

Brandon Lofton

**Media Report
Updated**

Draft

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Part I Introduction

This report reviews electronically available news stories on Brandon Lofton, candidate for and member of the NC House.

The Table of Contents in **Part II** of the report is a useful guide to the entire report and can be used as a stand-alone summary. In one section, it surveys the bulk of the news file, through the headlines we have assigned to each item.

Part III, the **Greatest Hits** section, identifies key points taken from available media articles.

Parts IV, **The News File**, contain edited copies of the most relevant electronically available stories.

We hope you find this useful.

Part II Table of Contents

Part I	Introduction	2
Part II	Table of Contents	2
Part III	Lofton: Greatest Hits from Media Review	5
	Student Protestor Against Conservative Column/Ad	5
	Professional Resume.....	6
	Personal	7
	Attorney	7
	Small Business Opportunity Task Force.....	8
	Housing Advisory Board	8
	Family Leave Policy	8
	State House Election-2018.....	9
	Residency Eligibility Challenge	9
	Keys to Victory.....	10
	State House	11
	2019 - Hate Crimes Bill	11
	2020 - Re-Elected	12
	2021 Session	13
	2021 - Opposed, Then Amended Bill For Tough Penalties For Rioters.....	13
	2021 - Opposed CRT Ban.....	14
Part IV	Lofton: The News File, 2000-22	16
	2000.....	16
	OCT 2000 Organizing Students to Vote on Bond Referendum	16
	2001.....	18
	APR 2001 Takes Part in Protest Against Anti-Reparations Ad	18
	MAY 2001 Student Award at UNC-Chapel Hill	19
	2004.....	20
	SEP 2004 Successful Applicant NC Bar Examination.....	20
	2005.....	21
	MAR 2005 Attorney For Plaintiff in Race Discrimination Case.....	21
	2008.....	22
	APR 2008 Honors Civil Rights Attorney at Bar Association Event	22
	2010.....	24
	FEB 2010 Attorney at Robinson, Bradshaw and Linson	24
	DEC 2010 Serves on Small Business Opportunity Task Force.....	24
	2012.....	26
	FEB 2012 Among NC “Super Lawyers”	26
	OCT 2012 Disparity Study Explanation.....	26
	2013.....	28
	MAR 2013 Appointed to Transit Funding Group.....	28
	APR 2013 Chairman of Disparity Advisory Committee.....	32
	OCT 2013 Receives Award	36
	2014.....	37
	JAN 2014 Shareholder of Firm	37
	FEB 2014 Among “Under 40” Honorees.....	37

2015.....		38
OCT 2015	Housing Instability in Charlotte-Mecklenburg	38
NOV 2015	Board Says 30,000 Waiting For Help From Housing Authority	38
2016.....		40
FEB 2016	Appointed to Children’s Rights Board	40
APR 2016	Goals Of Housing Advisory Board.....	40
DEC 2016	Foundation for Affordable Housing.....	41
2017.....		43
FEB 2017	Represents Charter School In Bond Process.....	43
APR 2017	Less Homelessness in County.....	45
SEP 2017	Evictions Report Released	45
NOV 2017	Impact of 2011 Disparity Study	46
2018.....		47
JAN 2018	Running For State House in Redrawn District	47
JAN 2018	Profile.....	47
MAR 2018	Residency Challenged.....	48
MAR 2018	County Board to Hear Challenge.....	48
APR 2018	Board Deadlocks On Residency Eligibility	49
MAY 2018	Residency Challenge Not Resolved.....	50
MAY 2018	Third Eviction Report Released.....	50
JUL 2018	More Cash On Hand Than Dulin	50
SEP 2018	Overview of Race	51
OCT 2018	Charlotte Observer Endorsement.....	53
OCT 2018	Dulin DUI Charge.....	53
OCT 2018	Speaks At Queens University	54
NOV 2018	Outraised Dulin.....	55
NOV 2018	Wins Election.....	55
2019.....		56
JAN 2019	Dulin Pleads No Contest on DUI.....	56
JAN 2019	Sworn In.....	56
FEB 2019	School Calendar Bill	57
MAR 2019	Park Infrastructure Bill	58
AUG 2019	Hate Crimes Bill	58
2020.....		61
JAN 2020	Law Firm Updates Parental Leave Policy	61
MAR 2020	Running For Second Term.....	61
JUN 2020	Zoom Profile	61
OCT 2020	Observer Endorsement for Second Term.....	66
OCT 2020	Outlines Issues of Concern	66
OCT 2020	Outraised Pomeroy.....	67
NOV 2020	Wins Re-Election	67
2021.....		68
FEB 2021	Minimum Wage Hike For Non-Public School Employees.....	68
FEB 2021	Appointed to Boundary Commission	68
MAR 2021	Bill to Fund Workers With Unreserved Cash.....	68
MAR 2021	Calls Bill Increasing Capacity at School Outdoor Events Unconstitutional.....	69

APR 2021	Co-Sponsors Recovery Rebate Tax Cut	71
MAY 2021	Criticizes Tough Penalties for Rioters Who Damage Property	72
MAY 2021	Amends Anti-Riot Bill.....	74
MAY 2021	Niece Pushing “CROWN” Act.....	75
JUN 2021	Against Cutting Supplemental Unemployment Benefits.....	76
JUN 2021	Protests Cut of One More County Prosecutor.....	79
SEP 2021	Opposes CRT Ban.....	82
SEP 2021	Burlington Times-News Interview Defending CRT.....	84
2022.....		86
FEB 2022	Rematch With Pomeroy Looms.....	86

Part III Lofton: Greatest Hits from Media Review

Student Protestor Against Conservative Column/Ad

Lofton attended the University of North Carolina at Chapel Hill from 1997-2001.

- As a senior he “earned the Walter S. Spearman Award, for the man in the senior class whose academic achievements, co-curricular activities, leadership qualities and strength of character are most outstanding. His parents are Tony and Vickie Bryant of Charlotte.” (Charlotte Observer, 5/6/01)

More significant though, is that he took part in a student protest in March 2001 against the student newspaper against an anti-reparations ad that had been placed in college newspapers by conservative columnist David Horowitz. The protest was also against the running of a column by Horowitz.

- A group of more than 100 UNC students used songs, chants and sarcasm Monday to state their opposition to a controversial slavery reparations advertisement, though editors at the student newspaper opted not to run the ad. The group of students, most of whom were black, also used the issue as a springboard to address a series of broader issues tied to the black experience at UNC Chapel Hill.
- In recent weeks, controversy has brewed at universities nationwide about a conservative author's ad that criticized slavery reparations and was placed in college newspapers. At UNC, Daily Tar Heel editors opted instead to run a column by the author, David Horowitz, and included a counterpoint column written by members of UNC's Black Student Movement as well.
- Walking across campus voicing chants such as "Students of color, under attack, what do we do? Stand up, fight back," the student group stopped first at Saunders Hall, named after former N.C. Secretary of State William Saunders, who is believed to have been a leader of the state's Ku Klux Klan.
- In front of Saunders, students thumbed their noses at a suggestion Horowitz made in his ad that black Americans should be thankful that whites put an end to slavery. "Thank you for pillaging our African villages," the group shouted. "Thank you for having more black men in prison than in schools. Thank you for being our fathers by blood and our oppressors by law."

Although Lofton is not quoted in the article a caption referring to a photo that accompanied the article in the Chapel Hill Herald reported his presence and that he was among those chanting.

- Photo: SARA DAVIS, Above, UNC seniors Courtnee Poole and Brandon Lofton chant Monday during an organized rally against the anti-reparations ad discussed in the school newspaper. (Chapel Hill Herald, 4/3/01)

The article noted that the protestors did not see the issue of free speech playing any part in the debate and that students had a right to a “comfortable” campus environment.

- Michael Woods, a UNC sophomore participating in the protest, said it wasn't all about the column in the Daily Tar Heel, although some other members of the protest criticized the school paper for running it. "The entire motivation of this day is to reframe the issue. The issue isn't freedom of speech, the issue is a student's freedom to live in an environment that is comfortable," Woods said. "The editorial is the latest and most glaring example of things that make students of color uncomfortable on this campus."

This incident firmly places Lofton on the anti-free speech side in a manner similar to what we are seeing today in the Trump era. It is an issue he needs to be confronted with, regarding his commitment to freedom of expression.

Professional Resume

Taken from his most recent Zoom profile.

- EMPLOYMENT HISTORY:
12/31/2006 to 11/10/2019
Attorney,
Robinson Bradshaw & Hinson P.A
- 02/20/2019 to 05/15/2020
Representative,
NC House of Representatives
- 01/20/2016 to 04/08/2018
Housing Advisory Board,
Charlotte-Mecklenburg Schools
- 12/31/2009 to 04/08/2018
President of the Board,
Council for Children's Rights (Past)\
- 12/31/2003 to 01/29/2018
Attorney,
Ferguson Chambers & Sumter P.A (Past)
- 10/21/2013 to 02/23/2017
Board Member,
Levine Museum of the New South (Past)

- 02/27/2007 to 02/23/2017
Board Member,
Mecklenburg County Bar (Past) (Zoom, 6/20)

Personal

- “Brandon and his wife, Kellie, live in Charlotte with their two sons, Brandon II (8) and Caleb (6).”
(Zoom, 6/20)

Attorney

A January 2018 profile in the Watauga Watch Blog summarized his professional career as a lawyer.

- Democrat Brandon Loftonis a lawyer and a partner at Robinson Bradshaw, concentrating on public finance. Quoting from the Robinson Bradshaw website : “He regularly serves as bond counsel, underwriter’s counsel, borrower’s counsel and bank counsel for tax-exempt and taxable financings. Brandon represents municipalities, counties, hospitals, universities, nonprofits and underwriters in the financing and refinancing of capital improvements. He also represents clients in a variety of public finance transactions, including general obligation bonds, revenue bonds, installment financings and limited obligation bonds.”
- Lofton graduated from Chapel Hill with his bachelor’s in 2001 and then earned his law degree at New York University in 2004, trailing service awards and academic honors along the way. Lofton was honored by his law school as the featured representative and speaker for the class of 2004. He described “his childhood dream of being a lawyer, explaining how he wanted to be a source of positive social change and to emulate legal heroes such as Thurgood Marshall.” (Watauga Watch Blog, 1/14/18)

Other aspects of his professional career.

- He was first with the firm of Ferguson Stein Chambers Adkins Gresham & Sumter in Charlotte. (NC Lawyers Weekly, 3/21/05)
- By 2010, he was with Robinson, Bradshaw and Hinson. (CO, 2/16/10) He became a shareholder at the firm in 2014. (CO, 1/18/14)
- Along with the rest of the firm’s lawyers, he was named among the 2012 North Carolina Super Lawyers. (CO, 2/12/12)
- He was one of 30 “elected, civic and business leaders” appointed by the Mayor to a Transit Funding study group. (CBJ, 3/8/13)
- He “was honored with a 2013 Charlotte Catalyst award, which spotlights diverse leaders making an indelible mark on their organizations and the Charlotte community.” (CO, 10/26/13)

- Among the “40 Under 40” Honorees named by the Charlotte Business Journal. (CBJ, 2/25/14)
- In 2016 he was “appointed president of the board of directors for Council for Children's Rights, a Charlotte nonprofit providing legal representation services for children in North Carolina.” (CO, 2/7/16)

Small Business Opportunity Task Force

Lofton served on Charlotte’s Small Business Opportunity Task Force, which in 2010 recommended the city update its 2004 disparity study on minority and women-owned firms getting city contracts.

- A study completed in 2004 found disparities in city contracting, Burney said. African-Americans, Hispanic Americans and American Indians were under-utilized in two of three construction categories, Burney said. The categories are primary contracts less than \$30,000, and bidder availability for primary contracts greater than \$30,000.
- In July, the Mayor’s Small Business Opportunity Program Task Force recommended the city update the 2004 disparity study, which was conducted by MGT of America Inc. ”The city needs updated figures to know more about what’s going on and who is being utilized,” said Brandon Lofton , who served on the task force. “The city had stale numbers.” In September, the City Council approved the Economic Development Committee’s unanimous recommendation for a new study. MGT of America again is the consultant. The \$350,000 study began in November. (CO, 12/19/10)

Lofton then served as Chairman of the Disparity Study Advisory Committee. Their [full report](#) is available on-line. Their legacy was noted in this 2017 article.

- A disparity study in 2011 led to the creation of the hybrid Charlotte Business Inclusion program that has been in effect since 2013. (Charlotte Business Journal, 11/10/17)

Housing Advisory Board

Lofton is currently on the Charlotte-Mecklenburg Housing Advisory Board “which works to end and prevent homelessness.”

- The Board recently initiated a multi-part study on evictions in Charlotte-Mecklenburg which noted that the county has “roughly one eviction for every 37 people, and that rate more than doubles in some neighborhoods in north, east and west Charlotte.” (CO, 5/29/18)

Family Leave Policy

In early 2020, Lofton’s law firm enacted a new family leave policy for its employees.

- In 2019, the leaders of the state of North Carolina and its Judicial Branch turned their focus on the needs of new parents--and their new children.
- North Carolina Supreme Court Chief Justice Cheri Beasley announced that the Judicial Branch would now allow new attorney parents to take up to 12 weeks to care for their children rather than appear in court for hearings. That same month, Gov. Roy Cooper announced that all state employees who are new parents would be eligible for eight weeks of paid parental leave.
- The new policies are in tandem with North Carolina law firms that continue to examine, refine, and expand their parental leave policies. While the federal Family Medical Leave Act requires firms with more than 50 employees to allow 12 weeks parental leave, it doesn't require them to get paid. But today, it's now the norm for the state's largest firms 12 weeks or more of paid leave.
- Case in point: Robinson, Bradshaw & Hinson, which has offices in Charlotte and the Triangle, recently updated its parental leave policy to give new parents more paid time off. Previously, all attorneys had been eligible for two weeks of parental leave, with birth mothers allowed 10 weeks, said Brandon Lofton, an attorney with the firm. Lofton, with feedback from his colleagues, helped craft the firm's new policy, which now gives all attorneys who are new parents six weeks of paid leave; birth mothers get 16 weeks.
- "It's been well-received by everyone at the time, and I think people will take full advantage of it," Lofton said. (NC Lawyers Weekly, 1/23/20)

State House Election-2018

Lofton announced his candidacy for the State House in January 2018. It was thought that the district was vulnerable due to its being redrawn.

- For the last three elections, 104 has been a reliably Republican district. Republican Andy Dulin won the seat in 2016 and Republicans Dan Bishop and Ruth Samuelson before that. None was ever in danger. Now, though, legislative districts are being redrawn after a federal court found the districts to be unconstitutional racial gerrymanders. A "special master" has submitted a new map at the court's request. The court is expected to announce any time now whether that map will be used or yet another one drawn by legislative Republicans.
- If the map from special master Nathaniel Persily is used, it could have a big impact on a handful of races, including Dulin's in House 104. Dulin has already drawn one challenger – Democrat Brandon Lofton, a partner at Robinson Bradshaw. The numbers suggest Lofton might have a chance in a previously safe-Republican district. (CO, 1/12/18)

Residency Eligibility Challenge

Like a number of other candidates in other districts, Lofton's residency eligibility in the district he's running in has been challenged. He only recently began leasing a home in the district.

- In Mecklenburg, a Republican is challenging the residency of Democrat Brandon Lofton. A would-be challenger to GOP Rep. Andy Dulin, Lofton said he's living in a southeast Charlotte house he recently rented in District 104. His wife is still registered to vote in a different district. (CO 3/15/18)

When the Board heard the challenge, they split on party lines in dismissing the complaint. It was brought out by an investigator that Lofton may have illegally changed his voting registration in order to be eligible.

- The Mecklenburg County Board of Elections voted along party lines to dismiss a complaint challenging the voter registration of a Democrat running for the North Carolina House of Representatives. Board members met for roughly six hours on Tuesday to conduct a formal hearing into the challenge against Brandon Lofton, who is running to unseat incumbent Representative Andy Dulin in House District 104. The complaint, which was filed on March 2 by former Republican legislative candidate Bob Diamond, accuses Lofton of breaking the law when he changed his voter registration to a home his family had recently entered into a contract to purchase but had not yet closed on. The move from one house to his new house allowed Lofton to run in District 104.
- Lofton changed his voter registration on February 19, around the same time when he filed to run for office. At Tuesday's hearing, board members heard testimony from a private investigator who said he was working as a contractor for a firm hired by a "Republican coalition."
- The investigator prepared a report that included photos and a timeline that Diamond and his attorneys claimed show he illegally changed his voter registration by using the address of a home he did not yet live at.
- During the hearing, Lofton conceded that he had not yet spent a night at the new address he used in his new voter registration but said that did not mean he violated the law. (WBTV, 4/3/18)

We found no article that explained the Board's decision that clearly came in favor of Lofton as he was able to run and win the election.

Keys to Victory

Lofton won the election over incumbent Republican Andy Dulin and benefited from several things. First, the district had been carried by Hilary Clinton and Roy Cooper in the 2016 election.

- Dulin, 59, is running for his second House term. He faces Democrat Brandon Lofton who, despite being a political newcomer, has outperformed Dulin. Democrats need a gain of four seats to break the House supermajority that lets Republicans over-ride vetoes by Democratic Gov. Roy Cooper. And they see a handful of Charlotte districts — including Dulin's — as ripe opportunities.

- That's because while Dulin won 55 percent of the vote against an underfunded opponent in 2016, Democrats Hillary Clinton and Roy Cooper carried the district in their respective races for president and governor. Lofton, 39, is a lawyer with Robinson Bradshaw. He's been active in groups such as the Council for Children's Rights the city's Disparity Study Advisory Committee. Campaigning this month in the Madison Park neighborhood, he talked about what he sees as the "gamesmanship" and partisanship in the General Assembly. "People are tired of the level of politics in the nation and also in Raleigh," he said as he prepared to knock on doors. "They're aware that it's getting in the way of our state's progress." (CO, 9/26/18)

Lofton also benefited from more money on-hand.

- In south Charlotte District 104, Democrat Brandon Lofton has raised \$526,000 to GOP Rep. Andy Dulin's \$289,232. (CO, 11/1/18)

And he also benefited from a late revelation that Dulin had a DUI arrest in Ohio (which after the election he pleaded no contest to and lost his driver's license for a year). (CO, 10/29/18; 1/9/19)

State House

2019 - Hate Crimes Bill

As a State House member, Lofton has not made a significant impact on legislation. In his first two years He has pushed for action on a "hate crimes bill".

- A hate-crime bill that has yet to be debated in the state legislature more than five months after it was filed is getting renewed attention. Rep. Nasif Majeed says after even more mass shootings, state lawmakers have to do something. The recent mass shooting in El Paso, Texas, targeted Latino people.....
- House Bill 312, which is titled the Hate Crimes Prevention Act, would increase the penalty for a hate crime from a misdemeanor to a felony. It would also require the State Bureau of Investigation to create and maintain a hate crimes database, training for attorneys on how to prosecute them and also require law enforcement training on identifying, responding to and reporting hate crimes.
- Now Majeed, a freshman Democrat from Charlotte in the Republican-controlled General Assembly, has taken the rarely successful step of filing a discharge petition. That can force a move to the floor for a bill stuck in committee, but only if enough lawmakers sign on in agreement.....
- The petition for the hate crimes bill would need 61 signatures and had received 35 signatures as of Thursday morning. One of them was Rep. Brandon Lofton, a Mecklenburg County Democrat. "I think there are certain issues important enough they deserve debate, and be brought to the floor to be considered," Lofton told The News & Observer right after signing the petition on Thursday. He said that especially after the weekend shootings, "we need to do more as a body to prevent future loss of life."

- He said that while their prayers go out to the families of the victims, lawmakers have a responsibility to do more than that. Lofton said he liked the aspects of the bill that require training for law enforcement regarding hate crimes. (RNO, 8/8/19)

2020 - Re-Elected

Lofton won re-election in 2020 over Don Pomeroy by a slightly wider margin than he'd received in 2018 (53 to 46%). In endorsing him for re-election, the *Observer* said that Lofton had built up a reputation for crafting bills in a bipartisan way though there is no press coverage about any significant bill of his in this period, nor did the *Observer* vote one.

- HOUSE 104: First-term incumbent Democrat Brandon Lofton faces a strong challenge from businessman Don Pomeroy in a very competitive south Mecklenburg district. Pomeroy says the economy is his No. 1 focus, and he wants to pay particular attention to measures that benefit small and mid-sized businesses. Lofton is a perceptive lawmaker who has worked hard to craft bills with support from across the aisle. That relationship-building would serve his district well regardless of which party has the majority. There are no bad choices in this race. Pomeroy would be a resourceful and analytical lawmaker, but Lofton has earned another term. (Charlotte Observer, 10/8/20)

As in 2018, Lofton had more money on-hand than his opponent.

