



Memo

To: All Interested Parties

From: Christian S. Fraley -NCGOP Chief Counsel-

Date: July 22, 2025

Re: Neutrality in Primary Elections

This is an informational memo regarding primary election neutrality and how Party officers¹ and committee members² must refrain from utilizing the powers of their office in Republican primary elections. This memo and the contents herein have been shared in previous election cycles as guidance throughout the State. These guidelines and recommendations are in long-standing accordance with the State Plan of Organization.

¹ Officers are persons registered with the Republican party in the precinct of their residence and ***elected*** to leadership positions within their precinct, district, county, or state. *State Plan Art. I, Art. II(C)*.

² Committee members are persons registered with the Republican party in the precinct of their residence, ***but not elected*** to leadership positions within their precinct, district, county, or state. *State Plan Art. I, Art. II(C)*.

Summarization of The State Plan of Organization

Under Article IX.F of the State Plan of Organization (“State Plan”):

Each officer and each member of any Committee created pursuant to this Plan of Organization **shall refrain** from utilizing the powers and dignity of his office or position in any Republican primary for public office at any level. **Nor shall** any Committee created pursuant to this Plan of Organization make or issue, **in any way, manner or form**, any endorsement in any Republican primary for public office. **Nor shall** any Committee issue any contrary endorsement or withhold support from any non-partisan judicial candidates properly endorsed pursuant to this Plan of Organization.

(Emphasis added).

As evidenced above, all officers and committee members subjected to the State Plan must remain neutral in Republican primaries and may not endorse candidates. This includes but is not limited to: (1) utilizing the powers and dignity of one's office or position in any Republican primary for public office at any level; (2) in one's party capacity making or issuing, in any way, manner, or form, any endorsement in any Republican primary for public office; and/or (3) issuing any contrary endorsement or withholding any support from any non-partisan judicial candidates properly endorsed pursuant to the State Plan. *See Id.*

Additionally, it is worth noting that Article IX.F. of the State Plan is applicable at the County, District, and State levels. No individual or party entity is excluded from this prohibition. Nor is any county or district's plan of organization containing contrary language controlling on this matter. The State Plan supersedes any county or district plan to the extent the county or district plan is inconsistent with the State Plan. *See generally* State Plan Article VII.B.2.a.

Furthermore, there is a very limited circumstance under Article IX.H.1 of the State Plan where endorsements are proper:

In **non-partisan elections or in elections where there is no primary election**, District and County Executive Committees shall have exclusive

authority to endorse registered Republicans running in that district or county. Political subdivision Executive Committees (i.e., County Executive Committee) shall not issue endorsements in races unless the district resides entirely within the county. All members of the County Executive Committee may vote on the endorsements for districts wholly encompassed within that county, regardless of whether Committee members live within the district in question. In those districts encompassing more than one county or portions of more than one county, endorsements may only be made in accordance with Article IV.A.1.c.

(Emphasis added).

As shown above, this is limited **solely** to *non-partisan elections* or *elections in which there is no primary election*. In all other elections in which there is a primary election, Article IX.F of the State Plan controls. Therefore, strict adherence to neutrality must be followed.

Party Capacity vs. Personal Capacity

To continue, it is worth differentiating between one's party capacity and personal capacity regarding primary activity.

In one's **party capacity**, Article IX.F. of the State Plan applies. One shall refrain from utilizing the powers and dignity of his office or position in any Republican primary for public office at any level. Nor shall one in their party capacity make or issue, in any way, manner, or form, any endorsement in any Republican primary for public office. This activity is strictly prohibited and enforced. As previously discussed, this additionally applies to Executive Committees as a whole and their involvement in primary elections.

In your personal capacity, there is no prohibition from supporting and/or endorsing candidates in a primary election. Although there is no prohibition, it is important to be thoughtful, mindful, and deliberate when considering whether to make a personal endorsement. One thing to keep in mind is whether the average person upon hearing your endorsement would consider it to be from you personally or from the party position you hold. As a general matter, I strongly recommend you refrain

to the fullest extent possible from making public endorsements due to the risk of it being perceived as official.

Examples of Prohibited and Authorized Activities

Authorized Activities:

1. **Attending Events as a Private Citizen:** As an individual in your personal capacity, you are allowed to attend political events related to Republican primary elections and candidates. However, you should avoid actively participating or advertising your official party title or position during such events.
2. **Private Conversations and Opinions:** You are permitted to privately express your personal opinions and preferences regarding candidates in the Republican primary. This can include discussions with friends, family, or fellow party members as long as it is not done in an official party capacity or using the influence of your position.
3. **Personal Financial Contributions:** In your personal capacity, you are allowed to make financial contributions to the candidates of your choice in the Republican primary. However, it's essential to ensure that these contributions are made in your individual capacity and not on behalf of the party or committee.

Prohibited Activities:

1. **Official Endorsements:** Party officers and Committees are prohibited from making official endorsements in any way, manner, or form. This includes public declarations, press releases, or any communication that implies the party's endorsement of a specific candidate in the Republican primary.
2. **Using Official Titles in Campaigning or Electioneering:** You cannot use your official title or position when actively participating in campaign events or activities related to the Republican primary.

3. Coordinating Party Resources for a Candidate: It is strictly prohibited to use party resources, such as funds, databases, or mailing lists, to support or campaign for a specific candidate in the Republican primary. Party resources must remain neutral and not be used to benefit any particular primary candidate.
4. Participating in or Conducting a Candidate Selection Process: Committee members and officers should not involve themselves in candidate selection processes for the Republican primary in an official capacity. This includes participating in candidate interviews, endorsing committees, or any other formal candidate selection procedures.
5. Publicly Criticizing Candidates: While in your party capacity, publicly criticizing or speaking against a candidate in the Republican primary is strictly prohibited. Maintaining a neutral stance is essential to uphold the integrity of the primary process.
6. Influencing Party: Party officers and Committees must refrain from using their influence to direct party staff in favor of or against any candidate in the Republican primary. Party staff should remain neutral and serve the party as a whole.

The list of activities is not exhaustive, and individuals are encouraged to seek clarification from us if needed. By adhering to these guidelines, party officers and committee members contribute to a fair and unbiased Republican primary process, upholding the principles of the State Plan of Organization.

Conclusion

In conclusion, this memo serves as a comprehensive guide to the imperative principle of primary election neutrality as outlined in Article IX.F of the State Plan of Organization. All party officers and committee members are mandated to abstain from leveraging their official capacities in Republican primary elections.

The neutrality mandate applies uniformly across County, District, and State levels, with the State Plan superseding any contrary language in local plans of organization. Limited circumstances where endorsements are permissible are specified for non-partisan elections or those lacking a primary, reinforcing the applicability of Article IX.F in all other elections with a primary.

Again, in your personal capacity, there is no prohibition from supporting and/or endorsing candidates in a primary election. Although there is no prohibition, there are pitfalls associated with trying to walk the line between what is a personal endorsement and what is an official endorsement. Thus, as a practical matter, it is best to avoid making endorsements in Republican primary elections in general.

If you have any questions or concerns, please do not hesitate to contact us as we navigate these next months. I look forward to continuing to serve alongside each of you as we work together to ensure the election of as many Republicans as possible.