- | | | |
|----|----------------------|------------------------------------|
| 1. | <input type="text"/> | FEC ID number <input type="text"/> |
| 2. | <input type="text"/> | FEC ID number <input type="text"/> |
| 3. | <input type="text"/> | FEC ID number <input type="text"/> |
| 4. | <input type="text"/> | FEC ID number <input type="text"/> |

FEC Form 1 (Revised 02/2009)

Page 3

Write or Type Committee Name

FAITH AND POWER PAC**6. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor**

NONE

Mailing Address

CITY

STATE

ZIP CODE

Relationship: ☐ Connected Organization ☐ Affiliated Committee ☐ Joint Fundraising Representative ☐ Leadership PAC Sponsor**7. Custodian of Records:** Identify by name, address (phone number -- optional) and position of the person in possession of committee books and records.

Full Name

PATTERSON, EZEKIEL, , ,

Mailing Address

521 YOPP RD

STE 214 PMB 1008

JACKSONVILLE

NC

28540

Title or Position

CITY

STATE

ZIP CODE

TREASURER

Telephone number

8. Treasurer: List the name and address (phone number -- optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).Full Name
of Treasurer

PATTERSON, EZEKIEL, , ,

Mailing Address

521 YOPP RD

STE 214 PMB 1008

JACKSONVILLE

NC

28540

Title or Position
TREASURER

CITY

STATE

ZIP CODE

Telephone number

Image# 202001299182323427

Ex 1

FEC Form 1 (Revised 02/2009)

Page 4

Full Name of
Designated
Agent

Mailing Address

Title or Position

Telephone number

9. **Banks or Other Depositories:** List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.

CHAIN BRIDGE BANK

Mailing Address

1445-A LAUGHLIN AVENUE

MCLEAN

VA

22101

CITY

STATE

ZIP CODE

Name of Bank, Depository, etc.

Mailing Address

CITY

STATE

ZIP CODE

Image# 202001299182323428

Ex PAGE 5 / 5

FEC MISCELLANEOUS TEXT RELATED TO A REPORT, SCHEDULE OR ITEMIZATION**Form/Schedule: F1H****Transaction ID :**

Faith and Power PAC intends to make independent expenditures and, consistent with the U.S. Court of Appeals for the District of Columbia Circuit decision in *SpeechNow v. FEC*, it therefore intends to raise funds in unlimited amounts. This committee will not use those funds to make contributions, whether direct, in-kind, or via coordinated communications, to federal candidates or committees.

Form/Schedule:**Transaction ID:**

SCHEDULE A

ITEMIZED RECEIPTS

Line #: 11C

Committee: FAITH AND POWER PAC

Contributor's Name	Contributor's Address	Employer/Occupation	Memo/Description	Memo Text	Date	Amount (\$)	Aggregate (\$)	Limits
SENATE LEADERSHIP FUND	45 NORTH HILL DRIVE STE 100 WARRENTON, Virginia 20186		CONTRIBUTION		01/31/2020	2450000.00	2450000.00	
SENATE LEADERSHIP FUND	45 NORTH HILL DRIVE STE 100 WARRENTON, Virginia 20186		CONTRIBUTION		02/12/2020	500000.00	2950000.00	

Total Donation Amount (Non-Memo)	\$2950000
Total Memo Amount	\$0
Number of Transactions (Non-Memo)	2
Number of Transactions (Memo)	0

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SCHEDULE E

INDEPENDENT EXPENDITURES

FILING FEC-1381262

Committee: FAITH AND POWER PAC

NEYLAN & PARTNERS

8647 AMOUR COURT
NAPLES, Florida 34119

Purpose of Expenditure: MEDIA PLACEMENT/MEDIA PRODUCTION / PRINTING/POSTAGE / PHONE CALLS

Name of Federal Candidate supported or opposed by expenditure: ERICA DANETTE SMITH

Candidate ID: SoNC00343

Office Sought: Senate

State is North Carolina in District 00

Date of Disbursement or Obligation = 02/03/2020

Date of Public Distribution/Dissemination = 02/06/2020

Person Completing Form: EZEKIEL PATTERSON

Date Signed = 02/08/2020

Amount Expended = \$2428265.81

Calendar YTD Per Election for Office Sought = \$2428265.81

Subtotal of Itemized Independent Expenditures = \$2428265.81

Subtotal of Unitemized Independent Expenditures = \$0

Total Expenditures This Period = \$2428265.81

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PLAINTIFF'S
EXHIBIT
4

02/18/2020 12 : 01

**24/48 HOUR REPORT OF INDEPENDENT EXPENDITURES
(Schedule E)**PAGE 1 OF 1
FOR SE OF FORM 24/48

NAME OF COMMITTEE (In Full)