- Rep. Brandon Lofton raised nearly \$300,000 in his District 104 race against Republican Don Pomeroy, who raised \$150,000. (Charlotte Observer, 10/30/20)

Going into his second term, he outlined these issues as his priorities.

- Democratic incumbent Brandon Lofton says schools, healthcare and unemployment benefits are his top concerns. "We've underfunded (public schools) for a decade and it's absolutely a priority and challenge facing us. At the same time, we had a half-million North Carolinians who didn't have access to affordable healthcare, and that was before COVID-19," Lofton said. "I've heard estimates that has gone up by 100,000 to 125,000 because of people losing their healthcare since the pandemic started.
- "We also are grappling with the least generous unemployment system in the country, which is exacerbating our challenge responding to the COVID-19 crisis."
- Lofton said he believes there is bipartisan support to compromise on Medicaid funding. He says the state needs more collaborative leadership between the parties. "That's a real fundamental challenge facing our state. It's not a Democrat-vs.-Republican question," Lofton said. "It's 'Are we there to serve the people instead of playing political stunts?'" (Charlotte Observer, 10/30/20)

2021 Session

- Co-sponsored a bill (HR5) calling for a minimum wage of \$15 per hour for “non-certified public school employees”. (Salisbury Post, 2/8/21)
- Appointed by Governor to state Boundary Commission. (Press Release, 2/16/21)
- “Lawmakers in the North Carolina House of Representatives filed a bill to provide immediate funding to state workers and small businesses suffering from COVID-19 pandemic effects with unreserved cash. House Bill 192 — sponsored by Democratic Reps. Robert Reives, Gale Adcock, Wesley Harris and Brandon Lofton — would invest over \$5 billion in unreserved cash sitting in state accounts in small businesses that are shuttered or struggling. People who have been without work have also been included in the bill.” (WNCN, 3/1/21)
- North Carolina lawmakers have filed a new bill that will provide an income boost to families hit hardest by the COVID-19 recession and help them meet basic needs while also improving education and health outcomes of their family members. The Recovery Rebate for Working Families Act (SB 576/HB 499), filed by Senators Kirk deViere (District 19 - Cumberland), Michael Garrett (District 27 - Guilford), and DeAndrea Salvador (District 39 - Mecklenburg), and Representatives Wesley Harris (District 105 - Mecklenburg), Linda Cooper-Suggs (District 24 - Wilson), Brian Farkas (District 9 - Pitt), and Brandon Lofton (District 104 - Mecklenburg), will serve as a bottom-up tax cut for North Carolina working families. While most tax cuts disproportionately benefit large companies and wealthy people, the Recovery Rebate is targeted to support North Carolina working families that earn middle and low wages and have been most negatively impacted by the COVID-19 recession. (Press Release, 4/9/21)

2021 - Opposed, Then Amended Bill For Tough Penalties For Rioters

Lofton spoke against House Speaker Tim Moore’s bill calling for harsher penalties against rioters who assault law enforcement officers and cause property damage.

- North Carolina House Speaker Tim Moore said people have the right to say rude and mean things during protests. “They can have a sign. They can yell,” he told a House judiciary committee Thursday morning. But when they cross the line and start damaging property and assaulting law enforcement, he said, officers and prosecutors need more tools so those individuals will face substantial sentences. “We are a nation of laws, not a nation of mob rule,” he said.
- Moore’s solution to that problem is a bill that seeks to deter civil unrest in the state by imposing harsher penalties and allowing property owners to sue those responsible and recover three times the value of damage done to their property.....
- Rep. Brandon Lofton, a Mecklenburg County Democrat, said after Floyd was killed in the spring of 2020, he talked to his sons, 13 and 15, about the dangers they face from law enforcement. “It was painful for me to see the look of helplessness and fear in their face,” he said.

- Lofton took his children to some of the peaceful protests to see the diverse people protesting the killing and trying to make the community safer for them, he said. If someone lost their temper or people they didn't know started damaging property, then he and his sons could have been caught up and treated as criminals.
- Lofton also questioned why Moore chose to increase penalties for rioting, compared to more specific crimes such as looting and assaulting law enforcement. "I think this has an effect of essentially chilling free speech," he said.
- Moore pointed out that the bill uses the language "willfully engages" and "willfully incites," a higher standard that he said requires evidence that shows that the person was participating in the riot and not just standing near it. (Durham Herald Sun, 5/6/21)

Lofton amended the bill by making more clear the distinction between those who engage in rioting and those protestors who are simply in proximity to one.

- The chamber unanimously approved an amendment by Democratic Rep. Brandon Lofton of Mecklenburg County that attempted to make clear peaceful demonstrators can't be convicted of rioting offenses only based on being physically near the violence. (AP, 5/11/21)

Governor Cooper subsequently vetoed the bill anyway.

2021 - Opposed CRT Ban

A ban on Critical Race Theory being taught in schools was opposed by Lofton (and subsequently vetoed). He gave an extensive interview on the subject.

- In a recent speech, state Rept. Brandon Lofton voiced opposition to House Bill 324....."I have to speak out against this bill," Lofton said. "This bill, while innocuous sounding enough, encourages us to look away from history, to look away from the truth. The bill now awaits approval or rejection from Gov. Roy Cooper. Speaking personally about his own family's history with slavery, Lofton argued that legislation like House Bill 324 erases history. Lofton discussed the reasoning behind his speech in an interview with the Times-News. The text has been edited and condensed for space.
- Q: What are your thoughts on House Bill 324?
 - A: House Bill 324 at first glance appears pretty innocuous, appears harmless. When you read the bill as a whole and you consider what is going on in the bill it is actually very concerning. ... It will encourage us to look away from our history, to ignore both our full history ... and ignore current challenges that we are facing now. That has the impact of ignoring the lessons we have learned in the past and the responsibilities we have to address the problems we have now as a country.
- Q: What prompted your speech?

- A: The first time it came through the House, I didn't debate it. We as a caucus talked about letting the folks who are in the education committee ... handle the debate and talk about the impact on public schools and teachers.
- This time, it just so happened, I spent a couple of weeks doing a little bit of digging into my family history and background. I felt compelled to say something, not just about the history in our schools, which is critical, but from the point of trying to silence our history, ignore aspects of our history, even the ones that are difficult.
- Q: You mentioned the Greensboro Four in your speech. Do you think it's possible for students to receive a true understanding of civil rights moments should this bill become law?
 - A: That's my concern, that is the major concern. If you teach about the Greensboro Four ... if you teach about the various things that happened here during the Civil Rights Movement ... without mentioning why these things happened ... you have to give the full context as to why they were sitting in, why the lawsuits were filed.
- Q: During your speech, you highlighted a part of the bill that calls for impartial teaching. Why highlight that?
 - A: I thought that was particularly disturbing. You look at that piece of the bill where it has different ways to teach different contexts. One of the ways was to have it approved by the state board ... or other exceptions if it discusses racial injustice impartially. The fact that we would encourage our schools to impartially teach about oppression, I find particularly disturbing and really reveals the harm in this bill.
- Q: Why do you think history, as it pertains to anti-blackness, elicits such a strong response from people?
 - A: Bills like this, efforts to limit discussion of history, breeds ignorance. It ill-equips us to have these conversations because we don't know our history.
- Q: Based on your insights as a lawmaker, in your opinion what is the likelihood of this bill becoming a law?
 - A: I hope it's very small. Obviously, it's passed the House, it's passed the Senate and it will go to the governor. Hopefully, the governor will veto it. My hope is there is little chance it will become law. But even having conversations around it and promoting the false idea that there is indoctrination going on in schools or somehow learning about the full history of our country is somehow harmful, I think that in-and-of-itself is damaging to our nation. (Burlington Times-News, 9/8/21)

Part IV Lofton: The News File, 2000-22

2000

OCT 2000 Organizing Students to Vote on Bond Referendum

Dave Scholz is 18 years old, a UNC sophomore and only peripherally aware of the \$3.1 billion bond issue for higher education that's coming up for public vote on Nov. 7.

By Monday afternoon, he was registered to vote in Chapel Hill, having signed up during a voter registration drive that has run for about a month in the heart of the Carolina campus. Though he doesn't know the details of the bond issue, he seems to be leaning toward supporting it.

"I know if it passes, it will do a lot for the schools," said Scholz, of Lincolnton. "Obviously, it's not free money, but if it can go to the schools, it's something to look at."

Scholz is just the type of student that members of a student coalition at Carolina and throughout the UNC system are targeting.

In a system of 150,000 students, most of voting age, bond supporters see a rich fountain of support for the bond referendum, which would bring \$2.5 billion to UNC system schools and \$600 million to the state's community colleges for capital improvements if approved.

So on UNC campuses from Wilmington to Cullowhee, student leaders are lobbying hard to get their fellow students registered. After this Friday's voter registration deadline passes, student leaders will set out on an education campaign to teach students like Scholz what their vote will mean.

"The biggest challenge we have is making sure students know about the bonds," said Reyna Walters, coordinator for student outreach for North Carolinians for Educational Opportunity, the group running the bond's marketing campaign.

"I have yet to talk to a student who doesn't support it. It's not really that we're trying to sell it to students. For the most part, they're sold on it. It's a matter of getting them to vote Nov. 7."

In Chapel Hill, the bond issue would bring \$499 million to campus for a broad range of renovations as well as new construction. Bond supporters say it will transform the campus; they fear for the university's future if the package is defeated in the referendum.

On the Chapel Hill campus, a group of students already has organized to tell their peers about the bonds. Representatives from a number of student groups, collectively tabbed Students for the University and Community College Bonds, will begin going door to door in residence halls, answering questions and speaking about the bonds.

The educational effort is important, given that so many students don't know details, said Chris McClure, a student leader involved in the bond campaign.

"A lot of people have heard about it, but they don't know what it'll be used for," said McClure, a junior from Clyde. "Students can really champion the bond."

On campus, registering to vote is a simple matter of filling out one form, and students already registered elsewhere can shift their registration to Orange County as well.

On Monday, a steady stream of students filled out forms at a table in the Pit, and the effort got a local celebrity push as well when UNC men's basketball coach Matt Doherty came by with his wife, Kelly, to register.

Brandon Lofton, a senior from Jacksonville, N.C., helping to register students, said he didn't know how many students had signed up, but he was satisfied with the turnout.

"We see a lot of the enthusiasm," Lofton said. "I think people are generally excited."

But Lofton also said few students ask specifically about the bond referendum, and he added that most seem to know little about it.

"I think students have heard a little about it but don't know specifics," he said. "Most ask about the presidential race."

To further push students to vote, the first "No Excuse, One-Stop Polling" site will be unveiled next week in the Morehead Planetarium. (Chapel Hill Herald, 10/10/00)

2001

APR 2001 Takes Part in Protest Against Anti-Reparations Ad

A group of more than 100 UNC students used songs, chants and sarcasm Monday to state their opposition to a controversial slavery reparations advertisement, though editors at the student newspaper opted not to run the ad.

The group of students, most of whom were black, also used the issue as a springboard to address a series of broader issues tied to the black experience at UNC Chapel Hill.

In recent weeks, controversy has brewed at universities nationwide about a conservative author's ad that criticized slavery reparations and was placed in college newspapers. At UNC, Daily Tar Heel editors opted instead to run a column by the author, David Horowitz, and included a counterpoint column written by members of UNC's Black Student Movement as well.

Walking across campus voicing chants such as "Students of color, under attack, what do we do? Stand up, fight back," the student group stopped first at Saunders Hall, named after former N.C. Secretary of State William Saunders, who is believed to have been a leader of the state's Ku Klux Klan.

In front of Saunders, students thumbed their noses at a suggestion Horowitz made in his ad that black Americans should be thankful that whites put an end to slavery.

"Thank you for pillaging our African villages," the group shouted. "Thank you for having more black men in prison than in schools. Thank you for being our fathers by blood and our oppressors by law."

Continuing on to UNC's South Building, each member of the group filed quietly inside, a colorful "thank you" note in hand. A handwritten message, many taking the university to task for perceived wrongs, was written on each note. After dropping the notes off, the students again gathered outside, presented a list of demands to Provost Robert Shelton, and asked for a meeting with university administrators.

Shelton told students he would meet with them within 10 days.

Michael Woods, a UNC sophomore participating in the protest, said it wasn't all about the column in the Daily Tar Heel, although some other members of the protest criticized the school paper for running it.

"The entire motivation of this day is to reframe the issue. The issue isn't freedom of speech, the issue is a student's freedom to live in an environment that is comfortable," Woods said. "The editorial is the latest and most glaring example of things that make students of color uncomfortable on this campus."

The demands and complaints presented to the university Monday dealt mainly with the quality of life on campus for black students and the adversities they face. Demands included asking the university to take a more active role in ensuring an accurate depiction of the history of minority groups. Students also asked the university to institute mandatory sensitivity and diversity training for university administrators, faculty, staff and campus police, and also want more funding for the university's Office of Minority Affairs.

"There are more things here than the ad," said Archie Ervin, director of on-campus minority recruitment in the Office of Minority Affairs. "I think it's a spark for other concerns and issues the students have, and legitimately so, as members of the community."

Shelton said the university would take the demands seriously.

"This indicates to me there is a very strong level of concern," Shelton said, noting the number of students involved in the protest. "We need to do more, and we need to do better. You can't mandate how people think, but you can create an environment that nurtures an openness and willingness to accept, and to rejoice in the differences between people."

Caption:

Photo: SARA DAVIS, UNC Chapel Hill sophomore Kirsty Carter reads The Daily Tar Heel's page discussing the controversial David Horowitz ad, while students gather at The Pit to march toward South Building for a protest Monday.

Photo: SARA DAVIS, Above, UNC seniors Courtnee Poole and **Brandon Lofton** chant Monday during an organized rally against the anti-reparations ad discussed in the school newspaper.

Photo: SARA DAVIS, Left, Provost Robert Shelton (left) speaks with sophomore Michael Woods (center) and junior Shawn Brooks about their concerns about the quality of life for black students on campus. Woods and Brooks were among the students who marched to South Building on Monday.

Photo: SARA DAVIS, UNC students deliver "Thank You" cards to South Building in protest of the David Horowitz ad discussed in the Daily Tar Heel.

Photo: SARA DAVIS, UNC professor Valerie Kaalund chants with students as they wait for a reply from senior provost Robert Shelton concerning the David Horowitz piece. (Chapel Hill Herald, 4/3/01)

MAY 2001 Student Award at UNC-Chapel Hill

These students have earned awards at UNC Chapel Hill:

* **Brandon Lofton** earned the Walter S. Spearman Award, for the man in the senior class whose academic achievements, co-curricular activities, leadership qualities and strength of character are most outstanding. His parents are Tony and Vickie Bryant of Charlotte. (Charlotte Observer, 5/6/01)

2004**SEP 2004 Successful Applicant NC Bar Examination**

This page contains a list of successful applicants to the July 2004 North Carolina Bar Examination who have met all requirements for licensure as of Sept. 1, 2004. Requirements include (but are not limited to): passing the North Carolina Bar Examination and passing the Multistate Professional Responsibility Examination (MPRE).

Applicants who have not taken or passed the MPRE OR failed the exam OR who passed after Sept. 1 OR who have not completed some other necessary requirement will not show up on this list.

Note: There are a number of people who passed the bar exam but have NOT yet taken or passed the MPRE. These people are not on this list.

Ramona L. Lampley, Charlotte; John Robert Landry Jr., Coats; Leslie Catherine Lane, Athens, GA; Kelly L. Langteau, South Royalton, VT; Amy C. Lanning, Winston-Salem; Thomas Andrew Leach, Wilmington; Hae Jin Lee, Charlotte; Kathryn Stewart Lehman, Jamestown; Thomas Raymond Lenfestey III, Cary; Shelley Kaye Levine, Chapel Hill; Edana E. Lewis, Durham; Trent Edward Lindsay, Chapel Hill; Arthur S. Link III, Winston-Salem; Danica Lynn Little, Tallahassee, FL; Sarah Ann Lockett, Chapel Hill; Brandon Lofton, Huntersville; John David Love, Lillington; Donal Antonio Luna, Durham. (NC Lawyers Weekly, 9/6/04)

2005

MAR 2005 Attorney For Plaintiff in Race Discrimination Case

Brief statement of claim: An African-American plaintiff filed a race discrimination charge with the EEOC after being passed over twice for promotion to store manager at a Waffle House owned by the defendant. He was fired within three weeks of the defendant company receiving the EEOC charge. A jury returned a verdict for the plaintiff on his retaliatory discharge claim brought under Title VII and 42 USC Sect. 1981. The jury ruled for the defendant on the plaintiff's denial-of-promotion claim.

Principal injuries (in order of severity): Lost wages, lost home and two vehicles in bankruptcy, emotional distress from the impact of those events on his ability to maintain his family

Special damages: \$100,000 lost wages/benefits; \$70,000 compensatory damages; \$250,000 punitive damages

Verdict or settlement: Verdict

County where tried or settled: U.S Western District; Charlotte Division

Case name and number: Brown v. Hillcrest Foods, Inc.; 3:02 CV 449

Date concluded: Jan. 31, 2005

Name of judge: Richard L. Voorhees

Amount: \$420,000 (\$100,000 lost wages/benefits; \$70,000 compensatory damages; \$250,000 punitive damages)

Highest Offer: \$0

Demand: \$175,000

Insurance carrier: None

Expert witnesses and areas of expertise: None

Attorney for plaintiff: Luke Largess & **Brandon Lofton** of Ferguson Stein Chambers Adkins Gresham & Sumter, Charlotte

Other useful info: Defendant claimed it fired Plaintiff for sexual harassment; but the plaintiff claimed that other employees facing similar or worse allegations had not been fired after fairly thorough investigations. The plaintiff was fired immediately. (NC Lawyers Weekly, 3/21/05)

2008

APR 2008 Honors Civil Rights Attorney at Bar Association Event

A decision to turn the Mecklenburg County Bar Foundation's annual dinner to fund a summer fellowship program into an evening honoring an individual's contributions to championing diversity paid off Tuesday.

With more than 185 in attendance to salute pioneering civil rights attorney Julius Chambers, the crowd at the \$125-a-plate dinner at Byron's Southend, was among the "biggest ever" for the McMillan Fellowship fundraiser, according to Valerie Munei, the Mecklenburg County Bar's communications and events coordinator.

The fellowships, which will bring law students to work with several Mecklenburg County agencies and nonprofit organizations, including the district attorney's office, were named in honor of the late James B. McMillan Jr., who sat on the federal bench in Charlotte for many years and ruled in several landmark cases.

In conjunction with the Bar's Diversity Committee, the McMillan Committee decided to begin the presentation of an award for "Diversity Champion" during the annual event.

In introductory remarks, Judge Albert Diaz told the audience that the large crowd on hand to honor Chambers would likely guarantee funding for at least four fellowships, and possibly five. Though the bar tab from the event might derail that final spot, Diaz joked.

On a more serious note, Diaz observed that attendees had gathered to salute two "lions" of the Mecklenburg County legal community.

Several speakers noted the appropriateness of Chambers' designation as the first recipient - McMillan was the judge in a number of Chambers' most famous victories, including the historic Swann v. Charlotte-Mecklenburg Board of Education decision that would go to the U.S. Supreme Court and result in the immediate desegregation of local schools.

That legacy resulted in threats to both of them and Chambers' survived assassination attempts, including the burning of his law office and bombing of his car.

While plans to present the first Diversity Champion award to Chambers had been revealed in advance, presenter **Brandon Lofton** added a twist, announcing that the annual tribute would henceforth be known as the "Julius Chambers Diversity Award."

A succession of speakers regaled the audience with anecdotes about McMillan's and Chambers' careers, commitment to justice and witty remarks.

Lofton, who began his legal career working with Chambers, revealed his personal nickname for his former mentor: "the people's champ." He noted that for all Chambers' prestigious cases, he was "not the kind of

person to bask in his accomplishments” and never believed any case was “too big or too small” to take on behalf of those suffering injustice.

In accepting the Diversity Award, Chambers demonstrated his unrelenting commitment to continue striving for the causes in which he believes. Currently he has been pushing for federal legislation to reverse what he holds was a misguided recent Supreme Court ruling to limit equal-pay lawsuits.

To that end, he used the occasion to lobby those in attendance to contact their senators. The bill in question, however, later suffered setbacks this week when Republican senators blocked its passage.

Chambers told the primarily legal audience that they did not realize the travail that black attorneys of his generation had faced, with roadblocks at each step in obtaining their law licenses and being admitted to the bar.

He told them, however, that he is impressed and pleased with the commitment to ethnic diversity from the current North Carolina Bar and believes other states have not done as well in opening the legal profession to all.

