



**House Select Committee on Government Efficiency**  
**Wednesday, January 7, 2026 at 1:00 PM**  
**Room 643 of the Legislative Office Building**

**MINUTES**

The House Select Committee on Government Efficiency meets at 1:00 PM on January 7, 2026 in Room 643 of the Legislative Office Building. Representatives Brody, Dahle, Gable, Kidwell, Miller, Pyrtle, Rubin, Shepard, Torbett, Warren, and Willingham are in attendance.

Representative John A. Torbett, Co-Chair, presiding.

Introduction of Sergeant-at-Arms.

**Civil Rights Violations in Asheville and Buncombe County is presented by Ruth Smith, Attorney. (Attachment 1, and uploaded on committee website).** Chairman Torbett opens the floor to questions from the committee following the presentation.

Representative Echevarria: I would like to hear what they put forth as their justification for discrimination?

Ruth Smith: I believe it is equity. So, what they are looking at is disparity and they, like we talked about, you assume that this person, if they are of this race, that they are disadvantaged and if you have this race, that they are advantaged. So we have to apply the resources and the opportunities based on the assumptions that we are making about those persons and those groups. I am not saying that there aren't disparities and that the goals, eliminating disparities, are lofty goals. That is what we should be doing, but you can't discriminate on the basis of race. Government cannot do that and it is well established in the Supreme Court and all the way back to the fourteenth amendment.

Representative Echevarria: So, with the lawsuits that you've been able to advance, the people that you've been able to help, is there any point in which they have prevailed?

Ruth Smith: Yes, the two lawsuits against the city, the first one involved the scholarship that was racially exclusive and the city folded before we even briefed it, and changed it. The other one, the Human Relations Commission, the city litigated that for two years and folded in September and agreed to a judgment to not discriminate any longer.

Representative Echevarria: Okay, so they have not prevailed then? So they have kind of backed up, is that what you are telling me?

Ruth Smith: The city folded. The reason that we were awarded attorneys fees is because you have to be the prevailing party under section 1988 and we were deemed the prevailing party by

the board because the city agreed to stop discriminating and change the requirements for the Human Relations Commission.

Representative Pyrtle: Thank you for this very detailed document. Obviously, it contains some concerning points. Was the City of Asheville or Buncombe County, either one, invited to kind of give us the other side of this pancake, so that we have an understanding from the other side?

Representative Torbett: Not today, that has been discussed and we are reviewing that as we speak. We wanted to hear the information first and then perhaps offer a chance for a rebuttal.

**Update for House Select Committee on Government Efficiency is presented by Bart Goodson, Senior Vice President for Government Relations, University of North Carolina System Office. (Attachment 2, and uploaded on committee website).**

Representative Kidwell: The current Board of Governors, how long have they been in place?

Bart Goodson: It is a rotating sliding scale, with staggered terms.

Representative Kidwell: Have any of them been there since prior to 2023?

Bart Goodson: Yes, sir. All of our Board of Governors have been there prior to 2023.

Representative Kidwell: The reason I ask that question, is that in your material, it seems that our compliance, or moving away from the DEI (Disparity, Equity, and Inclusion) did not start until 2023.

Bart Goodson: Not entirely. Some of that is on me given the time constraints of the presentation today, I was told to keep my presentation to ten minutes. That is where I started. That is where I cut off the presentation, trying to keep to the more current format.

Representative Kidwell: I guess the reason I ask that question, is when I look at the practices that are now scrapped for the lack of a better word, they seem to be in conflict with both the United States Constitution and the North Carolina Constitution. Would you agree with that? Let me specifically, let me rephrase the question, Fourteenth Amendment, last section, "no person shall without the due process of law, nor deny any person within it's jurisdiction", and here is the key, "the equal protection of the law". So that was written 1868, I believe. North Carolina Constitution, Article One, Section Nineteen, last section of that, " nobody in the state shall because of race, color, religion, or national origin, be discriminated against", yet would it not be accurate to say that DEI Prima facie, discriminates against somebody?

