

Honorable Renee Baskerville, M.D.
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Ms. McCarthy-Wallace
General Counsel NAACP
Via Email: jlouard@naacpnet.org

Dear Attorney McCarthy-Wallace:

I thank you for your service to our NAACP, the Nation's oldest, largest, and often among the most impactful civil rights and justice association.

In 2021, I wish you wellness of body, mind and spirit; family, friends, and faith to keep you uplifted; and a persistent passion, the energy, fortitude and wisdom to continue effectively using your gifts and talents in the fight to attain justice.

I am writing as a lifelong resident of the Township of Montclair, a life member of the NAACP who has been actively involved in the Montclair NAACP for the past two decades, and who prior to that volunteered as head of the NAACP Health Initiative in my capacity as a licensed pediatrician, a youth and family practitioner in New Jersey, and a healer of body, mind, and spirit.

I am writing seeking your review and intervention as may be appropriate, into the local election of officers of the Montclair Branch of the NAACP. I am seeking your review and intervention in the wake of the most unseemly effort of the current President of the Montclair Branch to set aside the local election process for officers, midstream, while the election was underway in accordance with the letter and spirit of what we were informed were the controlling laws.

The laws we were informed were controlling and under which the Montclair NAACP operated for years, including for the current elections, resulted in the Nominations Committee nominating a slate of new and seasoned candidates. Although nominated, the current secretary, who is the niece of the president, initially indicated that she desired to run again only if her uncle were to be reelected to the presidency. Our current President, Mr. Pelham attempted to extend the time for potential candidates to complete their necessary paperwork to qualify to run, when it was later determined that the secretary, his niece, was unqualified to seek reelection because she failed to timely file the necessary papers to seek reelection.

As many questions arose about the efficacy of the efforts to attempt to modify the controlling election procedure to accommodate both his niece in running with him, and to permit the incumbents to use the membership roster, that was exclusively in their dominion and control, Mr. Quincy Bates, was called in to represent the national office of the NAACP in this election. There were many complaints and concerns raised from members of the Election Oversight Committee which resulted in Mr. Bates being engaged as an official from the national office of the NAACP to “take over” the Montclair election.

Without specifying what type of investigation was conducted, even when asked specifically to share that information that was gathered and with whom Mr. Bates actually spoke, Mr. Bates reported that the election process would be set aside and that he had the authority to **make up whatever laws he wanted, from that point forward**. Mr. Bates reached this conclusion without affording those whose opinions are at variance with his, an opportunity to understand the basis for his findings or his conclusion that a process was appropriate other than the one that was underway until the current president sought to abort it to increase the likelihood of his being reelected and until his niece, who was unqualified to seek reelection because she missed the filing deadline.

The 2020 Montclair NAACP election process was underway in full compliance with the controlling laws and procedures, and there was no legitimate reason to abort the process midstream. Mr. Bates reached the conclusion that there was reason to abort the elections process without affording those who were nominated by the Nominating Committee or the Chairperson of the Nominating Committee to share their perspective as part of an independent investigation. There appears to have been no independent investigation and the decisions that were put forth by Mr. Bates clearly favor the sitting president and his niece, who he previously concluded and publicly reported, was ineligible to run for office. Mr. Bates reopened the process for anyone who wished to run for office, even though there was no problem with the process used by the Nominating Committee to select candidates, or the process by which individuals could self-nominate. If an investigation was conducted, to date, Mr. Bates has declined to specify the nature of the investigation and the basis for his conclusions and recommendations. This suggests that whatever process was used, was not objective, not inclusive, and definitely not equitable.

From November until early January one of the Presidential candidates and their 5 designees have been denied the right to look at the membership roster. The chairperson of the Election Oversight Committee, Mr. Pierre, refused to permit at least one candidate for president, to review the membership roster or to otherwise use it for the purposes for which at least those in possession and control of the membership roster used the roster. On information and belief, at least one member of the Election Oversight Committee used the membership roster to engage persons who the member believed would vote for the current president. On information and belief, the member also encouraged non-financial members who they believed would vote for the incumbent to become financial solely for the purpose of padding the roster in favor of the incumbent. Finally, on information and belief, a member-supporter of the incumbent offered to pay memberships dues for people if they did not have the money. Each one of these actions is

dubious. Collectively, they raise the specter of a seedy, dubious effort to repress the votes of members of the Montclair Chapter and to thwart the will of the legal electorate.