Frank Taylor is editor of The Mecklenburg Times. (Mecklenburg Times, 4/25/08)

2010

FEB 2010 Attorney at Robinson, Bradshaw and Linson

U.S. Sen. Kay Hagan, former Charlotte Mayor Pat McCrory and Charlotte-Mecklenburg Schools Superintendent Peter Gorman are among a number of local public figures who will take a turn teaching this week, in observance of Teach for America Week.

Teach for America is a nationwide program which recruits talented young college graduates to teach in schools with large numbers of at-risk students. CMS has 231 Teach for America staff members in classrooms this year.

This week's celebrity "teachers" are working in the classrooms of Teach for America corps members.

The schedule of guest teachers this week:

TODAY

U.S. Sen. Kay Hagan, D-N.C., at Bishop Spaugh Community Academy

Mary Newsom , associate editor of Charlotte Observer, at Eastway Middle.

Brandon Lofton , attorney with Robinson, Bradshaw and Hinson, at McClintock Middle. (CO, 2/16/10)

DEC 2010 Serves on Small Business Opportunity Task Force

The city of Charlotte is evaluating its success at doing business with women- and minority-owned firms.

The consultant for the city's nine-month study is gathering data from several departments to figure out which firms got city contracts during the past five or six years.

Early next year, small-business owners will have a chance to offer input about their experiences doing business with the city - or trying to do so.

If the study finds the city's race- and gender-neutral program is not doing enough to include minority- and women-owned firms, the city ultimately could consider creating a special program to include a broader range of business partners.

Small-business owners in the past have pushed for greater access to contracts, especially in construction, said Alban Burney , small-business development coordinator in the city's Neighborhood and Business Services department.

"They feel, for the most part, that there needs to be more opportunities for minority and women business enterprise firms," Burney said.

A 1989 U.S. Supreme Court decision - *City of Richmond v. J.A. Croson* - imposes four legal requirements on Charlotte and other jurisdictions.

Among those requirements, the city must determine which firms are or have been qualified to perform government contracts, which were selected to do the work, and the disparity between the two.

The city also must evaluate its solutions for addressing contracting disparities.

The city's Small Business Opportunity program is 7 years old and certifies small businesses to work with the city.

The city assigns a small-business enterprise goal on construction contracts of \$200,000 or more and on other contracts of \$100,000 or more.

The goal can range from 3 percent to 8 percent, or occasionally more, Burney said. The program is race- and gender-neutral.

The prime contractor selected for a project must award a portion of the work to a city-certified small-business enterprise firm based on goals for the project.

A study completed in 2004 found disparities in city contracting, Burney said. African-Americans, Hispanic Americans and American Indians were under-utilized in two of three construction categories, Burney said.

The categories are primary contracts less than \$30,000, and bidder availability for primary contracts greater than \$30,000.

In July, the Mayor's Small Business Opportunity Program Task Force recommended the city update the 2004 disparity study, which was conducted by MGT of America Inc.

"The city needs updated figures to know more about what's going on and who is being utilized," said **Brandon Lofton**, who served on the task force. "The city had stale numbers."

In September, the City Council approved the Economic Development Committee's unanimous recommendation for a new study.

MGT of America again is the consultant. The \$350,000 study began in November.

The firm plans to make 11.47 percent of its contracts available to certified Small Business Enterprise firms. The results of the study could point to a need to create a program that takes into account race and gender.

The city also could learn whether disparities in contracting might be attributable to discrimination.

"We're not guaranteeing anything," said Republican District 6 City Councilman Andy Dulin. "We're trying to make sure that people of color and women and Native Americans have an equal shot at getting business with the city of Charlotte." (CO, 12/19/10)

2012

FEB 2012 Among NC “Super Lawyers”

The following members of Robinson Bradshaw & Hinson's Charlotte office were selected among the 2012 North Carolina Super Lawyers: Louis Bledsoe III, Everett Bowman, Martin Brackett Jr., Peter Buck, Stokely Caldwell Jr., Garland Cassada, Steven DeGeorge, Robert Fuller, Karen Gledhill, Julie Griggs, Robert Harrington, Edward Hennessey IV, Thomas Holderness, Graham Holding Jr., Douglas Jarrell, Charles Johnson, Haynes Lea, Christopher Loeb, Edwin Lucas III, Stephen Lynch, Kent McCready, Ward McKeithen, Mark Merritt, John Miller, William Packard, Jane Ratteree, Christy Reid, Allen Robertson, Russell Robinson II, Blaine Sanders, David Schilli, Caroline Sink, Robert Sink, William Toole, Brent Torstrick, John Wester, David Wright III and Julian Wright Jr. The following were named Rising Stars: Nicholas Allmon, Heyward Bouknight III, Danielle Conrad, Adam Doerr, Richard Dunn, Matthew Efird, Ashley Hedgecock, Jeffrey Kapp, Jonathan Krisko, Brandon Lofton, Katherine Maynard, Neill McBryde Jr., Silpa Myneni, Heidi Royal, Andrew Tarr and Richard Worf Jr. (CO, 2/12/12)

OCT 2012 Disparity Study Explanation

Some of us are unlucky enough to have day jobs and night jobs. But Stephane Berwald said she loves her two occupations.

By day, the 39-year-old Cleveland native is an associate at Lil Associates, a Charlotte-based diversity consulting firm “developing higher standards in construction,” according to her business card.

By night, she’s president of the nonprofit Metrolina Minority Contractors Association.

She’s just as passionate about one as the other, as we found out during a conversation at a Starbucks in Dilworth.

Q: You had high expectations for the Democratic National Convention, that it would employ a lot of minority contractors. Did that happen?

A: I would say it was disappointing, the lack of information that’s not been forthcoming. They’ve said what they spent with contractors, but not what they spent with minority contractors. We hope to hear that. We’ve reached out to them. We’d really like to see all the numbers.

Q: What is the MMCA and what does it do?

A: We’re a nonprofit 501(c)(3) organization with about 100 member companies that turns 25 next year, and what we do is bring business opportunities, training in basic business practices and ongoing safety training to minority contractors. We also work on legislative issues. We asked for a **disparity study**, for example.

Q: **Disparity study?**

A: The city of **Charlotte** has a small-business program for the construction industry, and we were feeling that a disproportionate number of projects were going to largely white, male contractors. We have a number of minority women in our program, and we found significant disparity, especially with minority women, American Indians and others. So we're in the process of reviewing the disparity study and preparing to address that disparity study, address what they have found. Sometime in November, the end of November, there will be a public forum on this. (Mecklenburg Times, 10/23/12)

2013

MAR 2013 Appointed to Transit Funding Group

The battle over a 2.5-mile, \$119 million section of a proposed streetcar line has dominated the Government Center for a year.

It's still on the drawing board and the debate continues. But it finally appears City Council is ready to focus on the bigger picture. The really big, really expensive picture — the 2030 Transit Plan.

Whatever happens with the streetcar, a broader conversation is starting about funding options. There's really not much choice. With \$4 billion worth of projects on paper but no clear funding source(s) in place to make them happen, the coordinated effort to create a smarter way to move people around Charlotte is, for now, at a dead end.

Next month, a 30-member transit funding working group will offer recommendations to the Metropolitan Transit Commission on how to move the plan forward.

Amid all the acronyms and government jargon, the basic issue boils down to money.

Just one of the major projects included in the 2030 Plan has the money to become reality. Late this year, the Charlotte Area Transit System expects to break ground on the \$1.2 billion, 9.3-mile light-rail line running from Ninth Street uptown to the UNC Charlotte campus. Known as the Blue Line Extension, it won a commitment from the federal government last fall to provide half of the construction cost. The rest will be split evenly between state and local government.

That leaves the transit commission — the group of politicians from Charlotte, Mecklenburg County and surrounding towns and cities in charge of the transit tax revenue — looking for funding options for three or four remaining pieces, depending on how the streetcar is categorized.

Up next in most scenarios is a 25-mile commuter rail project, known as the Red Line. It would run from uptown to Mooresville, and has a price tag of at least \$660 million, plus \$15 million in annual operating and maintenance costs.

Other major corridors included in the long-range transit plan:

- A 13.5-mile stretch from uptown along Independence Boulevard targeted for so-called rapid bus service, likely with dedicated exclusive lanes and possibly streetcar service along nearby Monroe Road. The cost: \$2.3 billion, with another \$38 million in yearly expenses.
- The 10-mile streetcar line, linking the east and west sides of Charlotte through uptown. It probably will cost \$450 million upon completion, plus \$23 million annually for operations and maintenance. An initial, \$37 million, 1.5-mile section is now under way along Elizabeth Avenue. That leaves at least six miles unfinished, assuming the city finds a way to pay for the 2.5-mile segment included in its capital plan. A streetcar running along Wilkinson Boulevard to the airport would add another \$415 million, plus \$9 million in yearly costs.

”It’s big numbers, but it’s what cities of our size are doing,” says David Howard, a Democratic City Council member who chairs the city transportation committee and is co-chair of the MTC funding work group created by Mayor Anthony Foxx. “You hear the joke all the time: It’s not the 2030 Plan; it’s like a 2080 Plan. What we’re really talking about is how do we actually build out the full system?”

Some transit backers point to the recession as the start of the troubles. Declines in the tax revenue have cost the Metropolitan Transit Commission at least \$2.3 billion, according to CATS. That figure is based on revenue projections for the years 2006 to 2030. Olaf Kinard, a CATS spokesman, notes the anticipated growth rate for the transit taxes has been revised to 3.5% from 5.5% before the downturn. Those circumstances leave no room to pay for anything beyond the current bus and rail services and the city’s share of the costs for the new light-rail line to UNCC.

So where do we go from here? And how do we get there?

The problem becomes more pronounced when the budget constraints at the federal and state levels are considered. CATS Chief Executive Carolyn Flowers and others who support the expansion of transit here point to the federal government’s commitment to pay for half of the light-rail extension in Charlotte as perhaps the last major investment of its kind from Washington. In Raleigh, House Speaker Thom Tillis, a member of the Mecklenburg delegation and head of the GOP’s House majority, told the Charlotte Business Journal this week that state government is likely to offer towns and cities greater flexibility in financing and, possibly, taxing residents to pay for transit projects.

Such flexibility comes at a price: State lawmakers want to get out of the transit business, or at least reduce their spending on it.

”I see less federal money available, probably less state money and no capacity in the current tax,” Foxx says. “Those pieces are starting to fall. And that’s dangerous because so much of our ability to grow our city and our region depends on the transit system. If the transit system isn’t there, growth will drift in scattershot fashion and we’ll lose quality of life.”

The mayor sees the original 1998 transit plan as inherently flawed. That year, voters approved the half-cent sales tax for transit, and the Metropolitan Transit Commission and original long-range blueprint, the 2025 Plan, were created. The plan established the template for all transit projects: 50% of the construction price from the feds, 25% from the state and the remainder from the new local tax. In 2007, the first major project debuted, the Lynx light-rail line between Pineville and uptown.

Better-than-projected ridership for the \$463 million, 10-mile line seemed to create momentum for transit.

But now, Foxx and other supporters say, the streetcar fight, the recession and other distractions have combined with dire financial straits to put the larger transit plan on the back burner.

The arrival of the 30-member work group is one step to rebuild interest — and find some solutions.

Jill Swain, the Republican mayor of Huntersville, and Howard, head of the city transportation committee, are the co-chairs. Other members include former mayor Harvey Gantt, developer Peter Pappas, Charlotte Chamber lobbyist Natalie English, former county manager Jerry Fox and former CATS chief Ron Tober.

This week, the work group heard from experts in transportation consulting and public financing to learn more about financing and funding methods adopted by transit systems in other cities. Many include private contractors taking on some or all of the responsibilities to design, build, finance, operate and maintain rail lines and other transit projects. Federal loan programs offering favorable interest rates and terms are an obvious area to explore, along with possibilities such as financing based on projected reductions in energy use.

Some of the financing ideas would require new legislation or approval from the General Assembly in Raleigh, a possibility Tillis acknowledged this week.

”There’s a growing demand for transit across this state,” he said. “And if we don’t come up with a comprehensive approach to it, and not necessarily treat all of these like one-off projects funded by the state, what it will do is slow down opportunities in other regions. What we need to do is figure out whether or not the local revenue options are sufficient, if there’s other things that we should consider. And not only for rail, but for roads and other modes of transportation.”

Foxx wants the transit work group to make some recommendations on how to pay for the 2030 Plan by mid-April. Later that month, the transit commission hopes to reach consensus on next steps during a workshop similar to the 2010 session that led to the Blue Line Extension becoming the region’s top priority. The earlier meeting came about as the recession crimped the amount of money produced by the dedicated half-cent tax for transit projects.

CATS consultant Jeffrey Parker, who formerly worked with the transit agency through his own firm, now advises the city as part of Ernst & Young’s infrastructure advisory group. Among the possible funding sources presented to the MTC working group this week: car and hotel taxes, vehicle registration fees, higher sales taxes, gas taxes and a range of financing plans based on increased development and growth fostered by the addition of rail and streetcars. Naming rights for transit stations, sponsorships and other advertising-related revenue could also generate additional money. Last year, the transit commission and the city approved selling ads on the exterior of trains and buses.

Foxx and Swain agree that the campaign to raise awareness and interest will be just as important as the mechanics of solving the wide financial gaps.

”We have to address how we pay for everything,” Swain says. “We’ve got some incredibly smart people helping us. Sometimes we forget the general public doesn’t always follow the efforts we’re making. It’s a good idea getting them reinvigorated.”

2030 project list

- The Blue Line Extension (Northeast Corridor) is an extension of the Lynx Blue Line light-rail service. The 9.3-mile segment extends from Ninth Street in center city through the NoDa and University areas, ending on the UNC Charlotte campus.

- The proposed North Corridor Commuter Rail Project will operate along 30 miles of the existing Norfolk Southern rail line from center city to Mooresville in southern Iredell County. The line parallels Graham Street in the south and Old Statesville Road (N.C. Highway 115) in the north.
- The proposed Southeast Corridor Rapid Transit Project extends 13.5 miles from center city to the border of Mecklenburg and Union counties, terminating at Central Piedmont Community College's Levine Campus.
- The streetcar project will serve the central business district and provide connectivity to surrounding communities and institutions. The proposed line will run 10 miles along Beatties Ford Road near I-85 through uptown along Trade Street, traveling up Elizabeth Avenue by Central Piedmont Community College and out to Central Avenue at Eastland Mall.

Transit funding working group

The group of elected, civic and business leaders appointed by Mayor Foxx has the task of identifying funding options, with recommendations due to the MTC next month.

Committee Co-Chair: Jill Swain, Mayor of Huntersville, MTC member

Committee Co-Chair: David Howard, Charlotte City Council member

Hugh Allen, Wells Fargo

Jeff Brown, Moore & Van Allen/former CTAG member

Jesse Cureton, Citizen

Ned Curran, The Bissell Cos.

Larry Dagenhart, McGuireWoods

Tracy Dodson, Cushman & Wakefield | Thalhimier

Bobby Drakeford, The Drakeford Co.

Natalie English, Charlotte Chamber

Jerry Fox, Citizen, retired Mecklenburg county manager

Matt Gallagher, Gandy Development

Harvey Gantt, Gantt Huberman, former Charlotte mayor

Manoj Govindan, Merrill Lynch

Malcolm Graham, Democratic state senator, Johnson C. Smith University

Sammy Hicks III, Integrated Capital Strategies

Mary Hopper, University City Partners

Torre Jessup, Citizen

Charlie Jeter, Republican state House member

Landra Johnson, Citizen

Anika Kahn, Wells Fargo

Brandon Lofton, Robinson Bradshaw & Hinson

Lee Myers, Myers Law Firm, former Matthews mayor and MTC member

Dionne Nelson, Laurel Street Residential

Peter Pappas, Pappas Properties

Rick Sanderson, AECOM

Bertram Scott, CIGNA

Bill Thunberg, Lake Norman Transportation Commission

Ton Tober, Parson Brinkerhoff

Lynn Wheeler, Wheeler Communications, former Charlotte mayor pro tem (Charlotte Business Journal, 3/8/13)

APR 2013 Chairman of Disparity Advisory Committee

Brandon Lofton admits he's no expert when it comes to winning business from the city of Charlotte. He's not well-versed in bidding on construction contracts or gaining vendor certification.

But even the private-practice attorney at Robinson, Bradshaw & Hinson can see there's a problem: Charlotte's women- and minority-owned companies aren't getting an even share of the business handed out by the city.

How bad is it? A 2011 study shows Charlotte between 2005 and 2010 paid \$1.3 billion to contractors on construction projects. Only 17.5% of the cash (about \$179 million) went to companies owned by women or racial minorities, even though those groups account for 34.3% of the available contractors in the area.

Same story for subcontracting: Only 28.9% of the city's dollars went to companies owned by women or minorities, even though they make up 40.2% of local companies available to do the work, according to the study by MGT of America.

[Click here for the full Disparity Study.](#)

Lofton, chairman of the city's Disparity Study Advisory Committee, worked with other citizens and city vendors to review that 471-page document. It analyzed more than 848,000 payments to vendors made from 2005 to 2010, everything from major road construction to the purchase of office supplies.

"We were concerned and confused that there could be such strong disparity," he says.

To close the gap, City Council members will be asked Monday to vote on a new Charlotte Business Inclusion program that officials say will make it easier for the city staff to recruit minority vendors to bid on projects, raise the threshold for bidding on formal contracts and encourage contractors to make more efforts to hire subcontractors owned by women and minorities.

The measure is expected to pass and take effect in July.

However, the program to be voted on next week almost didn't happen. When consultants at MGT first presented their results to the city and its advisory committee in 2011, it told them not to take gender- and race-targeted action to fix the problem.

"It was perplexing," Lofton says.

MGT, a national firm known for performing such studies, had valid reasons. It argued that court rulings have established that cities must show evidence of disparity, discrimination and a failure of race- and gender-neutral programs to correct the problems. MGT felt Charlotte's existing small-business programs, which don't target race, had been effective in closing the even wider gap that existed 10 years ago.

Still, Lofton and his committee weren't satisfied.

Committee member Mary Kathryn Ewart, the public policy director for the Charlotte chapter of National Association of Women Business Owners, said the group asked city leaders for a second opinion. "We said, 'Wait a minute. We need to take a closer look.'"

So the city hired Baltimore law firm Tydings & Rosenberg, another expert on the matter, to review MGT's findings. Tydings & Rosenberg came to a different conclusion. It said even though the gap had gotten smaller since 2003, the number of available minority- and women-owned companies had increased at the same rate. Therefore, the second consultant argued, Charlotte's perceived improvement over the past decade wasn't really progress. It was just a result of the city becoming more diverse as it grew.

"That's the real story," Lofton says. "A true apples-to-apples comparison showed severe underutilization even now."

Tydings & Rosenberg concluded the city should incorporate new measures in its Small Business Opportunity program that would specifically target closing the gap in utilizing minority and women-owned vendors. “After eight years of race-neutral SBO policy, it is time to consider the use of more aggressive race-conscious remedial policies on a narrowly tailored basis,” the firm wrote in its report to the City Council.

The advisory committee agreed. The city staff drew up new policies, and the council’s economic development committee voted 4-1 to recommend approval of the new policy, called Charlotte Business Inclusion.

Councilman Warren Cooksey voted against the plan, saying the city had been “consultant shopping” by moving away from the initial recommendation from MGT. He could not be reached for comment this week.

”The important thing is we didn’t get someone to rerun the numbers — it was just a different way to look at them,” Lofton says of the second opinion. “If any portion of the population is being denied access to city contracts, then it’s legitimate for the city to address that.”

Benton Albritton, legislative director for the Carolinas chapter of Associated Builders and Contractors, says his organization hasn’t studied Charlotte’s program closely. But in general, it prefers government bidding processes to be limited to price and quality.

”I wouldn’t say minority programs are unnecessary, but our founding principle is open competition,” he says. “The most qualified firm who can do the job for the least amount of money should get the job, regardless of who they are.”

Advocates for women- and minority-owned contractors and vendors are optimistic Charlotte’s new program will increase opportunities for their members to win business on merit.

”This is about fair and equal access to the jobs,” says Stephane Berwald, president of the Metrolina Minority Contractors Association. “Information is not always shared. There’s still sometimes a good ol’ boys network.”

Charlotte Business Inclusion wouldn’t give minorities or women advantages over competitors, supporters say, noting the lowest-cost qualified bid still gets the deal. But it will allow the city staff to specifically contact underutilized groups and set goals to ensure their participation.

”It gives us more opportunities to seek input and bids from minority companies,” says Brad Richardson, economic development manager in the city’s Neighborhood and Business Services division, which would oversee the program.