Bart Goodson: Even though I am an attorney, I am not here in a legal capacity, and I think it is a fairly complicated question, what I will say is, using the fair admissions case, as an example, I would, I think what our legal council would say, is that our campuses, our Board of Governors, were compliant with what they thought the law was at the time and have adapted and changed as necessary.

Representative Kidwell: I find that interesting. The Board of Governors, I'm assuming is a learned group of individuals?

Bart Goodson: I would agree.

Representative Kidwell: Do you believe that they have studied and understand the United States and North Carolina Constitutions?

Bart Goodson: I have no personal knowledge of their particular backgrounds and research of the constitutions.

Representative Kidwell: That brings up a good point as well, Mr. Goodson, and maybe the UNC System should then support my REACH ACT(House Bill 96 in the 2023-2024 Session and also House Bill 7 in the 2025-2026 Session), which would require them to understand these documents before they got any degree in the State of North Carolina. But that is a subject for a different day. My concern here is why did we have these policies in place to begin with? Why did we selectively discriminate against anybody? Why would we not look at a person, not for their skin color, their hair color, their religious background, or anything other than do they have the appropriate qualifications for whatever it is they are applying for and give them the best opportunity to succeed? I know we've all seen this on the internet, where someone talked about, I'm getting on an airplane. Do I have the best pilot or was it somebody hired because they filled some quota? I want the best pilot. I want the best doctor. I want the best people in every position we can have in this state, including our schools and their ability to learn, their ability to receive an education with our tax dollars, and the ability to exercise their rights under both the United States and North Carolina Constitutions, that says they can't be discriminated against, period. Would you agree with that?

Bart Goodson: Yes, sir. No disagreement whatsoever. Again, all I can say is, I think, what the position would be, at the time we thought we in compliance with the law. No one was blatantly attempting to ignore the law as they understood it at the time.

Representative Kidwell: One last followup, and this is more of a comment than anything else, Mr. Goodson, you and I spoke some months ago on an issue where there were a couple of individual students at Pembroke that were being denied access to use facilities for religious purposes of their chosen religion. When I contacted you, you said that is not our policy. I said, well, it is currently your practice, I don't know if it was a policy. I appreciate that you did identify and rectify that situation very expeditiously to the satisfaction of those young men and their pastors, I might add. So thank you for that.

Bart Goodson: Absolutely, if I can comment on that real quick, I think it brings us a good point that, I'll reference our campus gathering policy. Back in 2024, as you know, we had a number of protests and unrests on our campuses, that gave our Board of Governors an opportunity to recognize inconsistencies across our campuses. They came up with a new campus gathering policy, which gave us a more unified consistent approach across our campuses, which I think, we have demonstrated, is working very well. But as a result, anytime something new is implemented, it takes some time for it to get disseminated, so we have some hiccups, and this is what happened in this case at Pembroke, as again, luckily we were able to address that very quickly, but that was a matter where the message having not reached everyone by that time and it has been resolved.

Representative Rubin: Representative Kidwell's question actually makes me think about something that I wanted to ask you, and I know you are not here in a legal capacity, so sorry. Would it be fair to say that the law in this area has changed, kinda, a lot over the last few years? We've had a lot, you know SFFA (Students for Fair Admission), would you say that the law has changed a good bit in the last few years?

Bart Goodson: Yes, sir.

Representative Rubin: Obviously, either whether it is a university or a municipality, as the law changes, there are going to be things that we said, "oh, we thought this was okay", and now we're being told this isn't okay and then you make changes and then as your timeline shows, you made changes and you go from there. If that is the takeaway I'm having, is that a fair one?

Bart Goodson: Yes, sir.

Representative Rubin: I can't help but point out, SFFA, the admissions case, they lost in the Courts of Appeals in 2023, two Courts of Appeals said that argument was wrong and then a split decision of the United States Supreme Court changed what had been the understanding until then. That is not that unusual, that is how law works. But at the same time, if you read that First Circuit Opinion or that Fourth Circuit Opinion, it would have said what UNC is doing is absolutely constitutional under settled precedent, that's what it would have said, right?