FAITH AND POWER PAC

FEC IDENTIFICATION NUMBER ▼

C C00736751

Check if ☒ 24-hour report ☐ 48-hour report ☒ New report ☐ Amends report filed on

M M / D D / Y Y Y Y

Full Name of Payee

NEYLAN & PARTNERS

Date of Public Distribution/Dissemination

M M / D D / Y Y Y Y
02 / 19 / 2020

Mailing Address 8647 AMOUR COURT

Amount

250011.88

City

NAPLES

State

FL

Zip Code

34119

Transaction ID : SE.4123

Date of Disbursement or Obligation

M M / D D / Y Y Y Y
02 / 14 / 2020

Purpose of Expenditure

MEDIA PLACEMENT/MEDIA PRODUCTION /
PRINTING/POSTAGECategory/
Type

Name of Federal Candidate

SMITH, ERICA DANETTE, , ,

☒ Support☐ Oppose

Office Sought:

☐ House

District: 00

☐ President☒ Senate

State: NC

Calendar Year-To-Date

Per Election for Office Sought

2678277.69

Disbursement For:

2020

☒ Primary☐ General☐ Other (specify) ▶

Full Name of Payee

NEYLAN & PARTNERS

Date of Public Distribution/Dissemination

M M / D D / Y Y Y Y
02 / 19 / 2020

Mailing Address 8647 AMOUR COURT

Amount

250011.87

City

NAPLES

State

FL

Zip Code

34119

Transaction ID : SE.4124

Date of Disbursement or Obligation

M M / D D / Y Y Y Y
02 / 14 / 2020

Purpose of Expenditure

MEDIA PLACEMENT/MEDIA PRODUCTION /
PRINTING/POSTAGECategory/
Type

Name of Federal Candidate

CUNNINGHAM, CAL, , ,

☐ Support☒ Oppose

Office Sought:

☐ House

District: 00

☐ President☒ Senate

State: NC

Calendar Year-To-Date

Per Election for Office Sought

2928289.56

Disbursement For:

2020

☒ Primary☐ General☐ Other (specify) ▶

(a) SUBTOTAL of Itemized Independent Expenditures..... 500023.75

(b) SUBTOTAL of Unitemized Independent Expenditures.....

(c) TOTAL Independent Expenditures..... 500023.75

Under penalty of perjury I certify that the independent expenditures reported herein were not made in cooperation, consultation, or concert with, or at the request or suggestion of, any candidate or authorized committee or agent of either, or (if the reporting entity is not a political party committee) any political party committee or its agent.

PATTERSON, EZEKIEL, , ,

[Electronically Filed]

Signature

Date

M M / D D / Y Y Y Y
02 / 18 / 2020

image# 202002189186512375

02/18/2020 12:01

24/48 HOUR REPORT OF INDEPENDENT EXPENDITURES
(Schedule E)NAME OF COMMITTEE (in Full)
FAITH AND POWER PACPAGE 1 OF 1
FOR SE OF FORM 24/48

IDENTIFICATION NUMBER ▼

C C00736751

Check if ☒ 24-hour report ☐ 48-hour report ☒ New report ☐ Amends report filed onFull Name of Payee
NEYLAN & PARTNERS

Mailing Address 8647 AMOUR COURT

City
NAPLESState
FLZip Code
34119Purpose of Expenditure
MEDIA PLACEMENT/MEDIA PRODUCTION /
PRINTING/POSTAGECategory/
Type

Date of Public Distribution/Dissemination

02 / 19 / 2020

Amount

250011.88

Transaction ID : SE.4123

Date of Disbursement or Obligation

02 / 14 / 2020

Name of Federal Candidate

SMITH, ERICA DANETTE, , ,

☒ Support
☐ Oppose

Office Sought:

☐ House

District: 00

☐ President☒ Senate

State: NC

Calendar Year-To-Date
Per Election for Office Sought

2678277.69

Disbursement For:
2020☒ Primary ☐ General☐ Other (specify) ▶Full Name of Payee
NEYLAN & PARTNERS

Mailing Address 8647 AMOUR COURT

City
NAPLESState
FLZip Code
34119Purpose of Expenditure
MEDIA PLACEMENT/MEDIA PRODUCTION /
PRINTING/POSTAGECategory/
Type

Date of Public Distribution/Dissemination

02 / 19 / 2020

Amount

250011.87

Transaction ID : SE.4124

Date of Disbursement or Obligation

02 / 14 / 2020

Name of Federal Candidate

CUNNINGHAM, CAL, , ,

☐ Support
☒ Oppose

Office Sought:

☐ House

District: 00

☐ President☒ Senate

State: NC

Calendar Year-To-Date
Per Election for Office Sought

2928289.56

Disbursement For:
2020☒ Primary ☐ General☐ Other (specify) ▶

(a) SUBTOTAL of Itemized Independent Expenditures.....▶

500023.75

(b) SUBTOTAL of Unitemized Independent Expenditures.....▶

(c) TOTAL Independent Expenditures.....▶

500023.75

Under penalty of perjury I certify that the independent expenditures reported herein were not made in cooperation, consultation, or concert with, or at the request or suggestion of, any candidate or authorized committee or agent of either, or (if the reporting entity is not a political party committee) any political party committee or its agent.

PATTERSON, EZEKIEL, , ,

Signature

[Electronically Filed]

Date

02 / 18 / 2020