Hispanic Contractors Association of the Carolinas Executive Director Julian Arcila praises the city’s planned new program. But he also says more work is needed to shrink the gap. The MGT disparity report showed Hispanic-owned subcontractors were among the most under-utilized groups in the city.

”This is very positive for the minority business community and we want to commend the city of Charlotte,” Arcila says. “But even when we see increased participation, it’s not enough yet. There’s a tremendous disparity.”

He says many Hispanic immigrants have built strong companies but lack the education and information to compete for city deals. He cites the complexities of government red tape and the high cost of plans — often \$1,000 or more — that are needed before bidding on city projects. “That’s expensive, and there’s no guarantee you’ll even get the job.”

Arcila says minority groups such as the HCAC need to invest in educational programs to prepare their members to do business with local government. In return, they’d like to see the city meet them in the middle by increasing outreach and lowering barriers.

”Traditionally, it’s understood that doing business with the city is very difficult,” he says. “But I have to say the city is working very hard to address the needs.”

A Closer Look

Key components of the proposed Charlotte Business Inclusion program

The new Charlotte Business Inclusion program, if approved by City Council members, will be part of the city’s long-standing Small Business Opportunity Program. The race- and gender-conscious measures include five key components designed to close the disparity gap:

- Expand geography. City officials will expand their definition of available local minority- and women-owned businesses to include the 13 counties that make up the Charlotte-Gastonia-Salisbury combined statistical area.
- Certify minority- and women-owned businesses. Charlotte will use statewide criteria for determining whether a company is minority-owned and apply it to its Small Business Enterprise registry. That will allow eligible firms to be labeled in the city’s register so they can be more easily identified.
- Raise formal bid threshold. Charlotte will raise its threshold for formal bidding to \$500,000 from \$200,000. That will allow the city staff to solicit bids from minority firms for projects valued at less than the new, higher threshold.
- Add subcontractor goals. Prime contractors on city projects will be required to meet the same minority goals set by state agencies such as the Department of Transportation. Currently, Charlotte sets goals only for the use of small businesses, regardless of the business owner’s race or gender.
- Limit good faith efforts. This new rule, which is basically a technical change, will limit the reasons contractors can cite for failing to use minorities after making a good-faith effort.

By The Numbers

Consultants found several anecdotes that revealed some minority- or women-owned firms felt they were being unfairly discriminated against while trying to win city business. Some highlights of their perceptions:

33.4% of minority- or women-owned businesses said they were seldom or never considered for projects outside of the Small Business Opportunity program

25.6% said they felt an informal network excluded their firms

18.9% believe they were included on a project in good faith but then dropped after the contract was awarded (CBJ, 4/5/13)

OCT 2013 Receives Award

Brandon Lofton , an attorney with Robinson Bradshaw & Hinson, P.A ., was honored with a 2013 Charlotte Catalyst award, which spotlights diverse leaders making an indelible mark on their organizations and the Charlotte community. (CO, 10/26/13)

2014

JAN 2014 Shareholder of Firm

Nicholas Allmon , Nathan Chase Jr. , Matthew Efird , Pearlynn Houck and **Brandon Lofton** were named shareholders at Robinson Bradshaw & Hinson, P.A . (CO, 1/18/14)

FEB 2014 Among “Under 40” Honorees

For the 21st consecutive year, the Charlotte Business Journal is recognizing the Charlotte region’s 40 Under 40. These are 40 individuals under the age of 40 who are making major strides in their careers and having a positive impact on their communities.

This year’s class once again demonstrates the caliber of professionals who are guiding the area’s development as a major business center.

The title sponsor for 40 Under 40 is HF Financial, a member of the MassMutual Financial Group; the supporting sponsor is the Belk College of Business at UNC Charlotte; the community partner is Junior Achievement of Central Carolinas Inc.; and the industry partner is the World Affairs Council of Charlotte.

A cocktail reception and awards presentation will be held on March 25 at the McGlohon Theater at Spirit Square to celebrate the accomplishments of this year’s class. Additional event information and registration is available [here](#).

This year’s 40 Under 40 honorees will be featured in a special report in the March 28 print edition of the Charlotte Business Journal.

Here are the 2014 honorees:

Derrick Barnes, Novant Health Bradford Clinic Joseph Barnette, Winstead Mary Barr Gallivan, Foundation For The Carolinas Toby Bartlett, JE Dunn Construction John Bradford, Park Avenue Properties Dave Brown, CDI Southeast Clint Bundy, Bundy Group Jeff Carlson, Northwestern Mutual David Contorno, Lake Norman Benefits Jose Costa, Maaco Collision Repair & Auto Painting Garrett Droege, JJ Wade & Associates Caroline Dudley, Accenture Nicole Emanuel, KPMG LLP Steve Ermish, Chiquita Brands International Inc. Bret Estridge, Balfour Beatty Construction Lesley Garafola, Duke Energy Corp. Kevin Gottehrer, Parker Poe Adams & Bernstein Ben Harrison, DealCloud Inc. Jay Herring, Ernst & Young Greg Higgs, Fab Fours Inc. David Hoffman, The David Hoffman Group at Keller Williams Realty Brent Howison, The Remi Group Brian Kahn, McGuire Woods Mark Kutny, Hamilton Stephens Steele + Martin Kerry Lindauer, Moore & Van Allen Trey Lindley, Johnston, Allison & Hord **Brandon Lofton**, Robinson Bradshaw & Hinson Lorri MacHarg, The Steritech Group Inc. John Mader, Wray Ward Laura Megahee, McGladrey Catherine Morrison, Gantt Huberman Architect, a Division of Bergmann Associates Brian Natwick, Crescent Communities Karen Nelson, Katten Muchin Rosenman Matthew Ridenhour, Life Systems International Melanie Robinson, Paragon Bank David Saye, Mayer Brown Chad Seigler, NASCAR Justin Sharp, Shift Equity Jessica Sidhom, PNC Bank Will Weaver, Jones Lang LaSalle (CBJ, 2/25/14)

2015

OCT 2015 Housing Instability in Charlotte-Mecklenburg

Mecklenburg County issued the following news release:

Mecklenburg County's [How much an individual or family can spend on housing, and whether a community has enough affordable housing options available to fit the budget and the need, can mean the difference between homelessness and having a safe place to live.

The second half of a two-part report about homelessness and housing stability in Charlotte-Mecklenburg is out now and provides data to help explain the concept of housing instability and affordability. "Housing Instability in Charlotte-Mecklenburg 2015" is the newest report, and it is a companion to "Characteristics of Charlotte Housing Authority's Housing Choice Voucher Waiting List 2015," a report released in September. Some findings in the recent report include:

Forty-six percent (74,243) of renter households were cost burdened in Mecklenburg County in 2013, which means spending 30 percent or more of their gross income on housing costs. Since 2008, the median household income in Mecklenburg County decreased by 12 percent, while gross rent increased by 2 percent.

A person working full-time at minimum wage (\$7.25 per hour) can afford a monthly rent of \$377. In order to afford a two-bedroom unit at Fair Market Rent (\$831), a person must make \$15.98 per hour, working full-time. A person making minimum wage must work approximately 88 hours per week to afford the two-bedroom unit.

Households experiencing housing instability face multiple barriers such as high housing costs, poor housing quality, unstable neighborhoods, lack of access to transportation, and stagnate wage growth, according to the report. Left unaddressed, housing instability problems affect the larger community.

The 2014-2015 Housing Instability and Homelessness Report Series is a collection of local reports to help the community make data-informed decisions around homelessness and housing instability. The series includes the Point-In-Time Count Report released in May, and forthcoming reports on veteran homelessness and annual counts of homelessness in Mecklenburg County. The University of North Carolina at Charlotte Urban Institute prepared the report. The Housing Advisory Board of Charlotte-Mecklenburg, a volunteer board appointed by the Mecklenburg Board of County Commissioners and the Charlotte City Council, initiated the report. Mecklenburg County Community Support Services provided funding for the report. (TNS, 10/26/15)

NOV 2015 Board Says 30,000 Waiting For Help From Housing Authority

Donna had a job. In fact, she had two. She worked as a nursing assistant during the day and a waitress at night. She did everything she could to keep food in the mouths of her three children.

On a good week, she and the kids would stay with her elderly aunt and cousins, but that was not always a healthy space. On other weeks, they stayed in motels and even slept in the car when necessary.

Some days, all she had to give them was cereal and grits, sacrificing her own portion for her oldest son. By God's grace, they didn't seem to understand how hard things were. When she took time to really think about it, she always ended up in tears.

Her saving grace came in knowing that the holidays were right around the corner. She could count on meals for the children and a few days off just to catch her breath. Her ultimate goal: to find a place to call home so that she and her children could have stability.

This is not just Donna's story. This is our story. It is the story of thousands of working families who struggle right here in Mecklenburg County. Based on the recent reports released by the **Housing Advisory Board of Charlotte-Mecklenburg**, more than 30,000 people are on the wait list for assistance from the Housing Authority. This means that Donna and people like her will have to either move out of the county or remain in unstable conditions much longer than anyone would desire. (CO, 11/19/15)

2016

FEB 2016 Appointed to Children's Rights Board

Robinson Bradshaw attorney Brandon Lofton was appointed president of the board of directors for Council for Children's Rights, a Charlotte nonprofit providing legal representation services for children in North Carolina. (CO, 2/7/16)

APR 2016 Goals Of Housing Advisory Board

Ernest Hemingway once said, "Never confuse movement with action." He reminds us of the difference between doing things we think will help and measurable success that produces real results. It is an important reminder as we consider the recently released 2016 Point-in-Time Count Report, which highlighted real progress made in efforts to end and prevent homelessness in Charlotte-Mecklenburg.

The Point-in-Time-Count is an annual count of people in our community who are homeless, whether on the streets or in a shelter. This year's count shows we have reduced homelessness by 9 percent this year. Since 2010, we have reduced homelessness by 36 percent, even as our population has grown by 16 percent.

The **Housing Advisory Board of Charlotte-Mecklenburg** oversees the implementation of the community's Ten-Year Plan to End and Prevent Homelessness. The plan focuses on three primary goals: 1. Getting homeless families and individuals into appropriate and safe permanent housing as soon as possible; 2. Linking chronic homeless to housing, treatment and services through intensive outreach and engagement, and 3. Promoting housing stability for those most at risk of becoming homeless.

Here is what we know about our success in recent years. Rapid re-housing produces results. Rapid re-housing accelerates homeless families' move to housing and gives supportive services and a short-term rental subsidy to help them reach self-sufficiency. Since 2013, more agencies are using rapid re-housing, and we have seen a 42 percent reduction in homeless families.

For the chronically homeless, the best intervention is permanent supportive housing, which has reduced the number of chronically homeless by 39 percent since 2015. This strategy uses a rental subsidy and supportive services to help those who have been homeless with a disabling condition for more than a year to secure and maintain housing.

Finally, our collaborative efforts to end veteran homelessness have been successful. Homelessness among veterans is rare, brief and non-recurring due to our well-coordinated and efficient process. Since November 2014, we have housed over 378 veterans and have seen a 19 percent decrease in the homeless veteran population.

Our work is far from over. In the next year, we hope to see bigger declines in youth and family homelessness. We need to get the homeless out of shelters faster. And we must address the disproportionately high percentage of African Americans among our homeless population.

The Point-in-Time Count shows most of our community’s homeless are our own. Only 26 percent of them have moved from other communities in the last two years.

Our community must keep applying the same data-driven strategies as we have done in the past in order to close the gaps.

The data show what it takes to end homelessness. And we have the resources in our community to meet these challenges. We need to build more developments like Moore Place, the successful permanent supportive housing development, which has saved lives and saves the community money. And because we know we cannot build our way out of the need for more housing units, we need current landlords and property managers to work with us to help house some of our most vulnerable community members.

We are making progress. But for those in Charlotte-Mecklenburg who still lack access to safe and stable housing, our progress needs accelerating.

Joe Penner is the chairman of the **Housing Advisory Board of Charlotte-Mecklenburg** . (CO, 4/28/16)

DEC 2016 Foundation for Affordable Housing

The Southern Pines Town Council will conduct a public hearing on Tuesday, Dec. 13, for a bond request that would fund a multi-million dollar improvement to the Brookside Park housing developments.

The \$14 million project would impact the entire 150-unit complex, through bonds issued to the Foundation for Affordable Housing.

Addressing the council during Wednesday evening’s agenda meeting, representatives for the proposed project explained the public hearing was a necessary step to meet Internal Revenue Service regulations. Brookside Park was developed and operates with federal housing financing. The property uses federal housing subsidies to make rent affordable to lower income tenants.

Anticipated work would include substantial interior and exterior improvements, with work beginning this coming spring. The duplex apartments would be upgraded in sequence with vacant units prioritized. Current tenants would be rotated to “hospitality units” for on-site housing while work on individual units was completed.

”The project does not obligate the town to these bonds,” said **Brandon Lofton**, speaking on behalf of the foundation. “The foundation will be the borrower and will repay to a trustee that pays directly to bond brokers. The bonds are issued by a public finance authority and it is the obligation of the foundation to repay those bonds.” (The Pilot (Southern Pines, NC), 12/8/16)



The Foundation for Affordable Housing, Inc. is seeking financing for the construction, renovation and equipping of multi-family housing units, which would include affordable housing units, at 1611 Icemorlee St. in Monroe, according to staff documents.

In order to finance the projects, the organization plans to sell tax-exempt bonds issued by the Public Finance Authority. Council held a public hearing and voted on the resolution.

The staff document noted that approving the resolution does not impose an obligation on the city and the bonds do not mean the city is indebted or liable.

”There is no financial impact to the City by holding this public hearing and adopting the approval resolution,” the staff document read.

The total amount for all five project is about \$72 million, according to **Brandon Lofton**, an attorney with Robinson Bradshaw, who is representing the organization.

The organization is rehabilitating about 100 units on Icemorlee St. There are also projects in Southern Pines, South Carolina and Ahoskie. (Monroe Enquirer-Journal, 12/14/16)

2017

FEB 2017 Represents Charter School In Bond Process

Approval by the Durham County Commissioners of a resolution that would allow Discovery Charter School to seek \$11.75 million worth of tax-exempt bonds will wait until plans for how to use the money are finalized.

A public hearing related specifically to meeting tax codes to proceed with the bonds was held this week, but led to questions about the intent to use the money to build an educational facility at 501 and 505 Orange Factory Road.

Cliff Teasley is a farmer who lives in Mangum township near the proposed project.

"I'm not opposed to any school. I'm not opposed to any higher education," Teasley said. "I am opposed to the location."

The community is small, and roads that are not wide are already loaded with traffic, he said.

"We haven't seen any drawings, but most of all I'm worried about the water," Teasley said.

The site is near the Little River Reservoir. For years, residents were told they couldn't build on their land, because it isn't suitable for septic systems, Teasley said.

The concern, he said, is if the school builds a system that breaks.

"You have done so much already to protect that water, and I'm proud of you for that and I don't want to see it endangered," Teasley told commissioners.

Details for the facilities are a separate process from Monday night's hearing, said Brandon Lofton, an attorney representing the school in the bond process.

The board of adjustments will hear those details for the permitting process at its Feb. 28 meeting.

"Why would your applicant move forward with trying to sell the bonds if the project has not been approved yet," Commissioners' Chairwoman Wendy Jacobs asked.

Lofton said the financing process is moving forward on a different timeline than the construction process to allow potential bondholders or investors to price into the bonds now as opposed to being subject to market adjustments later.

Commissioner Heidi Carter said she understood this week's hearing was related to the bonds, but a clause in a prior draft to the resolution referencing if it is the public interest caused her to pause on approval.

Assurance of no environmental sensitivity issues, an impact statement from Durham Public Schools and a traffic impact study were all questions Carter said she would like answered.

Commissioner James Hill, too, had concerns about the watershed and questioned if the charter school would provide transportation to reduce the traffic impact.

Lofton said a revision of the resolution took out the public interest reference and educational impact was addressed when the state board of education issued the charter.

"This particular process ... really is a question of can they finance this project using tax-exempt bonds, or will they have to use taxable bonds," he said.

Approval does not financially obligate the county or count as the county's debt, Lofton said.

Still, questions loomed for commissioners related to approving the financing before the project permits.

Commissioner Ellen Reckhow wondered how the school intends to meet impervious surface requirements.

Carl Forsyth, board chair of Discovery Charter School, said the site is on 50 acres, and the intent is to construct five separate buildings.

The plan to meet impervious surface requirements is to lease another 10 acres, Forsyth said.

Toni Shellady, board vice chair for the school, said the site is close to meeting the surface threshold.

Answering Hill's question, she said the school would provide transportation and serve northern parts of Durham County and neighboring counties potentially.

The school is working with an "experienced developer," who's built many schools, worked on the environmental impact and completed a traffic impact study, Shellady said.

Seeking the bonds now, she said, allows a savings of about \$1 million and construction to start sooner.

"Our goal is to provide a better education for those students but also to be able to save taxpayer money by going ahead and moving forward with the bonds," Shellady said.

Commissioners voted to defer action on the matter until the board of adjustments meets Feb. 28 and commissioners meet again March 13.

"I think that we really need to understand this better," Reckhow said. "I would prefer to wait until after the board of adjustment takes action and that we know the project is in compliance with all of our requirements." (Durham Herald-Sun, 2/17/17)

APR 2017 Less Homelessness in County

There's less homelessness in Mecklenburg County.

The Charlotte-Mecklenburg Point-in-Time Count 2010-2017 report, released Tuesday, showed 1,476 homeless people on the night of Jan. 25. This number continues to decrease each year, with overall homelessness decreasing by 519 people, or 26 percent, between 2010 and 2017.

The report is part of a local series about homelessness and housing instability funded by Mecklenburg County Community Support Services and initiated by the **Housing Advisory Board of Charlotte-Mecklenburg**. The report was authored by the UNC Charlotte Urban Institute.

The 2017 report offers new information to help the community make better decisions around housing and homelessness. For the first time, the report provides information on the capacity to house people experiencing homelessness in addition to the number of people who are homeless on one night.

Since 2010, the study revealed, the number of beds in programs that provide permanent housing like rapid re-housing and permanent supportive housing have increased by 321 percent (1,978 units).

During a span where Mecklenburg's population has grown 17 percent to over 1 million, the increase of permanent housing beds was cited as a key factor in decreasing overall homelessness.

Homelessness among specific populations is also decreasing:

- Veteran homelessness decreased 8 percent (12 people) from 2016 to 2017, which brings Mecklenburg closer to Forsyth and Cumberland counties, which eliminated veteran homelessness in 2016, according to a report by the Urban Institute, a Washington, D.C.-based think tank.
- Chronic homelessness decreased 14 percent (23 people) from 2016 to 2017.
- Family homelessness decreased 9 percent (47 people) from 2016 to 2017.

Efforts targeting veteran and chronic homelessness were reflected in these population decreases. However, unsheltered homelessness, which is defined as sleeping on the streets, camps, and other places not meant for human habitation like highway underpasses, increased by 15 percent (28 people) since 2016. Most of the unsheltered homeless were single men with income (70 percent), had been homeless for a year or longer (62 percent) and were not chronically homeless (68 percent). (Charlotte Post, 4/27/17)

SEP 2017 Evictions Report Released

The "Charlotte-Mecklenburg Evictions Part 1: An Introduction to Evictions in Charlotte-Mecklenburg" report has been released as part of a local series about homelessness and housing instability.

The report was initiated by the **Housing Advisory Board of Charlotte-Mecklenburg**, and is the first of its kind in Mecklenburg County. It provides new information about evictions and the role they play at the intersection of housing and homelessness.

Information from the report will be presented and streamed live to the community on Wednesday, Sept. 27, 6:30 p.m. at Christ Lutheran Church, located at 4519 Providence Road in Charlotte. Matthew Desmond, author of *Evicted: Poverty and Profit in the American City*, will present the report findings.

The report also includes an overview of the eviction process and the impact of evictions on individuals, families and the community. Using local data from formal evictions (which does not represent all evictions that take place in Mecklenburg County), report findings show that 28,471 households faced formal evictions in Mecklenburg County in FY2015/2016.

Other highlights from the report include:

162,355 households were at risk of eviction in North Carolina in FY2015/2016 45 percent of renter households in Mecklenburg County were cost burdened in 2015 10,556 writs of possession were received by the Sheriff's Office to go with a landlord to secure and padlock units in Mecklenburg County in FY2014/2015

The number of renter households in Mecklenburg County is increasing. At the same time, more renter households are cost burdened, spending more than 30 percent of their income on housing costs. This means that many individuals and families are at risk of losing their housing. Households who become evicted face additional barriers to secure housing in the future.