On December 30th the Montclair Annual Membership Meeting was held. With the dubious aborting of the elections for officers foremost on the minds of the members, and with Mr. Bates present at the virtual meeting, representing the national office, the agenda shifted to include inquiries about the reasons for and process by which a representative from the national office intervened in the local Montclair elections, without any independent, inclusive, or equitable investigation, or demonstration that the process undertaken was at variance with the proper procedure. In fact, when I inquired during the call as to the procedure that was followed that resulted in aborting the local election that was duly underway in accordance with the rules we were provided, Mr. Bates indicated that **there are no rules, procedure, policies, bylaws or any controlling guidance for chapter elections when the national office takes over a local election. Mr. Bates opined that the times and manner in which the national office can usurp local elections is whimsical, and that there is no procedure, whatsoever, other than what the national office representative decides it to be. I am inserting the link of the recording of the referenced meeting for your review and that of other appropriate NAACP officers, executives and board members. You will hear the referenced exchange as well as others that appear to be in violation of any process that may have been due.**

I find it doubtful that the NAACP has no bylaws, policies, procedures, or guidance regarding when, why, and how it will intervene in local branch elections; what will be the process for conducting investigations if an investigation is deemed necessary; and how to make certain the processes are equitable and just. |

For the above reasons, and others that a majority of the members of the NAACP Nominations Committee and I would be pleased to discuss with you and/or other appropriate executives, I respectfully request, on behalf of the majority of the members of the NAACP Nominations Committee, other chapter members, and myself as a nominee for office of the president, **that you suspend further action regarding the referenced election or the appropriate person(s) conduct an independent investigation into the facts surrounding this travesty of justice, and permit the election to proceed in accordance with the process that was abruptly aborted by the sitting president when he found the circumstances not to be to his liking. I respectfully request that you share with us** (1) what process was due when the members determined that the incumbent and his allies were taking actions to thwart the local election; (2) whether there is a process to formally file an objection to dubious actions of incumbent local administrations that appear to be designed to thwart the local election of officers, and what that process is; (3) whether the appropriate process involves someone from national office intervening and if so, who, under what circumstances, for what purpose and what laws, policies, regulations, procedures, are controlling; (4) what should be the nature of the intervention, what is the process for the intervention, and must the process comport with a full, fair, and just investigation before the national representative interferes with a local election and substitutes his/her judgment for the local members. If you find that the process that was used is not one that comports with existing

NAACP bylaws, rules, regulations, policies, practices, procedures, or mores, or anything that is aligned with the justice and equity upon which the NAACP is anchored, (5) would it be appropriate to conduct an independent investigation that comports with fundamental fairness and if it is found that there was no legitimate reason to abort the election that was midstream, to permit the Montclair Branch of the NAACP to resume the election process as it was underway when it was aborted by the incumbent president.

I stand ready to provide any additional information you may need. I welcome the opportunity to engage with you in a discussion that I was denied by Mr. Bates, when I twice called him and left messages in advance of the December 30th meeting, and again after our Dec. 30th meeting responding to his email that indicated that if anyone had questions they should send him an Email at an address he provided. Having done so, twice, I received no reply to my emails. I may be reached by telephone at (973) 868-3909, or by Email, rbaskerville371@comcast.net.

I thank you in advance for your favorable consideration.

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cc:

Mr. Leon W. Russell, Chairman of the Board, NAACP; Via Email lrussell@naacpnet.org

Mr. Derrick Johnson, President, NAACP. Via Email djp@naacpnet.org

Mr. Quincy Bates, National Office Representative to Montclair NAACP Branch in 2020 Officer Election Challenge, Via Email qbates@naacpnet.org