



NAACP

Derrick Johnson
*President and
Chief Executive Officer*

Leon W. Russell
*Chairman
National Board of Directors*

THE OFFICE OF THE EXECUTIVE

February 7, 2022

Via Regular Mail and Email

Rev. Dr. T. Anthony Spearman
4246 Farlow Drive
Greensboro, NC 27406

Re: Suspension Letter

Dear Rev. Dr. Spearman:

In October 2021, Deborah Maxwell was duly elected as president of the North Carolina State Conference NAACP. Despite repeated requests following the election, you have failed to provide President Maxwell with State Conference property. The requested property includes bank account information/access, social media passwords, post office box keys, and storage unit information.

On January 3, 2022, NAACP Associate General Counsel Anson Asaka left a voicemail message for you regarding the requested property. In response to Mr. Asaka's voicemail message, your attorney, Al McSurely, contacted Mr. Asaka on your behalf and requested a list of requested items on or about January 5, 2022. Mr. McSurely has indicated that he represents you in this matter. On that same day, Mr. Asaka sent an email to your counsel listing the requested property. On January 11, 2022, Mr. Asaka sent a follow-up email restating the outstanding request. Instead of producing the requested items, Mr. McSurely sent a letter to Mr. Asaka wherein he indicated that you would not be producing the requested items.

On January 12, 2022, General Counsel Janette McCarthy Wallace sent an email to Mr. McSurely demanding that you produce the requested items by the close of business on January 13, 2022. There was no response to this letter. Thereafter, on January 13, 2022, Mrs. Wallace sent another email to your counsel stating that the National Office will explore all legal options if you continue to refuse to return State Conference property. In response to Mrs. Wallace's email, Mr. McSurely reiterated that you would not turn over the requested items, and he falsely asserted that the National Office failed to investigate your election complaint. Contrary to your counsel's assertions, the National Office investigated your election complaint and dismissed it for lack of merit. In sum, despite repeated requests from President Maxwell and the NAACP Office of the General Counsel, you have failed to return the State Conference's property.

Article VI, Section 3(b) of the *Bylaws for Units of the NAACP* states, in part, that:

All minutes and other official records are the property of the Branch and shall be promptly transferred to the newly elected and qualified officers within 30 days after the election. Non-compliance with terms herein shall be considered conduct that is inimical to the best interests of the NAACP, meriting disciplinary action pursuant to Article X.

Article X, Section 2 of the *Bylaws for Units of the NAACP* states, in part, that:

“When an individual becomes a member of the NAACP, that individual pledges to abide by the rules and policies of the Association and the decisions of the Board of Directors. The Board of Directors, upon satisfactory evidence that an officer or member of the Association, or of a subsidiary Unit of the Association is guilty of conduct not in accord with the principles, aims and purposes of the National Association for the Advancement of Colored People, as set forth in its Constitution, and as defined by the Board or Convention, or guilty of conduct inimical to the best interests of the National Association for the Advancement of Colored People, may order suspension, expulsion or other disciplinary action against such officer or member, after a full hearing if requested by the respondent in accord with the provisions of this Constitution.”

By deliberately refusing to return State Conference property, you are engaging in conduct that is inimical to the best interests of the Association in violation of Article X, Section 2 and Article VI, Section 3(b) of the Bylaws. Your continued recalcitrant conduct will cause irreparable harm to the Association and the State Conference. Specifically, your failure to comply is disrupting the orderly transition in leadership and interfering with the State Conference’s ability to conduct its business affairs. Moreover, this ongoing dispute is tarnishing the reputation of the Association and has made it difficult for the State Conference to represent the interests of our members.

Under Article X, Section 4 of the *Bylaws for Units of the NAACP*, “[w]here the President and CEO is satisfied that there is a danger of irreparable harm to the Association or Unit involved and that action is necessary, he may order any officer of a Unit or member of an NAACP Unit suspended pending a full hearing.” In light of the potential adverse impact on the State Conference, your continued membership in the Association presents a danger of harm to the NAACP and the State Conference. Accordingly, action is necessary to prevent or mitigate that harm. Accordingly, I hereby suspend your membership in the Association, effective immediately, pending investigation and a full hearing (if you so request) regarding the allegations contained in this letter.

Should you timely request a hearing regarding this matter, one will be provided as outlined in the NAACP Constitution and Bylaws for Units. Any such request for hearing – as well as any written response you would like to submit regarding the above allegations – must be sent within 15 calendar days from date of receipt of this letter and complaint. The 15-day period shall commence to run from the time service of the complaint is complete. Service of the complaint is

deemed complete five (5) days after the complaint was mailed. Your hearing request must be sent via certified mail to the attention of Carmen Watkins, Senior Vice President, Membership Growth and Unit Sustainability, NAACP, 4805 Mount Hope Drive, Baltimore, Maryland 21215.

You are directed to cease and desist immediately from holding yourself out as a member of the NAACP and as the State Conference President. If you have any questions regarding this matter, you may contact Carmen Watkins, Senior Vice President, Membership Growth and Unit Sustainability at cwatkins@naacpnet.org.

Sincerely,



Derrick Johnson
President and Chief Executive Officer

cc: Leon W. Russell, Chair, National Board of Directors
Gloria J. Sweet-Love, Chair, Committee on Membership and Units
Carmen Watkins, Senior Vice President, Membership Growth and Unit Sustainability
Janette McCarthy Wallace, General Counsel
Deborah Maxwell, President, North Carolina State Conference NAACP