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Our View: McCrory should set politics aside, appoint Lamb DA

The Daily Advance
Saturday, October 5, 2013
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Gov. Pat McCrory will soon get a second chance to do something he already should have done: appoint Assistant District Attorney Nancy Lamb the 1st Prosecutorial District's permanent district attorney, allowing her to complete the remaining year of the four-year term started by her former boss and longtime colleague, the late Frank Parrish.

McCrory had the chance to take this commonsense step over a week ago, in the immediate aftermath of Parrish's death of heart-related failure. Instead, he only named Lamb interim district attorney — an appointment lasting only 60 days.

Lamb is clearly qualified for the permanent appointment. Besides working alongside Parrish for 29 years, she had been his chief assistant district attorney for the past two years, responsible for the administration of the office. So there can be only one possible explanation for McCrory's reluctance to appoint her: partisan politics.

It seems some area Republicans, many of whom know little or nothing about the workings of the criminal justice system, have decided to oppose Lamb's appointment on the sole basis that she's not a registered Republican. They believe McCrory, the state's first GOP governor in 20 years, has been presented a golden opportunity with Parrish's death to appoint a fellow Republican to the vacant district attorney's job, believing it will give that Republican a leg up in next year's election, when Parrish's term expires and any number of candidates could seek the office. They believe McCrory will be squandering that opportunity if he appoints Lamb, who like her late boss, is a registered Democrat.

While this kind of political maneuvering happens all the time — Democratic governors have appointed Democrats to fill vacancies created by the deaths of Republican officials — we think it would be wrong in this case for McCrory to heed area Republicans' demand. Yes, the district attorney is a political officeholder subject to a partisan process — candidates are required to state a party affiliation and run in that party's political primary. But district attorney is not a political officeholder in the same way county commissioners, state lawmakers or even governors are. Nearly every decision one of those officeholders makes is a political decision. No decision by a district attorney, on the other hand, should ever be based on politics. Facts, what the law says and what the interests of justice are, are the only legitimate bases for a district attorney's decisions. The only "political" part of the job are the elections district attorneys are required to run in as candidates every four years.

That's why McCrory's appointment of someone other than Lamb would be so damaging. Given that no one else in the 1st District has her prosecutorial experience, appointing someone else would clearly be seen as political. The individual appointed would have no standing with either the district attorney's staff, the legal community or the public as anything other than "the governor's man" or the "governor's woman," beholden to interests other than the pursuit of justice. It doesn't matter how hard the person appointed works to establish their own credibility, ultimately they will be viewed in this compromising way.

Appointing Lamb avoids this stigma because she's already in charge of the office, pursuing the same priorities as the district attorney to whom the voters have entrusted the office, first in 1994 and most recently in 2010: Frank Parrish. If the voters disagree with those priorities, they

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can make a change in the office in the 2014 election when Parrish's final term ends.

Appointing Lamb to fill the vacancy also makes practical sense. Think about it: Anyone besides Lamb appointed to the district attorney's job will have, at most, only two months to begin the process of getting up to speed on the office's operations. After then, they will have to start concentrating on the 2014 election and running for a four-year term.

Given that the filing period for the party primaries opens in January, and the primaries are held in May, someone new to the office almost certainly will be spending a lot of time away from it, trying to raise money and build support across the seven counties of the 1st Prosecutorial District. What will happen to the proper functioning of the district attorney's office in the meantime? Who will be in charge? Who will be accountable?

Lamb, who is seeking the appointment to complete Parrish's term, hasn't said whether she'll file for a four-year term next year. Regardless of what she ultimately decides, having her fill the seat through the end of next year would avoid the problem of appointing someone who would be juggling competing priorities — trying to learn the office while simultaneously running for election.

Those pushing for McCrory to appoint a Republican apparently are hoping a vote on recommendations to the governor by the 1st Judicial District Bar in Currituck on Monday will present McCrory with at least one viable GOP option for the district attorney vacancy. Given Lamb's long experience in the District Attorney's Office and work with the practicing attorneys who make up the bar, she's not likely to lose Monday's vote. However, since McCrory isn't bound by the vote outcome, he could appoint an attorney whose name appeared on the ballot and only got one vote — just because that attorney is a Republican. For the sake of retaining a justice system free of the taint of politics, we hope that doesn't happen. McCrory should do what's right: He should appoint Lamb to complete the remainder of Frank Parrish's term.