Bart Goodson: Yes, sir.

Representative Rubin: So, I just want to make sure that whether it is a municipality or a university, that we don't take too harsh a hand with them during a time when, I mean DOJ (Department of Justice) just put out a memo saying disparate impact analysis for discrimination is gone. That's been the law for fifty years and it is not even clear whether they have the authority to do that and probably, I would think, they don't but we'll see, right? Maybe they do. So anyone who is relying on these things that are changing really fast is going to have to sort of bob and weave to fix and change as the law changes. I know it is half statement, half question, if there is anything you want to comment on that, but I just want to recognize that the law has changed pretty swiftly in the areas of Title Six an nondiscrimination, it may be still changing and may continue to change and if there is anything you want to add to that, I just wanted to point that out.

Representative Kidwell: I appreciate your comments, Representative Rubin, but the law may change, and I think this goes back to my statement earlier, kind of tongue and cheek, but it does lend some credence to the statement, that is why the REACH ACT is important. Because, you maintain that the law has changed, I maintain that the Constitutions of the United States and North Carolina have not changed in decades. "Nor shall any person be subject to discrimination", it is pretty plain language, "by the state because of race, color, religion, or national origin". I would argue, and I would guess that, we are not in hearing, but, and I'm not a lawyer, but I study tax law, which I find most people find to be infinitely more difficult than constitutional law, because if everything in taxes was that crystal clear, you wouldn't need me. That is crystal clear in the North Carolina Constitution and the United States Constitution, substantially similar and neither of those have changed in over a hundred years. So I would argue that possibly the judges were making incorrect decisions at that point as we have seen in many cases in recent history where they finally figured out, "oh, we did that wrong". We have a long history of that. I think that is why it is important that everybody, most particularly, the people sitting in this room, understand those documents as well as possible.

Representative Rubin: Thank you, Representative Kidwell. I think just from litigating these kind of cases, on the one hand we view the world, that the law never changed, we just finally figured out what it was. On the other hand, if you are someone who has to adhere to opinions of the United States Supreme Court, then you are going to follow the one that was in effect at that time and SFFA actually overruled prior case law. So that was the Supreme Court saying that the Supreme Court had been previously wrong and you may think that that is absolutely right, the

way they've got it now and others may think it is wrong and twenty years from now, there may be an opinion that says actually SFFA was wrong. This is the world that we live in. I just want to give some grace to the folks that were forced to follow a kind of winding road of change in case law. I will say, I don't think those words, how they actually apply in the real world are straight forward to the folks fighting over them all the time. I totally respect your position.

Representative Echevarria: Thank you for the presentation. I'm always amazed though, at people's willingness to defend discrimination. I think discrimination is wrong altogether. On the equality within the University of North Carolina, obviously our university system is praise worthy, a jewel, nationally, so as we go through these questions, I want to first acknowledge that. They are doing great work. Obviously this room is filled with graduates. The UNC Policy Manual 300.8.5, prohibiting compelled speech, why was this policy created?

Bart Goodson: There was no one thing that happened. If you will recall during that time period leading up to this policy, there was this growing practice, really across the country in both private and public sittings, what I refer to as the loyalty oath practice, where job applicants, college applicants, etc. were being asked to essentially attest to a stated particular political ideology, etc. We quickly realized in this space that there was really no room for that in a public university setting that is funded by the taxpayers of this state, for this so-called loyalty oath practice. So it really was no one thing, it was just that growing practice at the time.

Representative Echevarria: So nothing within our university system?

Bart Goodson: No, sir.

Representative Echevarria: This is about the directives from the decision in 2023. It is disturbing that in 2023 we needed a Supreme Court decision to prevent our UNC System from racially discriminating. Obviously that cost us \$4.8M, not including the costs to litigate it in each court. What is the prevailing philosophy within the UNC System that made this something they thought worth defending? For instance, the young lady who spoke earlier said the City of Asheville, when they realized that they were not going to win, that they were actually wrong, they changed their policy, but here, UNC did not do that. UNC was fighting for their right to continue to discriminate based on race. So I would like to know, what is the prevailing philosophy that required a Supreme Court decision before we simply made a change?