The report was funded by Mecklenburg County Community Support Services and authored by the UNC Charlotte Urban Institute. (Mecklenburg Times, 9/27/17)

NOV 2017 Impact of 2011 Disparity Study

A 1989 U.S. Supreme Court ruling established the parameters used in Charlotte and nationally to determine whether race- and gender-conscious contracting and subcontracting programs are needed. In 2002, council ended Charlotte's 20-year-old minority- and women-owned program due to a lawsuit that prompted the city to adopt a race- and gender-neutral program. A **disparity study** in 2011 led to the creation of the hybrid **Charlotte** Business Inclusion program that has been in effect since 2013. (Charlotte Business Journal, 11/10/17)

2018

JAN 2018 **Running For State House in Redrawn District**

With all this hubbub over North Carolina's congressional districts being thrown out and legislative districts perhaps about to be, one might wonder: Just how much do the maps matter? Would districts drawn without political considerations make any difference in outcomes?

For a hint, check out House District 104, which covers much of south Charlotte.

For the last three elections, 104 has been a reliably Republican district. Republican Andy Dulin won the seat in 2016 and Republicans Dan Bishop and Ruth Samuelson before that. None was ever in danger.

Now, though, legislative districts are being redrawn after a federal court found the districts to be unconstitutional racial gerrymanders. A "special master" has submitted a new map at the court's request. The court is expected to announce any time now whether that map will be used or yet another one drawn by legislative Republicans.

If the map from special master Nathaniel Persily is used, it could have a big impact on a handful of races, including Dulin's in House 104. Dulin has already drawn one challenger – Democrat **Brandon Lofton**, a partner at Robinson Bradshaw. The numbers suggest Lofton might have a chance in a previously safe-Republican district.

The precincts in the old House 104 district were only 31 percent registered Democrat. They voted for Pat McCrory over Bev Perdue in 2008, 70-28. They voted for Richard Burr over Elaine Marshall in 2010, 62-36.

Compare that with the Persily version of 104 that could be used this fall. Precincts in that district voted for Democrat Roy Cooper over McCrory in 2016, 51-47. They narrowly gave Republican Buck Newton the edge over Josh Stein in that year's attorney general's race, 50.5 to 49.4.

Persily did not take political data into consideration when he drew the districts. But those districts could very well produce different outcomes than the old ones, in House 104 and elsewhere. (CO, 1/12/18)

JAN 2018 **Profile**

Democrat Brandon Lofton is a lawyer and a partner at Robinson Bradshaw, concentrating on public finance. Quoting from the Robinson Bradshaw website : "He regularly serves as bond counsel, underwriter's counsel, borrower's counsel and bank counsel for tax-exempt and taxable financings.

Brandon represents municipalities, counties, hospitals, universities, nonprofits and underwriters in the financing and refinancing of capital improvements. He also represents clients in a variety of public finance transactions, including general obligation bonds, revenue bonds, installment financings and limited obligation bonds.”

Lofton graduated from Chapel Hill with his bachelor’s in 2001 and then earned his law degree at New York University in 2004, trailing service awards and academic honors along the way. Lofton was honored by his law school as the featured representative and speaker for the class of 2004. He described “his childhood dream of being a lawyer, explaining how he wanted to be a source of positive social change and to emulate legal heroes such as Thurgood Marshall.” (Watauga Watch Blog, 1/14/18)

MAR 2018 Residency Challenged

One candidate lives on the beach, more than 300 miles from the district in which he’s running.

An Asheville City Council member rented a Charlotte mailbox for his race in Mecklenburg County.

And in order to run in a new Senate district, one Surry County man moved into a funeral home.

Since North Carolina’s candidate filing opened last month, people have suddenly gotten the urge to move, or at least to commute long distances.

Legislative candidates, unlike those for Congress , must live in the district they want to represent. One Mecklenburg County legislative candidate already was disqualified for not living in his district. Others are being challenged.

In Iredell County, a Democrat is challenging Republican Bob Rucho, a former Mecklenburg senator who changed his address to a Mooresville apartment a day before he filed for office. His wife still lives in Matthews, according to her voter registration.

In Mecklenburg, a Republican is challenging the residency of Democrat **Brandon Lofton**. A would-be challenger to GOP Rep. Andy Dulin, Lofton said he’s living in a southeast Charlotte house he recently rented in District 104. His wife is still registered to vote in a different district. (CO 3/15/18)

MAR 2018 County Board to Hear Challenge

Next week, the Mecklenburg board will review a challenge against Democrat **Brandon Lofton**, who is running against Rep. Andy Dulin, a Mecklenburg County Republican. The challenge claims that Lofton does not reside in the House district. Rep. Justin Burr, a Stanly County Republican, and former Sen. Bob Rucho, who’s seeking an open Senate seat in Iredell and Mecklenburg counties, are both facing similar residency challenges. (RNO, 3/30/18)

APR 2018 Board Deadlocks On Residency Eligibility

The Mecklenburg County Board of Elections voted along party lines to dismiss a complaint challenging the voter registration of a Democrat running for the North Carolina House of Representatives. Board members met for roughly six hours on Tuesday to conduct a formal hearing into the challenge against Brandon Lofton, who is running to unseat incumbent Representative Andy Dulin in House District 104.

The complaint, which was filed on March 2 by former Republican legislative candidate Bob Diamond, accuses Lofton of breaking the law when he changed his voter registration to a home his family had recently entered into a contract to purchase but had not yet closed on. The move from one house to his new house allowed Lofton to run in District 104.

Lofton changed his voter registration on February 19, around the same time when he filed to run for office. At Tuesday's hearing, board members heard testimony from a private investigator who said he was working as a contractor for a firm hired by a "Republican coalition."

The investigator prepared a report that included photos and a timeline that Diamond and his attorneys claimed show he illegally changed his voter registration by using the address of a home he did not yet live at.

During the hearing, Lofton conceded that he had not yet spent a night at the new address he used in his new voter registration but said that did not mean he violated the law.

Lofton was represented at the hearing by attorney Geraldine Sumter, who told board members Lofton's new home met the definition of his domicile because he intended to abandon his previous home and reside at the new home.

Ultimately, that argument swayed the board's two Democrat members, who voted to dismiss the complaint.

"This is a very close case but the burden of proof is on the challenger and the challenger hasn't met the last hurdle," newly-appointed board member John Greshman said in making his case to dismiss the complaint during board deliberations.

After the hearing, attorney John Snyder, who represented Diamond, said his client would likely appeal the board's ruling to a Superior Court judge. That decision had not been finalized as of Tuesday night. (WBTV, 4/3/18)

Many of those candidates now face residency challenges. The complaints are difficult to prove without stalking someone to see which house they're sleeping at. In one case, someone actually hired a private eye to follow a candidate.

That was in Mecklenburg County, where a Republican is challenging the candidacy of N.C. House candidate **Brandon Lofton**, a Democrat. The complaint alleges that while Lofton is buying a house in his district, he hadn't yet moved when he changed his voter registration. The Mecklenburg elections board deadlocked along party lines after a lengthy hearing, but an appeal is likely.

The stakes are high, both for the political parties and for the voters of House District 104. If Lofton is disqualified, incumbent Republican Rep. Andy Dulin will be unopposed - giving the GOP an automatic win in a competitive district, while depriving voters of a choice. (Sanford Herald, 4/12/18)

MAY 2018 Residency Challenge Not Resolved

Three races in Mecklenburg in November will help determine that: Republican Sen. Jeff Tarte in a toss-up district against Natasha Marcus; Republican Rep. John Bradford in a potentially competitive race against Christy Clark; and Republican Rep. Andy Dulin against Democratic attorney **Brandon Lofton**, if he survives a residency challenge. (CO, 5/9/18)

MAY 2018 Third Eviction Report Released

According to the recent three-part series on Charlotte Mecklenburg evictions authored by the UNC Charlotte Urban Institute and initiated by the **Housing Advisory Board**, Mecklenburg County has roughly one eviction for every 37 people, and that rate more than doubles in some neighborhoods in north, east and west Charlotte.

The momentum created by the Charlotte Mecklenburg Opportunity Task Force report is inspiring. The city manager's proposed \$50 million Housing Trust Fund and other initiatives to fill our affordable housing gap prove our community is serious. Let's add one more bold commitment. Let's fight for our city to be in last place. Let's aim to be 100 out of 100 — in evictions. (CO, 5/29/18)

JUL 2018 More Cash On Hand Than Dulin

While North Carolina Democrats are boasting record fundraising, three Mecklenburg County Democrats have bigger war chests than incumbent Republican lawmakers, according to new finance reports.

Democrats are trying to break the GOP's legislative "super-majorities." That would mean the General Assembly could no longer easily override vetoes from Democratic Gov. Roy Cooper.

The state Democratic Party this week announced a record \$5.8 million cash on hand at the end of the second quarter. The Republican Party reported \$1.37 million on hand. But that doesn't include the

accounts of legislative leaders such as Senate Leader Phil Berger, who has \$1.6 million on hand. They typically use it to help other Republicans.

”The overall combined Republican effort between the party, the caucuses and the individual candidates has us in solid position,” said state party Executive Director Dallas Woodhouse.

But in some of Mecklenburg’s most competitive races, Democrats are sitting on more money than GOP incumbents:

- In House District 103 , in Matthews and southeast Mecklenburg, Democrat Rachel Hunt has \$132,700 on hand to Republican Rep. Bill Brawley’s \$88,600. Hunt is the daughter of former Democratic Gov. Jim Hunt.
- In southeast Charlotte’s District 104, Democrat Brandon Lofton has \$95,500 on hand, almost twice as much as GOP Rep. Andy Dulin’s \$51,000. (CO, 7/12/18)

SEP 2018 Overview of Race

For Democrats, the road to breaking the Republican grip on the North Carolina House could run through Sunnybrook Drive in southeast Charlotte’s District 104.

And that’s fine with Republican Rep. Andy Dulin.

Walking along the street canvassing voters, he points to curbs and storm drains he helped get while a member of the Charlotte City Council for eight years. “All this is what I did on council,” he says, nodding to the improvements.

Dulin, 59, is running for his second House term. He faces Democrat Brandon Lofton who, despite being a political newcomer, has outraised Dulin.

Democrats need a gain of four seats to break the House supermajority that lets Republicans over-ride vetoes by Democratic Gov. Roy Cooper. And they see a handful of Charlotte districts — including Dulin’s — as ripe opportunities.

That’s because while Dulin won 55 percent of the vote against an underfunded opponent in 2016, Democrats Hillary Clinton and Roy Cooper carried the district in their respective races for president and governor.

Lofton, 39, is a lawyer with Robinson Bradshaw. He’s been active in groups such as the Council for Children’s Rights the city’s Disparity Study Advisory Committee . Campaigning this month in the Madison Park neighborhood, he talked about what he sees as the “gamesmanship” and partisanship in the General Assembly .

”People are tired of the level of politics in the nation and also in Raleigh,” he said as he prepared to knock on doors. “They’re aware that it’s getting in the way of our state’s progress.”

Dulin has a different story. He cites a string of legislative actions including lowering taxes, raising teacher pay, enacting stiffer penalties for human trafficking and providing millions for school safety.

”We’re making positive progress on all those things,” he said.

Lofton, the son of a teacher, calls pay raises “a good first step” but said the problem goes beyond salaries when classrooms lack money for supplies and support. He promises that he’d do more for education, rein in health care costs by expanding Medicaid and work across the aisle.

Just as the candidates differ on the performance of the General Assembly , they disagree on the six proposed constitutional amendments on the ballot. Dulin supports them while Lofton opposes them all.

One thing they agree on: turning over redistricting to an independent commission.

Dressed in shorts and a T-shirt, Dulin recently notched the 1,000th home he’s visited this campaign. “I don’t think Mr. Lofton can match the time and work I’ve put into this endeavor,” he said. “I’m fighting for every single house.”

Pulling up his phone, he showed a reporter a picture of a supporter with a Dulin sign in his yard. He said he once helped the man dredge a backyard creek to stop a flooding problem.

That’s why GOP strategist Larry Shaheen, who lives in the district, doesn’t worry about the fact that Clinton and Cooper carried it two years ago.

”For crying out loud, this is the same guy who on his off day would go out and help clear storm drains so folks’ houses wouldn’t flood,” Shaheen said. “You’re never going to get the kind of hard work and dedication that Andy Dulin has brought to that district both on city council and in the legislature.”

Democratic consultant Dan McCorkle said Lofton can win. With a bigger war chest, and with Democratic congressional candidate Dan McCready spending money to boost turnout in the same area, he said Lofton can do what other Democrats have tried and failed to.

”Like all the southern (Mecklenburg) districts it is very competitive,” he said. “That is a very winnable race this year.”

Andy Dulin

Age: 59.

Education: Bachelors, Appalachian State , 1984.

Professional experience: Commercial real estate, construction sales.

Political resume: Charlotte City Council District 6 , 2005-2013.

Family: Wife, Cathy; three sons.

Website: voteandydulin.com.

Brandon Lofton

Age: 39.

Education: Bachelor's, UNC-Chapel Hill ; Law degree, New York University .

Professional experience: Attorney, Robinson Bradshaw.

Political resume: First-time candidate.

Family: Wife, Kellie; two sons. (CO, 9/26/18)

OCT 2018 Charlotte Observer Endorsement

House 104

Democrats have targeted this changing southeast Charlotte district, where freshman Republican Andy Dulin has been a rubber stamp for GOP leaders in Raleigh. He's opposed by Charlotte attorney Brandon Lofton, a first-time candidate.

Lofton, who has been active in groups that include the Council for Children's Rights, would bring a smart voice on urban issues to Raleigh. Dulin, a former City Council member, is running on his familiarity with his community and its people, but when asked, he struggled to provide one vote or bill he introduced that strayed from the GOP line. That's no longer representative of a district that voted for Roy Cooper and Hillary Clinton in the 2016 election. We recommend Lofton. (CO, 10/22/18)

OCT 2018 Dulin DUI Charge

North Carolina Rep. Andy Dulin faces a December trial in Ohio on charges stemming from a DUI arrest this summer, court records show.

Dulin, a Republican, is running for re-election against Democrat Brandon Lofton in southeast Charlotte's House District 104.

According to documents from Erie County Municipal Court , Dulin faces a pre-trial hearing on Dec. 5. A trial is scheduled for Dec. 13.

Dulin was charged July 1 with driving under the influence when he was stopped along a turnpike about 60 miles west of Cleveland. Records show he refused a DUI test. He was released on a \$400 bond.

"This is an obvious last-minute smear campaign by the Democrats and their liberal allies at the Charlotte Observer," Dulin said in a statement Monday. "I pled not guilty for a reason and look forward to my day in court."

Dulin declined further comment. His attorney, Christopher Marcinko, could not be reached.

The Observer confirmed the charge Monday after a tip. The paper did background checks on Dulin and other candidates earlier this year before the May primary and before the July charge.

"It's pretty laughable to defend yourself by claiming that politics forced anybody to find out about this," said David Furr, deputy executive director of Democratic House caucus.

Earlier this year Republicans sent mailers about a DWI that Democratic Senate candidate Chad Stachowicz had in 2008. It said he'd had a blood alcohol three times the legal limit.

"Too irresponsible. Too reckless," it said. (CO, 10/29/18)

OCT 2018 Speaks At Queens University

As election season heats up, Brandon Lofton paid a visit to Queens on Wednesday, October 24 to discuss some of the issues he hopes to address if elected this year. Lofton is the Democratic challenger campaigning for North Carolina House of Representatives district 104, which is the part of Mecklenburg County Queens is located in. He is running against Republican incumbent Andy Dulin. Knight-Crane professor Rick Thames, who hosted and moderated the event, said Dulin had initially agreed to come speak alongside Lofton but changed his response shortly before the event because he was worried it invited debate.

Lofton briefly introduced himself before accepting questions from a student panel (pictured below), speaking in depth about his desire to see more Democrats in Raleigh in order to upset the current political climate. Currently, Republicans hold a firm control of both the North Carolina Senate and the House of Representatives. The governor, Roy Cooper, is a Democrat.

"Our city and our state are being held back by an extreme political agenda that is threatening our schools, our healthcare, and even the form of our democracy, said Lofton. "The reason why I'm running in this race right now is because there is so much at stake." Other major points of focus for his campaign have been educational value, teacher pay and healthcare for North Carolina residents.

Student panelist Jayda Brown asked Lofton about a time he was able to work in a bipartisan manner to create conversation. Lofton responded by discussing the Republican Party and their complete control of the state legislature, which included their ability to override the governor's veto. If more Democrats were to win seats, he felt the balance could help motivate politicians to try and achieve compromise.

"Right now we have one party that has complete control over our legislature... They don't need a single Democratic vote to push their agenda," said Lofton, later adding, "There is no incentive for them to reach across the aisle."

The next student panelist, Alyssa Pacheco, asked Lofton about the six state constitutional amendments voters will be seeing on the North Carolina ballot. He was against all six, particularly the one regarding voter identification. “The right to vote is one of the most sacred...important rights to us as U.S. citizens,” he said.

Taylor Robinson, Student-Government Association president, asked him about his professional career and how it may give him a “competitive edge.” Lofton asserted his experience, which includes stints on the Charlotte-Mecklenburg Housing Advisory Board, the Council for Children’s Rights, and the Disparity Study Advisory Committee.

Itzel Garcia-Ruiz, another student panelist, asked him about supporting Deferred Action for Childhood Arrivals and immigrants in North Carolina. This was the first question that did not relate to the politics of the election itself nor any of the issues listed on Lofton’s campaign website. Lofton momentarily paused, before commenting on the need for North Carolina to always be accepting towards others. “We need to do everything we can to make North Carolina a welcoming community,” he said. He stated a first step towards achieving this feeling would be fighting laws that are preventing immigrants from feeling safe and welcomed.

The next panelist, Tommy Bobbit, asked Lofton about teacher salaries. This is a hot-button issue on his campaign site, and he responded to the question passionately. According to the National Education Association’s 2018 report, North Carolina ranks 39th in the nation for average teacher salary. Lofton, frustrated, claimed college students were getting their degrees to teach and then leaving the state. “Our taxpayer dollars are going to educate some other states’ teachers.”

Other issues discussed, both from other student panel questions and questions opened to the assembled room, included gerrymandering, House Bill 2, healthcare, community unity, police militarization, economic mobility, educational segregation and the environment. Lofton closed by thanking Queens for allowing him to speak and warning them of Andy Dulin, whom he referenced the Charlotte Observer had called a “rubber stamp” for the Republican party, as well as the six proposed amendments and the current state government. He hopes, regardless of who wins, that the leadership of North Carolina and Charlotte will stand up for state and city values. (U-Wire, 10/30/18)

NOV 2018 Outraised Dulin

- In south Charlotte District 104 , Democrat Brandon Lofton has raised \$526,000 to GOP Rep. Andy Dulin’s \$289,232. (CO, 11/1/18)

NOV 2018 Wins Election

Democrats’ momentum extended to the General Assembly, where they picked off three incumbent Republicans. In District 104, which encompasses southeast Charlotte, Brandon Lofton beat incumbent Andy Dulin with 51.7 percent of votes cast compared to Dulin’s 48.2 percent. (Charlotte Post, 11/8/18)

2019

JAN 2019 Dulin Pleads No Contest on DUI

Former North Carolina Rep. Andy Dulin pleaded no contest last month to an Ohio charge of driving under the influence.

Dulin was charged with DUI in July when he was stopped along a turnpike about 60 miles west of Cleveland. Records show he refused a DUI test.

He pleaded no contest on Dec. 7. Records show he received fines and probation and lost his license for a year, until this July.

Dulin has not returned multiple calls and emails this week.

The Observer first reported the charge in October during the Charlotte Republican's bid for reelection.

In a statement at the time, he called the report "an obvious last-minute smear campaign by the Democrats and their liberal allies at the Charlotte Observer . I pled not guilty for a reason and look forward to my day in court."

Dulin went on to lose the House District 104 race to Democrat Brandon Lofton. (CO, 1/9/19)

JAN 2019 Sworn In

Brandon Lofton, a newly elected representative of the North Carolina General Assembly, chose to be sworn into office in Ketner Auditorium at Queens University of Charlotte on January 7. Queens is within North Carolina House District 104, which Lofton will now represent in Raleigh. Lofton participated in a student-run candidate forum at Ketner in October.

The auditorium was nearly at capacity as friends, supporters and family came to support and congratulate their new legislator. Lofton, 39, arrived 15 minutes early with his wife, Kellie, and their two sons. He walked through the room, smiling and shaking hands with supporters.

The ceremony began with prayers led by a friend and Lofton's father-in-law. They spoke of Lofton's dedication and passion, as well as his goals going forward.