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Comments

Gov. McCrory will make the right choice.

Submitted by [W.A. Lehmann](#) on October 7, 2013 - 7:43pm.

For all you dreamers out there including the editorial staff at the Daily Advance, it will be a Republican. When was the last time a Democrat Governor appointed a Republican? I've been following NC politics since '77 and don't recall one, but it's possible they were over looked.

She's a democrat. The

Submitted by [lutonmoore](#) on October 6, 2013 - 9:27pm.

She's a democrat. The Governor has the right to appoint whomever he wants. It does seem as if this office turned a blind to any cases of voter fraud.

Of course

Submitted by [Melanie](#) on October 6, 2013 - 9:48pm.

the Governor has the right to appoint his choice. But every action causes a reaction.

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TODAY'S POLL

How much longer do you think the partial federal government shutdown will go on?

- At least another couple of days.
- At least another week.
- Until the end of the month.
- Until the end of the year.
- It won't end.

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From Rep. Steinburg's

Submitted by [sparatus](#) on October 6, 2013 - 4:06pm.

From Rep. Steinburg's facebook page ---- points to ponder.

"While I am publicly staying neutral on the impending appointment of an interim DA in Elizabeth City in the wake of the unexpected death two weeks ago today of long time DA Frank Parrish, I received this signed letter from a constituent who shares his perspective:

I know that Mrs. Lamb has been in the prosecutors office for a very long time. Her legal opinions and qualifications are subject to various interpretations. But, there are issues that need to be discussed before there is a final decision about who will fill out the remaining term of the late Frank Parrish.

First, Nancy Lamb is married to Mr. Zee Lamb, the sitting County Manager in Chowan County. Second, Zee Lamb is a hyper Democratic partisan who's County is within the judicial district covered by the District Attorney's office. Thirdly, Zee Lamb is the son of to Joe Lamb, a Real Estate Broker in Dare Co where Zee Lamb has an office with his name on the door.

So one must question the potential of "pillow talk" that could influence the outcome of legal matters in Chowan and Dare Counties, either good or bad, but certainly political. Does anyone consider this situation to be fraught with potential for conflict of interest, or worse?

The bottom line is this. In the words of President Barack Obama, "Elections have consequences!" We have elected a Republican Governor as well as a Republican Representative and Senator. The voters cast their ballots for change, not the status quo. If Mrs. Lamb assumes the position of District Attorney and fills out the remaining term, she would be the incumbent when the next election occurs in 2014. Governor McCrory should strongly consider appointing a qualified Republican to fill out the remainder of Mr. Parrish's term and make him, or her, the incumbent for reelection.

John Woodard Elizabeth City, N. C."

DA Office Is Political

Submitted by [gofigure](#) on October 6, 2013 - 8:34am.

The Daily Advance said it all, "While this kind of political maneuvering happens all the time — Democratic governors have appointed Democrats to fill vacancies created by the deaths of Republican officials." The DA office under Parrish did not seek to prosecute one case of voter fraud here in Elizabeth City. What makes you think it will be different under Nancy Lamb??

If the Advance is for it...

Submitted by [albemarle conservative](#) on October 5, 2013 - 11:20pm.

than I'm against it. This newspaper has crucified McCrory, Steinberg and Cook unmercifully right through the campaigns and to this present day. Why would he or any one in the majority listen to or even consider what these liberal whack jobs advocate for? If they are for Lamb that means it can't be good for us. Nothing they embrace ever is.

In case you don't know

Submitted by [Unaffiliated](#) on October 6, 2013 - 12:29am.

Albemarle Conservative is Bob Steinburg. I voted for you twice but I won't make that mistake again.

Really?

Submitted by [albemarle conservative](#) on October 6, 2013 - 5:06pm.

Well now, aren't you quite the sleuth. If I'm Representative Steinberg than your Barack Obama.

I do not believe that.

Submitted by [kz001](#) on October 6, 2013 - 12:40am.