Bart Goodson: Let me qualify and preface this with, I was not involved in any of the legal defense, so I may get some of this wrong. Referencing back to what Representative Rubin eluded to, at the time the UNC System believed they were acting in accordance with prevailing Supreme Court precedent and the law. That is the reason it was being defended.

Representative Echevarria: I get that argument, except every university in the country wasn't doing it. We chose to do it. So Supreme Court law did not mandate universities to discriminate based on race. Why did the UNC System decide to take a position that racial discrimination was okay for admissions? Not whether or not it was legal, I want to know what the philosophy was that said this is our position in this case.

Bart Goodson: This will be speculation on my part, this goes back, this was a prevailing practice well before my time, but our state's university system has always prided itself in being open to all and accessible to all. We have a lot of rural areas and underprivileged areas in our state and I would surmise or speculate, but I suspect it was a good faith attempt to be inclusive to those individuals.

Representative Echevarria: Then UNC repeals the policy on diversity and inclusion, within the University of North Carolina and regulation of the same, that was in May of 2024. So they repealed the policy, did they repeal it because it was good or because it was bad?

Bart Goodson: I don't think it was because it was good or because it was bad, I think it was because it no longer complied with what they felt that the law was at the time or was about to be at the time.

Representative Echevarria: When you say suspended, in the UNC memo on federal contracting compliance, where it says that these certain general education requirements which you talked about, for higher education would be a little different, that they are suspended and I asked around the building. Does suspended mean gone forever, or waiting for a better time? Because suspended could be temporary or suspended could be forever. So what do we mean in North Carolina when we say these requirements are suspended?

Bart Goodson: I will check with our legal council and get back to you on that. I would surmise that lawyers use words for a reason and to your point there was probably reason behind that particular word choice.

Received as response to the question from Representative Echevarria by Bart Goodson in an email dated February 2, 2026, "The requirements are terminated".

Representative Echevarria: Thank you for answering the questions. I do understand you are a liaison representing sixteen universities, so I am appreciative of that. I think most of my neighbors, I call them neighbors, not constituents, are exhausted by the Whack-a-Mole game that we play in North Carolina when it comes to discrimination and I said to my colleague next to me, I wish everyone would just exhale and stop it. Looking for ways to express discrimination seems to be a game that we play in North Carolina and when I see this, I see great changes, but I see all the changes in response or fear of legal or government action. The truth is good people don't discriminate based on race and sex and religion. So, I really don't understand why we have to continue having these committee meetings, obviously, the case \$4.8M plus the cost of litigation, there is a financial dynamic involved too, but how about just in this North Carolina dynamic. When can we stop? That is the question I have for all sixteen universities, I celebrate UNC Chapel Hill, they are number three, but we have sixteen schools that did not make this list. I just think that everybody wants us to stop. I appreciate the transparency, I appreciate the willingness of our university system to be responsive, but I think we could be proactive. Let's just get good people in who don't do stuff like this, instead of needing a video under cover, which is just the people who got caught, not the fullness of the problem, and let's move forward in a 2026 world where everybody is kind of over this if we would just stop it.

Representative Pyrtle: What are the requirements that would initiate, by some outstanding entity, a waiver requirement by a chancellor in education?

Bart Goodson: What you find in those reports is there is an accreditation requirement that requires still, and that is at a federal level, or a state licensure requirement, as I referenced for social work. When you look through all the waiver requests that came in, those are the four areas, it was social work, nursing, teaching, and public health. I'll get to you specifically for education, what triggers the waiver request.

Representative Gable: I had a question about slide nineteen, it says, review of over eight thousand gift funds including scholarships and grants, and then forty nine hundred gift fund agreements were reviewed. What is the process of reviewing and who does that, obviously that

is a lot of agreements, so it is obviously a lot of people that are involved. Can you provide some clarity on that?