After taking the oath on a Bible, Lofton thanked many supporters in the audience individually, starting with his wife, Kellie, and their boys.

"I met Kellie my freshman year in UNC in Chapel Hill and we have been inseparable since then," he said. "She is my best friend, my greatest supporter and the work she did during this campaign is remarkable."

Lofton also addressed to his family members, saying he was raised to seek ways to help the community. He recognized colleagues in his law firm, Robinson Bradshaw, for their trust and support.

”People told me there is no way I am going to win in South Charlotte, where Democrats get only 20% (of the) votes,” Lofton said.

Lofton recalled an emotional moment during his campaign. While going door to door in a neighborhood, he heard that people there were voting for him at the urging of an elderly neighbor who had just died. A resident pointed to a window of the deceased woman’s home. A Lofton campaign sign was visible through it.

”I was standing there, sad, and didn’t know what to say, because she has done an incredible job to help me win, but I could not even thank her,” he said.

While the ceremony was a time to celebrate, Lofton said he is eager to get to work. His agenda includes improving pay and working conditions for teachers, making health care accessible for more people, lowering taxes and protecting democratic institutions. None of this will be easy, Lofton admitted, but he is ready to fight for his district.

”We are willing to face the hard work, fight for changes and hopefully send a message to those in power,” he said.

Asked why he chose Queens, Lofton said he has a lot of affection for the university. He noted that it is in the heart of Charlotte and that he took part in a candidate forum on campus. He said he also has friends who teach there.

He said he is extremely concerned about young people being able to get a good education.

”I am determined to keep college affordable and to protect the student community of Charlotte,” said Lofton. “I love this city, I care about its residents and I want it to be a good place to live.” (U-Wire, 1/25/19)

FEB 2019 School Calendar Bill

Most Recent Action Date: February 12, 2019

Bill Id: 2019 NC H.B. 47 (NS)

Sponsor: Marvin W. Lucas,Becky Carney,Pricey Harrison,Kelly M. Alexander, Jr.,Rosa U. Gill,Allen McNeill,Carla D. Cunningham,Yvonne Lewis Holley,Dennis Riddell,Michael Speciale,Gale Adcock,Howard J. Hunter, III,John Autry,Chaz Beasley,Mary Belk,Amos L. Quick, III,Christy Clark,Zack Hawkins,Wesley Harris, PhD,Brandon Lofton,Nasif Majeed,Rachel Hunt

SUMMARY: AN ACT to provide flexibility for Charlotte-Mecklenburg schools in adopting the school calendar.

Summary Line

02/13/2019 HOUSE PASSED 1ST READING

02/13/2019 HOUSE REFERRED TO THE COMMITTEE ON EDUCATION - K-12, IF FAVORABLE, RULES, CALENDAR, AND OPERATIONS OF THE HOUSE (Leg Alert, 2/12/19)

MAR 2019 Park Infrastructure Bill

Bill Id: 2019 NC H.B. 527 (NS)

Sponsor: Becky Carney, Wesley Harris, PhD, Brandon Lofton, Nasif Majeed, Rachel Hunt

SUMMARY: AN ACT concerning public-private reimbursement agreements for park infrastructure development by mecklenburg county.

Summary Line

04/01/2019 HOUSE PASSED 1ST READING

04/01/2019 HOUSE REFERRED TO COMMITTEE ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE (Leg Alert, 3/28/19)

AUG 2019 Hate Crimes Bill

A hate-crime bill that has yet to be debated in the state legislature more than five months after it was filed is getting renewed attention. Rep. Nasif Majeed says after even more mass shootings, state lawmakers have to do something.

The recent mass shooting in El Paso, Texas, targeted Latino people.

”It’s terrible we have inactivity on hate crime [legislation] in light of today,” Majeed said in an interview with The News & Observer on Thursday. “This is timely again, and past time we do something.”

House Bill 312, which is titled the Hate Crimes Prevention Act, would increase the penalty for a hate crime from a misdemeanor to a felony. It would also require the State Bureau of Investigation to create and maintain a hate crimes database, training for attorneys on how to prosecute them and also require law enforcement training on identifying, responding to and reporting hate crimes.

Now Majeed, a freshman Democrat from Charlotte in the Republican-controlled General Assembly, has taken the rarely successful step of filing a discharge petition. That can force a move to the floor for a bill stuck in committee, but only if enough lawmakers sign on in agreement.

Chapel Hill murders

Majeed referenced the 2015 murders in Chapel Hill of Yusor Abu-Salha, 21; her sister Razan Abu-Salha, 19; and Abu-Salha's husband Deah Barakat, 23; who were Muslim. Craig Hicks pleaded guilty to their murders in June. He was not charged with a hate crime.

The Our Three Winners Foundation, a nonprofit that works to eliminate hate, was created in their memory. Nida Allam was their friend and is former operations director for the Our Three Winners Foundation. She spoke with Majeed when he filed the bill in March. Majeed and Allam are also Muslim. She said that even if the discharge petition filed Wednesday doesn't work, it is still a way to call out legislators about where they stand on hate crimes.

"This hate spreading across the country is very real," Allam said.

She said that President Donald Trump's speech at his rally in Greenville was hate speech. The crowd chanted "send her back" about U.S. Rep. Ilhan Omar after Trump suggested she and other members of Congress leave the country.

Allam thinks hate crime legislation hasn't passed because of politicians' "refusal to admit that this hate exists. A lot of it is fueled by political leaders, and not admitting they that are part of the problem."

Majeed said what Trump has said "certainly doesn't help and is fuel to the fire."

RepMajeed.jpg Rep. Nasif Majeed, a Charlotte Democrat, filed HB 312, the Hate Crimes Prevention Act.

Where NC hate crimes bill stands

The petition for the hate crimes bill would need 61 signatures and had received 35 signatures as of Thursday morning. One of them was Rep. Brandon Lofton, a Mecklenburg County Democrat.

"I think there are certain issues important enough they deserve debate, and be brought to the floor to be considered," Lofton told The News & Observer right after signing the petition on Thursday. He said that especially after the weekend shootings, "we need to do more as a body to prevent future loss of life."

He said that while their prayers go out to the families of the victims, lawmakers have a responsibility to do more than that. Lofton said he liked the aspects of the bill that require training for law enforcement regarding hate crimes.

Majeed said he had some support from Republicans when he filed the bill, "but somehow it faltered."

"In view of the times and what we're seeing before our eyes, we have to do something," Majeed said. "As leadership, we have to be responsible for taking the position that we're not going to tolerate this and we need to increase the penalty associated with these kind of crimes."

HateCrimePetition.jpg As of Thursday morning, Aug. 8, 2019, 35 House representatives had signed a discharge petition for HB 312, the Hate Crimes Prevention Act, to be moved from committee to the House floor for debate.

"I think that's the least we can do," he said.

The bill is in the House judiciary committee. The News & Observer's attempts to reach Republican chairs of the committee by phone and email on Thursday were unsuccessful.

Find out how many hate groups meet in the CarolinasThe Southern Poverty Law Center defined and mapped out hate groups around the country. (RNO, 8/8/19)

2020**JAN 2020 Law Firm Updates Parental Leave Policy**

In 2019, the leaders of the state of North Carolina and its Judicial Branch turned their focus on the needs of new parents--and their new children.

North Carolina Supreme Court Chief Justice Cheri Beasley announced that the Judicial Branch would now allow new attorney parents to take up to 12 weeks to care for their children rather than appear in court for hearings. That same month, Gov. Roy Cooper announced that all state employees who are new parents would be eligible for eight weeks of paid parental leave.

The new policies are in tandem with North Carolina law firms that continue to examine, refine, and expand their parental leave policies. While the federal Family Medical Leave Act requires firms with more than 50 employees to allow 12 weeks parental leave, it doesn't require them to get paid. But today, it's now the norm for the state's largest firms 12 weeks or more of paid leave.

Case in point: Robinson, Bradshaw & Hinson, which has offices in Charlotte and the Triangle, recently updated its parental leave policy to give new parents more paid time off.

Previously, all attorneys had been eligible for two weeks of parental leave, with birth mothers allowed 10 weeks, said Brandon Lofton, an attorney with the firm. Lofton, with feedback from his colleagues, helped craft the firm's new policy, which now gives all attorneys who are new parents six weeks of paid leave; birth mothers get 16 weeks.

"It's been well-received by everyone at the time, and I think people will take full advantage of it," Lofton said. (NC Lawyers Weekly, 1/23/20)

MAR 2020 Running For Second Term

House District 104: Incumbent Rep. Brandon Lofton (D-Mecklenburg) against Don Pomeroy (R). (JD Supra Blog, 3/9/20)

JUN 2020 Zoom Profile**EMPLOYMENT HISTORY:**

12/31/2006 to 11/10/2019

Attorney,

Robinson Bradshaw & Hinson P.A

02/20/2019 to 05/15/2020

Representative,

NC House of Representatives

01/20/2016 to 04/08/2018

Housing Advisory Board,

Charlotte-Mecklenburg Schools
 12/31/2009 to 04/08/2018
 President of the Board,
 Council for Children's Rights (Past)
 12/31/2003 to 01/29/2018
 Attorney,
 Ferguson Chambers & Sumter P.A (Past)
 10/21/2013 to 02/23/2017
 Board Member,
 Levine Museum of the New South (Past)
 02/27/2007 to 02/23/2017
 Board Member,
 Mecklenburg County Bar (Past)
 02/23/2017 to 02/23/2017
 Member,
 The Phi Beta Kappa Society (Past)
 01/20/2016 to 01/20/2016
 Member,
 William C. Friday Fellowship Class
 06/10/2007 to 06/11/2007
 Member,
 North Carolina Bar Association
 06/10/2007 to 06/11/2007
 Member,
 John S. Leary Association of Black Attorneys
 06/10/2007 to 06/11/2007
 Member,
 American Bar Association

ADDITIONAL INFORMATION:

Charlotte Chamber Recognizes Brandon Lofton as a Business Leader

Brandon M. Lofton

Practice Areas Brandon Lofton received the 2017 Young Professional Business Leader - Small to Midsized Company Award from the Charlotte Chamber Young Professionals. The award honors an individual that has excelled professionally in the private sector, has established themselves as a valuable asset to their organization and industry, and is a civic leader in the community.

Lofton is a public finance attorney at Robinson Bradshaw , regularly serving as bond counsel, underwriter's counsel, borrower's counsel and bank counsel for tax-exempt and taxable financings. He represents municipalities, counties, hospitals, universities, nonprofits and underwriters in the financing and refinancing of capital improvements, along with a variety of other public finance transactions. Lofton is a member of the firm's Diversity and Inclusion Committee , leading Robinson Bradshaw's initiatives to maintain an environment that embraces individual differences and promotes the personal inclusion of all lawyers. He is also involved with the firm's recruiting efforts, including serving as a summer associate mentor and work chair.

In addition to his busy law practice, Lofton serves and leads in a variety of ways throughout Charlotte-Mecklenburg and North Carolina as a whole. He is president of the board of directors for the Council for Children's Rights , as well as a City Council-appointed member of the Charlotte-Mecklenburg Housing Advisory Board. Lofton previously served on the Levine Museum of the New South's board of directors, on the Charlotte-Mecklenburg Metropolitan Transit Commission's Transit Finance Working Group, as chair of the city of Charlotte's Disparity Study Advisory Committee and on the Mecklenburg County Bar Foundation's board of directors.

A graduate of the New York University School of Law, Lofton was a Root-Tilden-Kern Scholar and a Dean's Scholar. He earned his bachelor's degree from the University of North Carolina at Chapel Hill with highest honors, where he was a member of Phi Beta Kappa and received the Walter S. Spearman Award as the outstanding man in his graduating class.

Brandon Lofton Receives Citizen Lawyer Award

Brandon Lofton Receives Citizen Lawyer Award Brandon M. Lofton

Practice Areas Brandon Lofton is a 2017 recipient of the North Carolina Bar Association's Citizen Lawyer Award. In addition, Lofton previously served on the Levine Museum of the New South's board of directors, as well as on the Charlotte-Mecklenburg Metropolitan Transit Commission's Transit Finance Working Group and as chair of the city of Charlotte's Disparity Study Advisory Committee. During the 2012 Democratic National Convention , he chaired the Access to America Dialogue Series Working Group, leading conversations about access and equity issues with national participants from the convention. Lofton also chaired the National Association of Bond Lawyers' Diversity Initiative, and he served three years on the Mecklenburg County Bar Foundation's board of directors.

Lofton is a public finance attorney at Robinson Bradshaw , regularly serving as bond counsel, underwriter's counsel, borrower's counsel and bank counsel for tax-exempt and taxable financings. He represents municipalities, counties, hospitals, universities, nonprofits and underwriters in the financing and refinancing of capital improvements, along with a variety of other public finance transactions.

A graduate of the New York University School of Law, Lofton was a Root-Tilden-Kern Scholar and a Dean's Scholar. He earned his bachelor's degree from the University of North Carolina at Chapel Hill with highest honors, where he was a member of Phi Beta Kappa and received the Walter S. Spearman Award as the outstanding man in his graduating class.

Published on: 04/14/2020

Professionals - Robinson Bradshaw Law Firm

Brandon M. Lofton Attorney 704.377.8162 704.339.3462

Brandon M. Lofton Selected for Charlotte Business Journal's '40 Under 40'

Brandon M. Lofton Selected for Charlotte Business Journal's '40 Under 40' Brandon M. Lofton

Practice Areas Brandon M. Lofton has been selected for the Charlotte Business Journal's 21st annual '40 Under 40,' an award recognizing young professionals in the Charlotte area for outstanding leadership, notable achievements and tireless contributions to the community.

Lofton joined Robinson Bradshaw in 2007 and was named a shareholder in January. He practices in the area of public finance and regularly serves as bond counsel, underwriter's counsel and borrower's counsel. He represents clients in a variety of public finance transactions, including general obligation bonds,

revenue bonds, installment financings and limited obligation bonds. His clients include municipalities, counties, hospitals, universities, nonprofits and underwriters.

Lofton was named to the 2012 and 2014 North Carolina Super Lawyer's list of Rising Stars for government finance. He is a member of Robinson Bradshaw's Inclusion Committee, where he works to help increase the firm's ability to recruit and retain diverse attorneys. He also serves as vice chair of the diversity committee for the National Association of Bond Lawyers , where he works to increase participation of diverse lawyers in the practice of public finance. He received the Charlotte Catalyst Award in 2013 for his professional success and work in diversity and philanthropy.

Lofton is an active member of the community and currently serves on the board of directors of the Council for Children's Rights and the Levine Museum of the New South . Lofton is also a member of the Mecklenburg County Bar Leadership Institute Class of 2011 and has previously served on a number of committees and working groups in the community, including the Transit Finance Working Group of the Metropolitan Transit Commission , the Access to America Dialogue Series Working Group of the Charlotte in 2012 Host Committee (chair) and the City of Charlotte Disparity Study Advisory Committee (chair).

Lofton earned his law degree from New York University where he was a Root-Tilden-Kern Scholar. He received his Bachelor of Arts from the University of North Carolina at Chapel Hill , where he graduated with highest honors and was inducted into Phi Beta Kappa.

Lofton joins a growing list of current Robinson Bradshaw attorneys who have been named to the Business Journal's '40 Under 40,' including Dianne Chipps Bailey, Louis A. Bledsoe III, Glen E. Caplan, Jeffrey C. Hart, Jonathan C. Krisko, Kelly Luongo Loving, Mark W. Merritt, William K. Packard, Richard S. Starling, Angelique R. Vincent and Julian H. Wright Jr.

Brandon M. Lofton Honored with Charlotte Catalyst Award

Brandon M. Lofton Brandon Lofton , an attorney with Robinson Bradshaw, has been honored with a 2013 Charlotte Catalyst award, which spotlights diverse leaders making an indelible mark on their organizations and the Charlotte community.

Charlotte Catalyst honorees are selected because of their professional success and work in diversity and philanthropy. Lofton received the award at a reception at the Mint Museum Uptown on Oct. 10. In addition, he will be profiled in an upcoming issue of UPTOWN and UPTOWN Professional magazines.

Lofton is an active member of the community and currently serves on the board of directors of the Council for Children's Rights and the Levine Museum of the New South . Lofton is also a member of the Mecklenburg County Bar Leadership Institute Class of 2011 and has previously served on a number of committees and working groups in the community, including the Transit Finance Working Group of the Metropolitan Transit Commission , the Access to America Dialogue Series Working Group of the Charlotte in 2012 Host Committee (chair) and the City of Charlotte Disparity Study Advisory Committee (chair).

He practices in the area of public finance, representing cities, counties, hospitals, universities and underwriters in the financing of capital projects through the issuance of tax-exempt and taxable bonds. Lofton earned his law degree from New York University , where he was a Root-Tilden-Kern Scholar and Dean's Scholar and served as colloquium editor for the NYU Review of Law and Social Change. He received his bachelor of arts from the University of North Carolina at Chapel Hill , where he received the Walter S. Spearman Award for outstanding man in graduating class and was awarded membership in Phi Beta Kappa.

Outstanding Citizen Lawyers Recognized

Back: Jim Morgan, Mittie Smith, Robert Ramseur, Brandon Lofton , Forrest Ferrell and Raymond Bretzmann. Brandon Lofton of Robinson Bradshaw & Hinson in Charlotte. Brandon has provided volunteer leadership and service to the Council For Children's Rights , Charlotte-Mecklenburg Housing Advisory Board, Levine Museum Of The New South , the Democratic National Convention and the Mecklenburg County Democratic Party , City of Charlotte Small Business Opportunity Task Force and Business Corridor Revitalization Steering Committee, the Mecklenburg County Bar and Foundation.

Deborah Hampton: The Big Heart That Inspires Others - Council for Children's Rights Board Chair, Brandon Lofton , an attorney at Robinson, Bradshaw and Hinson , speaks for many when he adds, "It has been a true privilege to work with Deborah Hampton as a fellow board member with Council for Children's Rights.

Annual Meeting Honorees, Speakers, Events

Brandon Lofton , Robinson Bradshaw & Hinson , Charlotte

Deborah Hampton: The Big Heart That Inspires Others - Council for Children's Rights Board Chair, Brandon Lofton , an attorney at Robinson, Bradshaw and Hinson , speaks for many when he adds, "It has been a true privilege to work with Deborah Hampton as a fellow board member with Council for Children's Rights.

Brandon Lofton - William C. Friday Fellowship for Human Relations

Brandon Lofton Brandon Lofton Fellow Brandon is a partner with the law firm of Robinson, Bradshaw & Hinson, P.A. As a member of the firm's Public Finance practice, Brandon regularly represents counties, universities, hospitals and underwriters in the issuance of tax-exempt and taxable bonds. Through his practice, Brandon has helped his clients successfully structure financings to meet their capital needs. Brandon serves on the firm's Diversity and Inclusion Committee , has served on the Board of Directors for the Mecklenburg County Bar Foundation and currently serves as Vice Chair of the Diversity Committee for the National Association of Bond Lawyers .

Brandon is an active member of the community, serving on the boards of area non-profit organizations, including the Council for Children's Rights , a children's advocacy organization, and the Levine Museum of the New South , a museum dedicated to increasing cross-cultural understanding. He has also served on a number of community task forces, including the Transit Finance Working Group of the Metropolitan Transit Commission , the Access to America Dialogue Series Working Group of the Charlotte in 2012 Host Committee, the City of Charlotte Disparity Study Advisory Committee and the City of Charlotte Business Corridor Revitalization Steering Committee . Additionally, Brandon has been politically engaged, organizing and chairing a precinct for the Mecklenburg County Democratic Party, serving as Chief Strategist for the 2009 Anthony Foxx for Mayor Campaign and serving as a delegate to the 2008 Democratic National Convention . Raised in Jacksonville, North Carolina, Brandon received his bachelor of art from the University of North Carolina at Chapel Hill , where he received the Walter S. Spearman Award for outstanding man in the graduating class and was awarded membership in Phi Beta Kappa. He earned his law degree from New York University , where he was a Root-Tilden-Kern Scholar and Dean's Scholar and served as colloquium editor for the NYU Review of Law and Social Change. Brandon began

his legal career working with Julius Chambers at the civil rights law firm, Ferguson Stein Chambers . Brandon and his wife, Kellie, live in Charlotte with their two sons, Brandon II (8) and Caleb (6). (Zoom, 6/20)

OCT 2020 Observer Endorsement for Second Term

HOUSE 104: First-term incumbent Democrat Brandon Lofton faces a strong challenge from businessman Don Pomeroy in a very competitive south Mecklenburg district. Pomeroy says the economy is his No. 1 focus, and he wants to pay particular attention to measures that benefit small and mid-sized businesses. Lofton is a perceptive lawmaker who has worked hard to craft bills with support from across the aisle. That relationship-building would serve his district well regardless of which party has the majority.