You are on my suspicious list now.

Fair enough

Submitted by [Unaffiliated](#) on October 6, 2013 - 7:26am.

And I respect your right not to believe that. I do not respect the right of Representative Steinburg to viciously attack Senator Basnight who did so much to help Currituck and the entire albemarle region. Senator Basnight protected funding for the Currituck Bridge, while Steinburg and Senator Cook sold us out and voted for a budget that ended funding for the bridge. The ferry conspiracy thing is just way over the top. It is simply unfair to the Senator and his honorable legacy. It appears Steinburg and Cook just hate any and all Democrats and unaffiliated people. Former Representative Tim Spear was a conservative Democrat yet Steinburg attacked him in 2010 saying was a liberal and part of the Basnight machine. He has recently attacked Former Representative

6. [Letter: Letter's charges against Lambs outlandish](#)

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Bill Owens, another conservative Democrat. He and Cook attacked the Governor when he appointed Malchom Fearing, who is registered unaffiliated, to the DOT board because he was not a Republican. Apparently they must hate all non-Republicans. It appears that if you are not a Republican there is nothing you deserve in Steinburg's and Cook's political world. I am glad the Governor did not share the radical philosophy of Steinburg and Cook when he picked Fearing. I still have confidence in the Governor, unfortunately I have loss all confidence in our "one and done" members of the legislature, Steinburg and Cook. Our former legislators Basnight, Owens and Spear reached out to the other party all the time, however Steinburg and Cook seem to slam the door on everyone not Republican. I look forward to voting in next year's Republican primary. I will encourage my Democrat friends to register unaffiliated so they can join me.

Unaffiliated my arse

Submitted by [albemarle conservative](#) on October 6, 2013 - 5:30pm.

You are about as partisan sounding as anyone on this site, and a liar too! You say you voted for Steinberg twice but won't again, yet you go after him for going after Tim Spear in 2010 and that made you mad. Then why did you vote for Steinberg in 2010, as you say you did? If you are going to be a liar you need to be pretty smart. You blew it! Fearing is a lifetime Democrat who is one of many political cronies of Basnight and the Manteo mob style of government you seem to long for. Fearing just became unaffiliated and was a lifetime Democrat. Basnight used his political office for personal gain which is wrong. How did he become a millionaire many times over on \$35000 a year? Sounds to me like you are the hater here and just can't accept anything that might taint the sainted image you are trying to maintain of folks who were far from pure and certainly unworthy of sainthood. Did Republicans ever get anything from Democrats in this state when it came to appointments? None I can recall in my many years? Please share an example with us if you would be so kind. The problem with you is that you aren't in the power seat any more and its driving you plum crazy. I hope Steinberg brings in the FBI to look into this guy who was killed at the Ferry office that the DA reported on. Hands tied behind his back and a plastic bag over his head and that's suicide? And the Advance states he was getting ready to testify against Basnight and the Ferry apparatus? Only when you have the power to go all the way up in state government can you turn an obvious murder into a suicide to cover up. Stay strong Representative. This poster is exactly why you got elected to begin with.

Come on Bobby

Submitted by [Unaffiliated](#) on October 6, 2013 - 6:27pm.

Voted for you twice in 2012, the Primary and General elections, never said I voted for you in 2010. You were not running in Currituck in 2010. You are over the edge. Senator Basnight has more class and commands more respect in his pinky than you have in your entire body. You are Bob Steinburg from New York.

You know something I don't?

Submitted by [albemarle conservative](#) on October 7, 2013 - 1:25am.

Unless the representative is a 38 D, 5'4" tall and weighs 162 lbs. And no wise cracks unaffiliated.

One more lie!

Submitted by [albemarle conservative](#) on October 6, 2013 - 5:36pm.

You also talk about all Basnight did for Currituck so you must live there. So how did you vote for Steinberg the first time when Currituck was in Bill Owen's district, not in Tim Spears. You know, you sound an awful lot like the guy that ran against Steinberg in the Republican primary last year and got clobbered. What was his name?

AMEN

Submitted by [Melanie](#) on October 5, 2013 - 10:16pm.

Just AMEN.

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