Bart Goodson: That would be a campus by campus process to ask. If there is a particular campus that you are interested in, I am happy to get you in touch with the liaison for that campus to walk through their process. Some may do it by a committee, some may do it through their legal departments. Our campuses have different resources available to them. We've got big campuses, we've got small campuses. Our bigger campuses typically have more of these agreements, you know the eight thousand, nine thousand, ten thousand agreements. The smaller campuses have fewer agreements. So it would be a campus by campus basis. Happy to get you some additional information on that to clarify it further for you.

Representative Torbett: What we are trying to figure out is how much dollars and cents a lot of this is encumbering of the people's hard earned dollars and going to areas that, they perhaps, don't need to go. My guess is, based on what I've heard from your report today, is that you remain, thankfully, examining or looking for possible infractions to your policies and it is costing you an amount of money. So my concern is, how much money do we have to expend annually to try to ensure that people are not trying to skirt the law, for lack of a better term. That is essentially what we are doing and at any time if you go look through your budget by line and you come up and can determine what kind of expense you are looking at, I would love to know what that is.

Bart Goodson: Great question, fair point, but to clarify, I just want to make sure everybody understands, we haven't come to the General Assembly asking for funding to help with this effort, new positions or anything like that, we are doing this internally with our own resources, constantly reviewing, and again, I think the stress here, this wasn't a one time exercise, we didn't just pass a regulation and it just sits and collects dust. This is now an annual process that our boards of trustees have to be involved in, that our chancellors have to sign off, and our Board of Governors have to see and sign off on, so they are constantly reminded to continue to undertake this. As we've seen and as we move forward it gets easier to do on an annual basis, it takes less time and less energy, less resources.

Representative Brody: I want to see if this fits the topic under the umbrella of discrimination, it is kind of ironic these last couple of weeks I've gotten several calls from people, constituents, that their sons or daughters are applying to the UNC system, in particular into the limited access programs that we have. Is it legal within discrimination area to discriminate against United States citizens trying to gain access to limited access programs that foreign students with the so-called ability to pay the full price get these slots?

Bart Goodson: It is not legal to discriminate. You are hitting on a key thing here about these being high demand, limited access spots, as has been pointed out by numerous members, our school system is globally recognized and there is tremendous demand. We do set caps on out of state and international students with preferences towards our in state students, by our constitution, they come first. The demand in state is more than we can handle at virtually all of our campuses and we let in every single person that we can in state first.

Representative Brody: Well, I don't actually know, because we hear on a regular basis that we have foreign students in the limited access programs, but United States citizens applying for these can't get in them because there are no more slots available. So basically, I guess, if you just said it, it is legal to reserve slots for foreign students over domestic students?

Bart Goodson: No sir, not at all. If you think you hear about it, I can promise you we hear about it every year on a greater scale than you do. A number of folks trying to get in that don't get in. It is highly competitive, high demand, under our constitution, our in state students come first, no out of state, not international, our in state students come first.

Representative Torbett: Representative Brody, maybe I can offer a little bit of help here, it sounds like you have been hearing from constituents on an issue, is there a certain constituent you can address with Bart about that happening to that individual or something, so maybe we can get down to the bottom and make sure that is not happening.

Representative Brody: I guess generically, let us say a generic one is, a student excels in high school in STEM classes, I mean literally excels, but can't get into the engineering program at either UNC or NC State. I can't go any deeper than that, we are limited to what we can access, but if there are foreign students in these programs, that means that there are slots available for United States citizens that should have those slots. I'll leave that as a comment, you know, because we are not going to resolve anything here anyways. But that, we are paying for this system and for these programs, we the taxpayers, but yet we are funding foreign students and if there are any foreign students in there, that means that there are United States citizens that are denied access.