There are no bad choices in this race. Pomeroy would be a resourceful and analytical lawmaker, but Lofton has earned another term. (Charlotte Observer, 10/8/20)

HOUSE 104: First-term incumbent Democrat Brandon Lofton faces a strong challenge from businessman Don Pomeroy in a very competitive south Mecklenburg district. Lofton is a perceptive lawmaker who has worked hard to craft bills with support from across the aisle. That relationship-building would serve his district well regardless of which party has the majority. (CO, 11/2/20)

OCT 2020 Outlines Issues of Concern

104th District

Democratic incumbent Brandon Lofton says schools, healthcare and unemployment benefits are his top concerns.

”We’ve underfunded (public schools) for a decade and it’s absolutely a priority and challenge facing us. At the same time, we had a half-million North Carolinians who didn’t have access to affordable healthcare, and that was before COVID-19,” Lofton said. “I’ve heard estimates that has gone up by 100,000 to 125,000 because of people losing their healthcare since the pandemic started.

”We also are grappling with the least generous unemployment system in the country, which is exacerbating our challenge responding to the COVID-19 crisis.”

Lofton said he believes there is bipartisan support to compromise on Medicaid funding. He says the state needs more collaborative leadership between the parties.

”That’s a real fundamental challenge facing our state. It’s not a Democrat-vs.-Republican question,” Lofton said. “It’s ‘Are we there to serve the people instead of playing political stunts?’”

Lofton’s Republican challenger, Don Pomeroy, did not reply to phone messages seeking an interview. (Charlotte Observer, 10/27/20)

OCT 2020 Outraised Pomeroy

Rep. Brandon Lofton raised nearly \$300,000 in his District 104 race against Republican Don Pomeroy, who raised \$150,000. In southeast District 105, Rep. Wesley Harris raised \$203,000 to Republican Amy Bynum's \$42,000.

Stephen Wiley, director of the House Republican caucus, said the disparities don't reflect GOP hopes of winning the races.

"It's a matter of strategy," he said. "If you (spend) \$600,000 on a Charlotte seat, how effective is that compared to \$600,000 in Wilmington? It's more about the best use of resources." (Charlotte Observer, 10/30/20)

NOV 2020 Wins Re-Election

104th District

- Brandon Lofton, D — 53.85%
- Don Pomeroy, R — 46.15% (CO, 11/3/20)

2021**FEB 2021 Minimum Wage Hike For Non-Public School Employees**

□ HB 5: This bill would require the hourly rate of the minimum salary for non-certified public school employees to be set at \$15 per hour. A similar bill, Senate Bill 19, was filed by Democratic Sen. Don Davis, and it calls on the Department of Public Instruction to study and report on raising salaries for noncertified public school employees to at least \$15 per hour.

Filed by: Reps. Terence Everitt, D-35; Brandon Lofton, D-104; and House Democratic Whip Raymond E. Smith, D-21

Where bills stand: Both sit in their chamber's rules committees. (Salisbury Post, 2/8/21)

FEB 2021 Appointed to Boundary Commission

Gov. Cooper has appointed the following individuals to the North Carolina South Carolina Boundary Commission:

Ted Davis, Jr. of Wilmington as a legislator. Davis has served in the North Carolina House of Representatives since 2012. He practiced law until 2016, serving as Assistant New Hanover County Attorney, State District Attorney, and Assistant United States Attorney.

Brandon Lofton of Charlotte as a legislator. Lofton has served in the North Carolina House of Representatives since 2018. He is also a partner at the Robinson Bradshaw Law Firm in Charlotte. (Press Release, 2/16/21)

MAR 2021 Bill to Fund Workers With Unreserved Cash

-- Lawmakers in the North Carolina House of Representatives filed a bill to provide immediate funding to state workers and small businesses suffering from COVID-19 pandemic effects with unreserved cash. House Bill 192 — sponsored by Democratic Reps. Robert Reives, Gale Adcock, Wesley Harris and Brandon Lofton — would invest over \$5 billion in unreserved cash sitting in state accounts in small businesses that are shuttered or struggling. People who have been without work have also been included in the bill.

"We can act now to invest this money," said Reives, the House Democratic Leader. "When you have businesses struggling and workers either out of work or seeing their paychecks fall behind, why wait? We just need to act."

US Senate prepares to debate Biden's \$1.9T COVID-19 relief bill this week
Reives held a press conference recently with North Carolinians from across the state to share stories about how relief funding would benefit small businesses, educators, and communities.

"All across North Carolina local governments, small businesses, and families have been tightening their belts," Adcock said. "Our state government has passed bipartisan bills to spend federal money to help. Now it's time for us to do the same to invest state taxpayer funds that are sitting in state accounts, while so many in our state are in need."

The bill follows Gov. Roy Cooper's proposed supplemental budget recommendations, including funding for small businesses, rural broadband, food banks, hazard pay for frontline workers, educator bonuses, and unemployment insurance. (WNCN, 3/1/21)

MAR 2021 Calls Bill Increasing Capacity at School Outdoor Events Unconstitutional

High schools and colleges would be allowed to fill up their stands to half capacity during the coronavirus pandemic under a bill approved Wednesday by the state House.

The state Senate has passed its own bill expanding capacity at school events. And both Republican-controlled chambers are pushing ahead with separate legislation that could bypass the Democratic governor.

The House voted 77-42 to allow up to 50% capacity at indoor and outdoor sporting events and graduations at UNC System schools, community colleges and K-12 schools. House Bill 128 would require schools to allow at least 30% capacity.

The bill comes after Gov. Roy Cooper recently eased COVID-19 restrictions to allow up to 15% capacity at indoor venues and 30% capacity at outdoor venues. But Rep. Kyle Hall, a Stokes County Republican, said Cooper's limits are "still unnecessarily low and over restrictive."

"This is an an issue of major concern for countless families and communities across North Carolina," said Hall, a primary sponsor of the bill. "Unfortunately these arbitrary limits. are not based in science and only punish our athletes and their families.

"For this reason, I ask for your support for this common-sense bill to ensure families have the opportunity to safely attend and support their loves ones and their teams."

The House also passed a bill Wednesday allowing high schools in 14 counties to have up to 50% capacity at outdoor sporting events. It's not a statewide bill so it could be approved without going to Cooper.

Rep. Brandon Lofton, a Mecklenburg County Democrat, argued it was unconstitutional because local bills can't deal with health issues But House Speaker Tim Moore disagreed and allowed the bill to be voted on.

Both bills will now go the Senate .

On Monday, the Senate passed a statewide bill that would allow high schools to have up to 40% capacity at outdoor events. The Senate also backed a bill covering the same 14 counties included in the legislation approved by the House. (RNO, 3/3/21)



A bill Republicans in the state House of Representatives plan to vote on next week would lead to some school districts being able to bring more kids back in person, but Democrats are criticizing the proposal as unconstitutional.

The bill in question would allow five school districts to operate under Plan A, the state's least restrictive social distancing plan.

State health officials have called for middle and high schools only to return under Plan B, which calls for six feet of distance.

The bill is considered a local bill, which would not be subject to a veto by Gov. Roy Cooper (D).

It would apply to the following school districts: Asheboro City, Carteret County, Haywood County, Randolph County and Yancey County.

"We're getting a lot of calls from around the state, a lot of my members are, where the school districts really want to have more authority to open those schools," said House Speaker Tim Moore (R). "Parents are just desperate to get kids back in school for in-person learning."

The bill is moving forward after Republicans in the Senate tried and failed earlier this week to override Cooper's veto of a different bill that would have required all K-12 public school districts to offer in-person learning and give them the choice of which social distancing plan to follow.

Cooper vetoed it because he said it did not follow state health guidance and limited local school boards' ability to respond in case there's another surge in cases.

"I can say that in the House we definitely have the votes to override (the veto of) Senate Bill 37. I believe so far the Senate has come up short. I don't know where they stand on it now," said Moore. "This is one way where we're at least not stuck having to wait on it. These could be parallel tracks where this bill moves along, and in the event a veto override is secured there would not be a need for it."

The state Constitution says local bills can only apply to fewer than 15 counties, but it also says these kinds of bills are prohibited if they are "relating to health, sanitation, and the abatement of nuisances."

HB 90 references the CDC, World Health Organization, the ABC Science Collaborative and the state's StrongSchoolsNC Public Health Toolkit.

"I think it's pretty clear in our Constitution that local bills are not supposed to relate to matters of health," said Rep. **Brandon Lofton** (D-Mecklenburg). "My hope is that now that more of the members are aware of the constitutional issue that they will decide not to move forward with these bills that on their face clearly raise constitutional concerns."

When asked about this issue, Moore said, "We believe we can do this because this has to do with education and the manner with which school is attended." (WNCN, 3/5/21)

APR 2021 Co-Sponsors Recovery Rebate Tax Cut

-- The North Carolina Justice Center issued the following news:

North Carolina lawmakers have filed a new bill that will provide an income boost to families hit hardest by the COVID-19 recession and help them meet basic needs while also improving education and health outcomes of their family members.

The Recovery Rebate for Working Families Act (SB 576/HB 499), filed by Senators Kirk deViere (District 19 - Cumberland), Michael Garrett (District 27 - Guilford), and DeAndrea Salvador (District 39 - Mecklenburg), and Representatives Wesley Harris (District 105 - Mecklenburg), Linda Cooper-Suggs (District 24 - Wilson), Brian Farkas (District 9 - Pitt), and Brandon Lofton (District 104 - Mecklenburg), will serve as a bottom-up tax cut for North Carolina working families. While most tax cuts disproportionately benefit large companies and wealthy people, the Recovery Rebate is targeted to support North Carolina working families that earn middle and low wages and have been most negatively impacted by the COVID-19 recession.

"This recovery rebate for working families is so important," said Representative Harris. "The poorest 20 percent of our state pay the highest percentage of their total income in taxes. This bill is one of the first steps we can take to begin to rectify that problem."

Many of the families that will qualify for the Recovery Rebate are in frontline industries, working for wages that are too low to meet basics for a family of four in North Carolina and at jobs with greater risk of contracting COVID-19 while at work. Many workers who were able to maintain employment this past year have seen their hours and wages cut, reducing income to meet the basics and make sure their family has what they need.

MaryBeth Cochran has been working to provide for her four grandchildren as the COVID-19 recession impacted her ability to earn a steady income throughout the past year. She was furloughed from her job, then later laid off.

"Since losing more than half my income, we've been in crisis," Cochran said. "If this bill became law, my family would receive around \$500 more each year at tax time. Those extra dollars would mean food on the table, heat in the winter, shoes for growing kids, medications doctors say we need."

In addition to helping working families meet their immediate needs and recover faster from the damaging effects of the pandemic, the Recovery Rebate also helps children thrive in educational settings and improve the physical and mental health of both children and adults in claiming families. The credit also gives children access to resources that prevent a "summer slide," said Heidi Norwick, Executive Director of the United Way of Alamance County, an IRS-certified Volunteer Tax Assistance site.

"If children are able to be part of a summer camp or summer enrichment...all of those add to educational attainment for children," Norwick said.

Because of the strong economic support it provides to families, the CDC recommends a Recovery Rebate as an important tool to reduce cases of child abuse and neglect, and the data support this recommendation.

”This type of rebate has been associated with an 11 percent decrease in foster care entries compared to states without the same type of support for working families,” said Melea Rose-Waters, Policy Director of Prevent Child Abuse North Carolina. “This would mean that approximately 1,150 fewer children or 60 full elementary school classrooms of children could be diverted from entering foster care each year.” (Press Release, 4/9/21)

MAY 2021 Criticizes Tough Penalties for Rioters Who Damage Property

North Carolina House Speaker Tim Moore said people have the right to say rude and mean things during protests.

”They can have a sign. They can yell,” he told a House judiciary committee Thursday morning.

But when they cross the line and start damaging property and assaulting law enforcement, he said, officers and prosecutors need more tools so those individuals will face substantial sentences.

”We are a nation of laws, not a nation of mob rule,” he said.

Moore’s solution to that problem is a bill that seeks to deter civil unrest in the state by imposing harsher penalties and allowing property owners to sue those responsible and recover three times the value of damage done to their property.

”This bill, I submit, strikes a balance between protecting that valuable right that so many have given their lives to protect of the First Amendment,” Moore said, “and at the same time allowing for the protection of the public, of life, property.”

Others, including representatives of local civil rights organizations and some Democratic legislators, said they are concerned Moore’s bill would have a chilling effect on people exercising their constitutional rights and result in increased charges for people of color and bystanders if a window is broken or other damage is done that costs more than \$1,500.

”It sends the wrong message and it will have severe consequences, especially for people of color,” said Daniel Bowes, director of policy and advocacy with the ACLU of North Carolina.

After a nearly 35 minute discussion, legislators voted in favor of the bill, moving it to another committee.

House Bill 805

Under Moore’s bill, engaging in a riot would remain a misdemeanor and the punishment would remain unchanged, but those charged with engaging in a riot with serious injury or more than \$1,500 in damage could face more probation or prison time.

Moore's House Bill 805 increases the punishment classification for that charge from a Class H felony to a Class F felony, and a Class E felony if there is a death. The maximum sentence for a Class H felony is 39 months compared to 59 months for a Class F felony or 88 months for a Class E felony.

Any person who is found guilty of assaulting law enforcement or other emergency officials during a riot would face a Class H felony compared to the existing Class I felony.

Individuals convicted of inciting a riot could face up to 150 days of probation or incarceration as the bill increases that penalty from a Class 1 misdemeanor, with up to a 120-day punishment, to Class A1.

Felonies in North Carolina are classified by an A through I system. Class A felonies are the most severe, with sentences of death and up to life in prison. A conviction on a Class I felony could result in probation or prison from three months up to 24 months. Previous convictions and factors specific to a crime determine a person's sentencing range and terms.

State law defines a riot as a public disturbance involving three or more people "which by disorderly and violent conduct, or the imminent threat of disorderly and violent conduct, results in injury or damage to persons or property or creates a clear and present danger of injury or damage to persons or property."

Recent events have shown that this issue is not unique to one side of the political spectrum, Moore said.

Whether it is individuals who damaged downtown Raleigh last summer, or those barging into the U.S. Capitol, it isn't appropriate in civilized society, he said.

Law enforcement dodging bricks

Rep. Charles Miller, a Republican who is also a chief deputy at the Brunswick County Sheriff's Office, said he supports the bill.

Miller was on the streets of Wilmington during the protests last year after Minneapolis police killed George Floyd. There were about 700 people who were peaceful until "agitators" came, he said. A smaller crowd of about 300 then blocked Third Street. Law enforcement protected peaceful protesters, making sure they got home safe, as they also dodged frozen water bottles, rocks and fireworks from others.

"I dodged two pieces of brick myself," he said.

At one point, a firework mortar went off behind him, he said.

"I thought I was dead," he said. "It shook my insides."

Chilling effect

Rep. Brandon Lofton, a Mecklenburg County Democrat, said after Floyd was killed in the spring of 2020, he talked to his sons, 13 and 15, about the dangers they face from law enforcement.

"It was painful for me to see the look of helplessness and fear in their face," he said.

Lofton took his children to some of the peaceful protests to see the diverse people protesting the killing and trying to make the community safer for them, he said. If someone lost their temper or people they didn't know started damaging property, then he and his sons could have been caught up and treated as criminals.

Lofton also questioned why Moore chose to increase penalties for rioting, compared to more specific crimes such as looting and assaulting law enforcement.

"I think this has an effect of essentially chilling free speech," he said.

Moore pointed out that the bill uses the language "willfully engages" and "willfully incites," a higher standard that he said requires evidence that shows that the person was participating in the riot and not just standing near it. (Durham Herald Sun, 5/6/21)

MAY 2021 Amends Anti-Riot Bill

Punishment for rioting would become more severe in legislation approved on Monday by the state House in a measure that emerged following mayhem in several North Carolina cities last summer and at the U.S. Capitol in January.

Nearly half of the chamber's Democrats joined all Republicans present in voting 88-25 for the measure, which was championed by House Speaker Tim Moore.

Moore, a Cleveland County Republican, has spoken out against the damage to businesses in downtown Raleigh when largely peaceful demonstrations following the murder of George Floyd turned violent. Moore lives downtown when he is the capital for legislative business and saw the fires and broken windows up close. But he also cited the storming of the U.S. Capitol on Jan. 6 as a reason for the bill. Those rioters — supporters of then-President Donald Trump — sought to overturn the presidential election.

Punishments for the crimes of willfully participating in a riot or inciting one and of causing at least \$1,500 in damage during a riot would increase in the measure. There also would be a new felony crime when participating in a riot leads to a death.

The measure, which now goes to the Senate, also would allow property owners to go to court and seek three times the monetary damage caused by a rioter. There are also new bond and pretrial release rules on rioting and looting charges.

The chamber unanimously approved an amendment by Democratic Rep. Brandon Lofton of Mecklenburg County that attempted to make clear peaceful demonstrators can't be convicted of rioting offenses only based on being physically near the violence. (AP, 5/11/21)

MAY 2021 Niece Pushing “CROWN” Act

A Charlotte high school student is doing her part to fight hair discrimination.

Mallard Creek High School senior Kiersten Hash, founder of Queens for Change, convened a virtual letter writing hour Monday asking state lawmakers to prioritize the Create a Respectful and Open World for Natural Hair, or CROWN Act. House Bill 170 is pending in the Judiciary 2 Standing Committee.

Queens for Change, a 100-member organization, will send emails to representatives on the committee. Last week, they collaborated with Action N.C., Curls on the Block, N.C. BWR and the CROWN Campaign to lobby for the CROWN Act by sharing hair story videos.

Senate Bill 165 was filed as the North Carolina CROWN Act, and it would also offer protection against hair discrimination. Both bills are in committee and if they don't reach the N.C. House or Senate floor by May 13, they will likely die there.

”It is about the fact that marginalized groups by people in particular, do not necessarily have the capacity to be their authentic selves in places of work and places of education,” said Hash, The Charlotte Post Foundation’s Top Senior of the Year. “Since we were basically old enough to really internalize any messages about what beauty is, and what professionalism is, we are always told that our natural hair is not that, and not only our natural hair, but by extension, any protective styles that we get, locks, braids, all of that is not deemed professional in a Eurocentric lens. But by saying this and by engraving these messages in young black kids, it tells them that they are not worth enough and that they are not worthy of being in these spaces without conforming to what society deems appropriate. It is so important moving forward that we break down those constructs to allow black people to just be their authentic selves.”

Hash, who will attend Harvard University in the fall, intends to become a civil rights attorney and perhaps one day a legislator. She created Queens for Change in 2019 with the intent of establishing space to empower Black girls in Charlotte.

Hash said the significance of speaking up now rests on the deadline of May 13. The General Assembly is in its long session, in which lawmakers file bills and consider them for passage in odd-number years. The short session, which occurs during even-numbered years, usually runs January-March/April, during which time the focus is on bills pertaining to the state budget and emergency legislation.

Non-essential bills are not considered at that time. Therefore the CROWN Act would have to wait until 2023 for another attempt at passage if it does not reach the floor in time.

”There is really a time crunch, for organizers and state legislators to get any bills that do not have anything to do with finance on the table onto the floor,” Hash said. “Right now, it is not even on the agenda for the upcoming committee meeting.

”Today is really about mass emailing these representatives in this virtual letter writing segment and making sure that they know that something North Carolinians care about because there are so many bills of various importance in the House right now and the Senate that are trying to get to the floor. And of course, there are bills about Black maternal health and criminal justice reform. Those are so important.

Moving towards an equitable future, we want to make sure that natural hair discrimination is a part of that fight.”

Hash also hosted a Zoom panel discussion in March featuring N.C. Reps. Kandie Smith and Carolyn Logan, Charlotte-Mecklenburg Schools Superintendent Earnest Winston, Villanova University Professor of law Ann Juliano and CROWN Campaign co-founder Shemekka Ebony. She spoke to the panelists about the significance of the act, with Winston speaking as the leader of CMS, but also as the father of Black girls.

He stated his commitment to instituting a similar policy of protection in CMS, which Hash has also fought for.

”In the event that [the CROWN Act] does, unfortunately not go to the floor, what would need to happen next is that these states, the cities within N.C. and across the country, and school districts and municipalities need to make sure that they are implementing similar measures to protect [people] statewide,” Hash said. “Part of it is just partisan politics, because our state legislature is run by the GOP, all the committees are head chaired by GOP people.

”Of course, they want to get their own bills through and they are very selective about which Democrat bills will ultimately get through.”

Hash’s uncle, state Rep. Brandon Lofton, has been helpful in guiding her through the process of lobbying and making connections.

