

Press Release

During October 2009 the North Carolina State Board of Elections conducted a hearing into possible violations of state campaign finance laws. At the conclusion of that hearing, pursuant to North Carolina General Statute 163-278.27(b) (2), the Board reported the possibility of criminal violations of campaign finance laws to the District Attorney of Wake County. In order to avoid any suggestion of a conflict of interest the Wake County District Attorney asked that a special prosecutor be designated to consider these issues. On October 30, 2009, I was so designated. I have considered this mandate to include not only possible violations of campaign finance laws, but also any related violation of state criminal law within the jurisdiction of the District Attorney of Wake County. My investigation has therefore included those issues examined by the Board of Elections and non-campaign issues. The North Carolina State Bureau of Investigation and other law enforcement agencies have assisted me in every phase of this investigation.

I have concluded my investigation of both possible campaign finance violations and non-campaign issues. The evidence is not sufficient to warrant state criminal prosecution on non-campaign issues and I will not comment further on this aspect of my investigation.

With regard to campaign finance violations, charges will not be submitted to the Wake County Grand Jury. However, former Governor Michael Francis Easley has waived Grand Jury consideration and has been charged in an information with a Class I felony violation of campaign finance laws. He appeared with counsel before the Honorable Osmond Smith in Wake County Superior Court on November 23, 2010. He entered an Alford plea to this charge and has been sentenced. By entering an Alford plea he denies having committed this offense but admits that the evidence is sufficient to convict him; and, the use of an Alford plea does not affect sentencing. A copy of the charging document is attached. A copy of the judgment can be

obtained from the Clerk of Superior Court of Wake County.

Critics of this plea agreement should understand that it is a resolution giving consideration to vague statutes and hotly contested evidence. As a result of this plea the former Governor is now a convicted felon, a result that I consider to serve the interests of justice in this case.

Mr. Easley was represented by Joseph B. Cheshire, V, and Brad Bannon, and Richard Gammon. No one else will face state charges as the result of my investigation, and I consider this matter to be closed.