Representative Shepard: Since you got on the student population enrollment, I hear students complain all the time, Mom and Dad lived here all their life, paid taxes, they are in the top ten of their high school class and they can't get in UNC, but somebody from somewhere else can come and get in. I was looking at just enrollments, I notice that UNC's enrollment is about thirty two to thirty four thousand students and I thought that was pretty good bit, then I got to looking that Alabama's got forty two thousand students in enrollment and Ohio State has about forty five thousand and I'm thinking is UNC ever going to catch up with the need for more, to be able to handle more students or is it going to kind of be lack luster as compared to all the states around.

Bart Goodson: I think Chancellor Roberts would love to have a conversation with you about expanding the undergraduate class at Chapel Hill. The demand is certainly there, each year they get sixty thousand plus applications, ball park figures for roughly fifty four hundred thousand slots and to your point, Representative Brody, every single one of those applicants are well qualified. It is a tough process.

Representative Dahle: Please understand that this is no reflection on the UNC System at all, but I find myself getting angrier and angrier because it seems as though we are picking and choosing who it is okay to discriminate against and who's a minority and who's not a minority and if they are American or if they are citizens or if this or if that and yet, last year we passed laws to discriminate based on a religious belief that some people in this House held. I just find this absolutely fascinating that we only care about certain people and yet I hear from my counterpart that you'll fight to the wall for me to fly my flag or do whatever, but yet, we're so worried about discrimination, but yet we are doing it and I'm not saying, please understand, I'm not saying anything about the UNC System at all. I am just, my anger is boiling over, that we are obsessing about this, but yet we are not following our own advice by the laws we pass and how we act and who we choose to meet with and who we don't and I know that it is a free country and we can all choose to discriminate how we want to, but, if we are going for non discrimination, then we've got to take it out of the law, we've got to take it out of every place, not just the places we feel more comfortable taking it out of.

**Functions and Responsibilities of the City's Department of Economic and Social Advancement is presented by Janet Cowell, Mayor, City of Raleigh and Marchell Adams-**

**David, City Manager, City of Raleigh. (Attachment 3, and uploaded on committee website).**

Representative Torbett: Thank you for your work and thank you for your presentation. Just yesterday, the Secretary of State noted two numbers, number one that we broke records on new businesses in North Carolina, way off the chart, wonderful news, as well as received number one in business and economic growth. So thank you for your work relative to that.

Representative Dahle: I need to clearly understand, can you go back to the time-line slide. I just want to make sure I am understanding. So, the video that looked like it was taken from waist up of the woman sitting behind her desk with her legs crossed, that, which was the second part of the clip we saw, but that was taken on the fourteenth of February, 2025, correct?

Marchell Adams-David: Yes, that was February fourteenth, 2025.

Representative Dahle: And then the no comment, was taken on the eighteenth of July, 2025?

Marchell Adams-David: Yes, ma'am, July, 2025.

Representative Dahle: Now, up until January 2025 when the executive orders came out, was the practice of business, pretty much across the land, or with most cities, that there was a DEI division or some kind of grouping in most cities. Am I incorrect about that?

Marchell Adams-David: No, you are absolutely correct.

Representative Dahle: So, up until January, you guys were functioning as most cities are functioning, but as soon as the executive order came out, you then quickly closed up shop.

Marchell Adams-David: Let me go back to the question you asked previously, the DEI initiatives really took hold through the medium to large size cities first, and then some of the smaller rural communities latched on and then some did not.

Representative Kidwell: I appreciate the presentation today. I do have a concern kind of along the same lines as what I asked the UNC System, and that would be so that if I am understanding this correctly, your position is that the City of Raleigh did discriminate, in fact, prior to January 2025, based on whatever criteria was set up. Is that accurate?

Marchell Adams-David: Totally disagree. I would argue that we did not discriminate, what we did was create opportunities for access. What we did was create opportunities for people who said to us that they had been pushed out of the contracting business to get the opportunity. We never set aside, we never gave preferential treatment, we never had quotas, we never did any of the things that were against the law in the way of practice, whether it is through procurement or hiring.