”My uncle, who is a state legislator, is trying to get five bills through and it’s very hard for him to come to a common understanding with some of the representatives,” she said. “He is constantly having to lobby and reach out to them. That is just the same thing that is happening with the representatives, all of them that are trying to co-sponsor bills to get through.”

Hash described resistance to CROWN Act protections as “willful ignorance of what marginalized groups go through and trivializing what we go through.”

”Saying that, ‘oh, it’s not about your hair. You’re kind of making this stuff in your head,’ and gaslighting marginalized groups that transcends just natural hair,” Hash said. “This piece of legislation, all of the acts that are trying to go through right now or any of the measures that people are trying to take right now to increase racial justice, it is always this pushback of, ‘oh, you’re not facing that, like that’s all in your head or it’s based on your culture, like it’s not based on societal factors.’” (Charlotte Post, 5/13/21)

JUN 2021 Against Cutting Supplemental Unemployment Benefits

— North Carolina would do away with the \$300-per-week supplemental benefits for the unemployed provided by the federal government during the pandemic in legislation approved Thursday by the state House.

The roughly 245,000 people in North Carolina currently qualified for unemployment benefits are receiving the Federal Pandemic Unemployment Compensation on top of their other state or federal aid. The program is set to expire nationwide in early September, but about two dozen states already have decided to cut off the supplement early.

Many Republican legislators and governors say the benefits are serving as a disincentive for the unemployed to return to the workforce, especially when their overall benefits exceed their pre-pandemic pay at work.

GOP legislators in North Carolina say employers tell them they can't fill vacancies despite the lure of higher wage offerings and bonuses, harming major industries like manufacturing and restaurants and hotels. Under the bill, the extra benefits would expire 30 days after the bill became law.

"We want to make sure our economy is not lagging behind," said Rep. Jason Saine, a Lincoln County Republican shepherding the measure, pointing out that Tennessee, Georgia and South Carolina have already decided to withdraw from the supplemental program. "I do believe this is a way to move our state forward and get back to work."

Democrats said eliminating the benefits would harm people still struggling to cover their rent because of lost wages, and overall employment, while improving, remains below pre-pandemic levels.

"This is precisely the wrong time to cut that assistance," said Rep. Brandon Lofton, a Mecklenburg County Democrat. "We're taking money out of people's pockets during a recovery."

Still, seven Democrats joined all Republicans present in voting 71-36 for the measure, which also contained previous changes already approved by the chamber in a separate bill.

Speaker Tim Moore sweetened the bill with an amendment that would spend \$250 million in federal COVID-19 relief aid on eliminating the individual waiting list for government subsidies for child care. Paying for day care is considered a major stumbling for mothers to return to work.

"I can think of nothing that signals more the commitment of this House to ensuring that everyone who is able to work is able to do so," Moore said.

The measure next returns to the Senate, which passed a separate measure this week that would keep distributing the supplemental benefits but also create bonuses using those federal funds for people who return to work within 60 days of its enactment. But the initiative — offering bonuses of \$1,500 or \$800 — would need approval by Congress should those federal dollars be used.

Senate leader Phil Berger said later Thursday he didn't know yet whether fellow Republicans in his chamber were interested in ending the program, rather than just repurposing some of the money.

The House measure revives a pair of provisions that the chamber approved in April but has stalled in the Senate. One item would allow recipients of federal Paycheck Protection Program loans to treat those proceeds as business expenses that could be deducted from their state income taxes in 2020 and 2021. The

other provision would exempt the first \$10,200 of unemployment benefits from a person's 2020 income taxes.

Senators have frowned on the tax adjustments, but instead last week pitched a grant program for businesses and nonprofits who received pandemic aid.

Any bill receiving final approval would go to Democratic Gov. Roy Cooper, who has shown little sign of wanting to do away with the benefits. But he issued an executive order last month telling the Division of Employment Benefits to talk with federal officials about ways to use federal funds as incentives for jobless workers who find employment. (AP, 6/3/21)

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The state House has voted to make North Carolina the 26th state to withdraw from the Federal Pandemic Unemployment Compensation program, which provides an extra \$300-a-week in jobless benefits to the unemployed because of the COVID-19 pandemic.

Senate Bill 116 passed in a largely party-line 71-36 vote on Wednesday. In addition to ending the federal jobless benefits, the measure would exempt unemployment benefits from tax income tax and make expenses incurred from Payroll Protection Plan loans tax deductible on businesses' state taxes.

"You can leave this building and drive within a quarter mile and you can find help wanted signs everywhere," said House Speaker Tim Moore, R-Cleveland. "Workers are needed. Right now, we have a system in place that is essentially incentivizing not working. That is not right. That is not good for people, that is not good for this state."

The federal jobless benefits are set to expire automatically Sept. 6, but Republican members of the House urged immediate action to get North Carolinians back into jobs. They said the state's summer tourist season is ramping up in the mountains and on the coast.

"We've started our tourist season, and many of our businesses cannot open because they don't have employees," said Rep. Ray Prickett, who represents parts of Ashe and Watauga counties in western North Carolina.

"This is killing small-town North Carolina," said Rep. Brenden Jones, R-Columbus. "Many of you get to sit in the larger cities and you don't see the effect of this."

Under the bill, the unemployed would have another month to find a job before their federal benefits disappear. The state has 240,000 people on the unemployment rolls, while the state's workforce system, NCWorks, lists more than 200,000 job openings.

Democrats used the debate as an opportunity to argue for more tax subsidies for child care and raising the minimum wage to \$15 per hour. They also objected to the idea that people are remaining on the unemployment rolls due to laziness.

”Let’s not denigrate the people who are stuck and unemployed, because I promise you they don’t want to be home not working, not productive, and hearing people like us who still have employment talk about them like there is something fundamentally wrong with them character-wise and that they are somehow living off of us,” said House Minority Leader Robert Reives, D-Chatham.

”Cutting these benefits not only hurts individuals and families, it hurts our communities and our state because it will cost us \$500 million in lost wage-replacement that we are receiving,” said Rep. Brandon Lofton, D-Mecklenburg. “That’s what we would give up. So, we’re taking money out of peoples’ pockets during a recovery and giving up \$500 million that’s coming into our economy.”

Moore offered the amendment in hopes it would dispel objections from Democrats that many North Carolinians can’t rejoin the labor force due to lack of child care. The amendment would allocate \$250 million in federal COVID-19 relief dollars for subsidized childcare for eligible children. The amendment passed in a bipartisan voice vote, but only seven Democrats ended up peeling off and voting for the full bill.

In a statement sent to WRAL-TV, a spokesman for Gov. Roy Cooper did not directly say the governor opposes the idea of stopping the federal bonus payments, but he indicated the funds should still be spent to boost the state’s economy.

The House passed S.B. 116 just two days after the Senate OK’ed a measure to convert the \$300-a-week federal jobless benefits into bonuses worth up to \$1,500 apiece to get the unemployed back into the workforce. Republicans in the U.S. Congress are also pushing a measure to create a \$900 bonus if unemployed workers find a job again.

Former N.C. governor Pat McCrory, who is now running for the Republican nomination for the open U.S. Senate seat in 2022, waded into the debate with a statement posted on Facebook: “The liberal Nanny State first wants to pay people more not to work ... now some Washington Politicians in our own party want hard-working taxpayers to pay CASH to other people to go to work! This is all debt ... our debt! We’ve got to stop growing the Nanny State.”

”Unemployment compensation should only be a short-term backstop for those who genuinely can’t find work ... not a slush fund! Stop adding even more government roadblocks to letting free enterprise work!” (Laurinburg Exchange, 6/4/21)

JUN 2021 Protests Cut of One More County Prosecutor

In discussing the impact of a seemingly routine decision by the N.C. Senate last week, Mecklenburg County District Attorney Spencer Merriweather wants the public to look beyond a single number.

On Thursday, the Republican-led Senate passed a \$26 billion spending plan that would cut one prosecutor from Merriweather’s office, reducing the roster of assistant district attorneys to 84. The trim still leaves Merriweather’s office as the largest in the state.

But the Democratic prosecutor says the loss of even one job is far more damaging because it's part of a pattern — more than a decade of legislative budget decisions that have steadily depleted the court system and left the Mecklenburg prosecutor's office as one of the most poorly staffed in the country.

It also comes as Mecklenburg — the only North Carolina county that lost a prosecutor in the Senate's budget plan — begins to dig out from a yearlong pandemic shutdown of its courthouse that created a backlog of hundreds of major-crime cases.

Spencer Merriweather.JPG Mecklenburg County District Attorney Spencer Merriweather said last week's decision by the state Senate to cut a prosecutor from his staff could worsen an already crisis situation.

Meanwhile, Mecklenburg, Wake and other urban court districts around the state are two years into a dramatic uptick in murders, rapes and other violent crimes that shows no signs of easing.

Mecklenburg now has more than 110 homicide defendants awaiting trial, according to Merriweather. The wait to get a murder trial before a jury could reach five years by year's end, he says. Families seeking justice face agonizingly longer waits, too.

Trial delays also hit taxpayer wallets. According to a spokesperson with the Mecklenburg County Sheriff's Office, jailing an inmate for a day costs just under \$200, or about \$72,000 annually. Fewer prosecutors mean fewer trials and plea agreements, resulting in longer pre-trial jail stays.

"If anyone would use their eyes, they can see that the need here is great," an emotional Merriweather told the Observer on Monday.

"There is no way I should have to go to a victim and tell them that somebody thinks that you're going to wait longer because you live in Mecklenburg, and your life is cheaper than one in the other 99 counties."

The offices of Senate leader Phil Berger, who helped pass the budget, and House Speaker Tim Moore, whose chamber will take up the spending plan in the weeks ahead, did not immediately respond to Observer requests for comment.

But Berger aide Pat Ryan told Axios last week that the decision to cut a prosecutor from Mecklenburg County boiled down to simple math. Under the Senate's calculations, the combined court district in Anson, Richmond and Scotland counties was one assistant district attorney short. Mecklenburg, as the largest, had one to give, Ryan said.

"Based on those two data points, it was a fairly simple decision," Ryan said.

State Sen. Danny Britt, a Republican who represents rural Columbus and Robeson counties, said the Senate's choice involved the haves vs. the have-nots.

Mecklenburg County, he said, had the money to hire additional prosecutors beyond the 58 that the state provides. That's a luxury many rural counties can't afford, he said.

”I think the larger context here is that Mecklenburg County is one of the wealthiest in the entire state,” Britt said in a statement to the Observer on Monday.

”By comparison, my district is the poorest and also has the highest rate of violent crime. It comes down to this question: Should state funding help out the rich counties that can take care of themselves, or the poor counties that can’t?”

Merriweather said every N.C. county needs more state money for criminal justice. Currently, the courts receive only 3 percent of the state budget — a level he described as “abysmal.”

Mecklenburg may have the advantage of a county supplement to hire 26 more ADAs, he said, but it also has the state’s largest caseload. Since Republicans took over control of the General Assembly in 2010, the Mecklenburg office has added one prosecutor, despite a population gain in the county of 20 percent.

”The truth is I haven’t met a single prosecutor or judge or public defender that doesn’t need more resources. We all have needs. But we don’t need to be cut,” Merriweather said.

”Why during a period of economic health we are cutting even a single prosecutor doesn’t make sense.”

A time to expand, not cut?

In 2019, Mecklenburg already had fewer prosecutors than almost any county its size in the country, the Observer found.

A county with Mecklenburg’s population — 1.1 million people — ought to have at least 130 prosecutors, according to David LaBahn, president of the Washington, D.C.-based Association of Prosecuting Attorneys.

That’s based on a national average of 12.5 prosecutors per 100,000 residents. Mecklenburg, with 85 prosecutors, has about eight, the lowest among the country’s 50 largest DA offices.

LaBahn told the Observer on Monday that Merriweather’s office is facing a “crisis situation.”

”The current state funding is for 58? It’s appalling, and it’s certainly not respectful to victims and their families or to the accused. How are they going to get a day in court?” he said.

”And to think that they cut rather than added. Given the surge in violence, the state legislature should be expanding the funds for the court system — not just prosecutors but judges and defenders. So nobody has to wait five years to get a case to court.”

The shortage of court personnel carries life-changing consequences.

- A recent investigation by The Charlotte Observer and News & Observer found that a shortage of court resources has made it easier for extreme speeders in North Carolina to escape serious consequences and to cause havoc on the state’s highways. Over the past five years, only about 5% of extreme speeders were

convicted as originally charged, the newspapers found, and dozens of those who got breaks in court later became involved in fatal crashes.

North Carolina prosecutors often handle hundreds of cases in a single day of traffic court, leaving many of them with no time to check the records of those charged with speeding, the investigation found. Prosecutors said the state's overwhelmed and underfunded courts would simply grind to a halt if they didn't offer deals to most people charged with speeding.

- The same holds true for felony crimes. A 2019 Observer investigation found that Mecklenburg prosecutors were dismissing nearly 7 of every 10 weapons charges, a higher rate than any other urban county in North Carolina. Former prosecutors told the Observer they had little choice but to plea bargain or dismiss most charges. That's because prosecutors shoulder heavy caseloads and operate in a state-funded court system that is so overburdened that less than 1 percent of felony cases go to trial.

'Cockamamie funding formula'

State Rep. Brandon Lofton, D-Mecklenburg, said his county needs every assistant district attorney it can get.

"The decision to cut a prosecutor from the Mecklenburg DA's office is completely unacceptable," he said in a Monday email to the Observer. "Our community's staffing levels trail similarly-sized counties and have not kept pace with our growth. We must ensure that we adequately fund our courts and justice system to help keep our community safe.

"I am hopeful that we can develop a budget in the House that better invests in our justice system, our schools and our healthcare."

John Bradford, the county's lone Republican member of the House, also said he would work to restore the lost prosecutor slot, as did Democrat Nasif Majeed, who accused Senate Republicans of justifying the budget cut with a "cockamamie funding formula that really marginalizes Mecklenburg County."

Rep. Wesley Harris, another Mecklenburg Democrat, agreed:

"I think it's atrocious.," he said. "We have the best financial position our state has ever had. And we're not funding our justice system ... It's just preventing justice from being delivered." (CO, 6/29/21)

SEP 2021 Opposes CRT Ban

The national discussion over teaching about race in schools has also spent the summer in North Carolina, as the state legislature debated bills from both the House and Senate that would outlaw teaching Critical Race Theory.

The latest version of House Bill 324 was in the House chamber Wednesday for a final vote after passing the Senate.

Several House Democrats called the bill dangerous and insulting, but the House passed the bill 60-41.

It now goes to the desk of Democratic Gov. Roy Cooper. Given the party lines the votes fell on, he is unlikely to sign it into law, and Republicans do not hold the supermajorities required for veto overrides.

The bill itself does not mention Critical Race Theory, but outlines a series of things schools shall not “promote,” including that “one race or sex is inherently superior to another race or sex;” and that “an individual, solely by virtue of his or her race or sex, is inherently racist, sexist, or oppressive.” It also says teachers shall not promote that anyone “should feel discomfort, guilt, anguish, or any other form of psychological distress” based on their race or sex.

Rep. John Torbett, a Stanley Republican, said the bill “provides a window into what [parents’] children are being taught.”

”This bill does not change what history can or cannot be taught,” Torbett said.

Rep. Brandon Lofton, a Mecklenburg County Democrat, said the bill “encourages us to look away from our history.”

The bill also requires teachers to post curriculum online at least 30 days before teaching it.

Wake County Democrat Rep. Abe Jones called that aspect of the bill “Big Raleigh,” and an example of state lawmakers making rules for local areas where they do not live.

Rep. Rosa Gill, a Raleigh Democrat and former teacher who opposed the bill, said she has answered questions from her math students who asked her about being part of the civil rights movement. That wouldn’t have been part of any math curriculum posted online.

”We need to be very careful when we set policy ... and help our teachers teach our kids the best that they can and make all of our kids successful,” Gill said.

The only Native American lawmaker in the North Carolina General Assembly said the bill is based on fearmongering.

Rep. Charles Graham, a Robeson County Democrat, said it goes against his culture and history.

”It limits North Carolina teachers to teach about the atrocities that Native [Americans] suffered,” he said. Graham said that he grew up being taught his people were “savages.”

”As a member of the First People, you know that history. ... But you were taught that my people were bad people, therefore they were slaughtered,” Graham said.

Of North Carolina’s 10.4 million residents, 22% are Black or African American, according to the U.S. Census. All of the African American state senators and representatives are Democrats.

Cooper has 10 days to sign or veto the bill, or let it become law without his signature. Judging by the response from a spokesperson, he'll veto it.

"Instead of pushing calculated, conspiracy-laden politics into public education, lawmakers should be focused on supporting teachers, helping students recover lost learning and investing in our public schools," Cooper press secretary Jordan Monaghan said in a statement. "This legislation does none of that and is only meant for the next political campaign."

For more North Carolina government and politics news, listen to the Under the Dome politics podcast from The News & Observer and the NC Insider. You can find it at link.chtbl.com/underthedomenc or wherever you get your podcasts. (RNO, 9/1/21)

SEP 2021 Burlington Times-News Interview Defending CRT

In a recent speech, state Rept. Brandon Lofton voiced opposition to House Bill 324.

In the months since its introduction to state lawmakers, House Bill 324 has proven to be among the most divisive pieces of legislation to come out of the 2021-22 legislative session. Titled Ensuring Dignity and Non-Discrimination/Schools, the bill seeks to establish classroom standards in regards to the curriculum it deems divisive.

While the bill's definition of divisive runs the gamut, discussions about the bill have centered on the merits of teaching American history as it pertains to slavery and the treatment of African American citizens.

Supporters of the bill believe schools should largely stick to non-divisive topics while opponents maintain the good and bad aspects of the country's history should be part of the curriculum. Lofton has recently become one of the most vocal of the latter.

The Mecklenburg County representative made his speech last week.

"I have to speak out against this bill," Lofton said. "This bill, while innocuous sounding enough, encourages us to look away from history, to look away from the truth.

The bill now awaits approval or rejection from Gov. Roy Cooper. Speaking personally about his own family's history with slavery, Lofton argued that legislation like House Bill 324 erases history.

Lofton discussed the reasoning behind his speech in an interview with the Times-News. The text has been edited and condensed for space.

Q: What are your thoughts on House Bill 324?

A: House Bill 324 at first glance appears pretty innocuous, appears harmless. When you read the bill as a whole and you consider what is going on in the bill it is actually very concerning. ... It will encourage us to look away from our history, to ignore both our full history ... and ignore current challenges that we are

facing now. That has the impact of ignoring the lessons we have learned in the past and the responsibilities we have to address the problems we have now as a country.

Q: What prompted your speech?

A: The first time it came through the House, I didn't debate it. We as a caucus talked about letting the folks who are in the education committee ... handle the debate and talk about the impact on public schools and teachers.

This time, it just so happened, I spent a couple of weeks doing a little bit of digging into my family history and background. I felt compelled to say something, not just about the history in our schools, which is critical, but from the point of trying to silence our history, ignore aspects of our history, even the ones that are difficult.

Q: You mentioned the Greensboro Four in your speech. Do you think it's possible for students to receive a true understanding of civil rights moments should this bill become law?

A: That's my concern, that is the major concern. If you teach about the Greensboro Four ... if you teach about the various things that happened here during the Civil Rights Movement ... without mentioning why these things happened ... you have to give the full context as to why they were sitting in, why the lawsuits were filed.

Q: During your speech, you highlighted a part of the bill that calls for impartial teaching. Why highlight that?

A: I thought that was particularly disturbing. You look at that piece of the bill where it has different ways to teach different contexts. One of the ways was to have it approved by the state board ... or other exceptions if it discusses racial injustice impartially.

The fact that we would encourage our schools to impartially teach about oppression, I find particularly disturbing and really reveals the harm in this bill.

Q: Why do you think history, as it pertains to anti-blackness, elicits such a strong response from people?

A: Bills like this, efforts to limit discussion of history, breeds ignorance. It ill-equips us to have these conversations because we don't know our history.

Q: Based on your insights as a lawmaker, in your opinion what is the likelihood of this bill becoming a law?

A: I hope it's very small. Obviously, it's passed the House, it's passed the Senate and it will go to the governor. Hopefully, the governor will veto it. My hope is there is little chance it will become law. But even having conversations around it and promoting the false idea that there is indoctrination going on in schools or somehow learning about the full history of our country is somehow harmful, I think that in-and-of-itself is damaging to our nation. (Burlington Times-News, 9/8/21)

2022**FEB 2022 Rematch With Pomeroy Looms**

District 104, which leans Democratic but is still competitive, also has a Republican who already filed: Donald Pomeroy. He ran for state House in 2020 but lost to Rep. Brandon Lofton, a Democrat, in the general. (CO, 2/18/22)