



NAACP

Derrick Johnson
*President and
Chief Executive Officer*

Leon W. Russell
*Chairman
National Board of Directors*

THE OFFICE OF THE EXECUTIVE

December 13, 2021

Francine Maxwell, President
NAACP San Diego Branch
P.O. Box 152086
San Diego, CA 92195-2086

Re: Suspension Letter

Dear President Maxwell:

On October 14, 2021, the Office of the General Counsel sent a cease-and-desist letter to you. In that letter, General Counsel Janette McCarthy Wallace explained that the NAACP National Board of Directors voted to place the NAACP San Diego Branch (“the Branch”) under Administration. Mrs. McCarthy Wallace explained that the Board appointed National Board member Alphonso Braggs to serve as the administrator. Mrs. McCarthy Wallace stated that Mr. Braggs’ designated duties include making certain that the financial affairs of the Branch are handled in accordance with established procedures and serving as a signatory to bank accounts. According to the Board’s directive, Mr. Braggs has final word on any and all expenditures from the Branch Treasury as approved by the Executive Committee. In her letter, Mrs. McCarthy Wallace demanded that the Branch cooperate with Administrator Braggs.

Unfortunately, despite repeated requests from Administrator Braggs, you have failed to comply with the National NAACP’s directive. More specifically, you have failed to add Administrator Braggs to the Branch’s bank account. In addition, according to Administrator Braggs, you have declared that no checks will be written. Furthermore, the Branch has failed to fill the branch secretary vacancy. Units cannot effectively function without a secretary.

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 failing to cooperate with Administrator Braggs, you are engaging in conduct that is inimical to the best interests of the Association in violation of Article X, Section 2 of the Bylaws. Your continued recalcitrant conduct will cause irreparable harm to the Association and the Branch.

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 Association and the Branch, I am satisfied that your continued membership in the Association presents a danger of harm to the NAACP and the Branch and that 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 Branch 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
Rick Callender, President, California State Conference