Representative Kidwell: Then after the executive order comes out, we suspended programs that we were doing that were against the executive order. We came up with a new division, that would handle the economic and social, and we had to update our RFP (Request for Proposal) and RFQ (Request for Quotation) templates, to update the contract language, which presumably took out some sort of criteria that was now deemed inappropriate under the new executive order. Is that accurate?

Marchell Adams-David: I would say what we did initially on the equity training, what we did was took equity training out of our catalog of training that all employees have an opportunity to take advantage of. So we no longer have that as part of the training and we had a large portfolio of training for city employees. So we have removed that, to be in compliance and again to just make sure that we were not doing anything that would contradict or would not be in compliance with the executive order and in the way of the department, the activities and the functions that we were currently doing, we were doing those anyway. I would say the only thing that we are no longer doing, as I mentioned, the equity action plan, and really that was a lens and a focus on where is equity embedded in the work that we do and how do you call it out? So right now, rather than call it out, we just don't have that as part of our core work. We work really hard to be a fair employer and a fair organization and a fair city. It should be part of our DNA. We shouldn't have to have it as a plan and that's what we've done, we removed it as a plan and the four divisions that I showed up there, are the divisions of work that we were working on anyway. We took our focus off of the MWBE (Minority and Women-owned Business Enterprise) which we were trying to manage and finagle and try to balance what was required on a federal level in addition to what is required on a state level. Our transportation departments and some of our operational departments worked really closely with the state's HUB (Historically Underutilized Businesses) department and so we just wanted to make sure that we were doing things right, so that we would continue to be in good standing.

Representative Kidwell: So it is your position that the City of Raleigh was adhering then to "nor shall any person be subject to discrimination by the state" which would also include the city based on court rulings, "because of race, color, religion, or national origin", period, prior to January of 2025? Is that accurate?

Marchell Adams-David: Yes, sir. I would say that the City of Raleigh did not discriminate. Now we could have the other side that would come in here and say, from a minority population, that they did not have access and they felt like they were discriminated against. But no, we did not discriminate against anyone. If you look at our contracting record, all of the histories, again, even as we branched out and expanded our small business development programs, none of those programs are geared towards minority businesses, it is any business that signs up and meets that criteria, of number of employees, and how much their bottom line is.

Representative Kidwell: But interestingly enough we still had to make significant changes to how we structured contracts in departments after January 2025. Also, I want to address the video, parts one and two. Are you saying that the video was edited in such a way to change the words that the individual had spoken?

Marchell Adams-David: I don't know that it was edited to change the words, but it is presented as it is one encounter and that the encounter happened at the point that it surfaced on the internet, I guess. But, the words, the tag lines in the wording at the bottom, are wording by the reporter, not the wording of our employee if you listen to it. Some of those are interpretive liberties that he or she took to capture what was said in that conversation.

Representative Kidwell: So, on the February video, February 14, Valentine's Day, there was what I believe, if my hearing is correct, which I don't want to try and misgender anyone, but it sounded like two women speaking to each other inside of an office setting and then we go to the video on July 18th, which is clearly what I perceive to be a male and a woman speaking to each other and you are maintaining that people would perceive that to all have happened at the same time?

Marchell Adams-David: Well, it's not presented as two incidences, it is almost like it is a continuous incident and they happened roughly five months apart and released even three months after then.

Representative Kidwell: Interesting. I personally watched the video a couple of times and never perceived it to be a simultaneous event.

Representative Torbett: Can you attest that today, under the hiring practices of the City of Raleigh, that there are no practices in place, in the process, that one could deduce that they were DEI in nature?

Marchell Adams-David: Yes, I stand firmly on that, we hire the best candidate, we recruit from everywhere, from not only the UNC System, we recruit through our historically black colleges and universities. We hire the best of the best and it doesn't matter what you look like, where you come from, and what your zip code is, and, I would argue yes, our practices and our policies support that. We follow the law, yes, sir.

The meeting stands adjourned at 3:00 PM.

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Representative John A. Torbett, Co-Chair  
Presiding

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Viddia Torbett, Committee Clerk