



2015 Legislative Report Card

Ratings are based on legislation proposed in the North Carolina General Assembly during the 2015 legislative session.

The brighter Lady Liberty's torch shines, the better a lawmaker's position on civil liberties.



= Supported the ACLU-NC's position



= Opposed the ACLU-NC's position

*This report card grades North Carolina House Representatives and Senators on five bills respectively, all of which the ACLU-NC opposed in 2015 because of their negative impact on civil liberties.**

NONDISCRIMINATION

S.B. 279: Amend Qualifications/Practice of Counseling

A provision inserted into the Conference Report of this bill at the very end of the legislative session would have stripped local governments of their ability to pass anti-discrimination ordinances related to employment, housing, and public accommodations.

Disposition of S.B. 279: The Conference Report was re-referred to the House Rules Committee, killing the discriminatory provision. The original bill passed both the House and the Senate, and was presented to Governor Pat McCrory on October 1, 2015. This report card grades the vote taken to re-refer the Conference Report to the Rules Committee.

LGBT EQUALITY & EQUAL TREATMENT

S.B. 2: Magistrates Recusal for Civil Ceremonies

Allows all magistrates as well as deputy and assistant registers of deeds to opt out of performing all civil marriages for six-month periods, based on religious objections. This bill sets a dangerous precedent by allowing government officials to pick and choose which duties they will perform based on their personal beliefs. Its sponsors said the bill was a response to same-sex couples winning the freedom to marry in North Carolina.

Disposition of S.B. 2: S.B. 2 became law on June 11, 2015, when the General Assembly voted to override Governor McCrory's veto. This report card grades two votes for each legislative body: the 2nd reading in the Senate and the 3rd reading in the House, as well as both chambers' votes to override Governor McCrory's veto.

CAPITAL PUNISHMENT

H.B. 774: Restoring Proper Justice Act

Makes changes to execution protocols that decrease transparency and thus government accountability, including allowing public agencies to classify as confidential any information about drug manufacturers and suppliers who provide the state with drugs used in executions, and exempting execution protocol changes from the regular rule-making process. Allows any medical professional as defined in the bill, not just a doctor, to be present at an execution—which could mean that a qualified medical doctor will not be present if problems arise during an execution.

Disposition of H.B. 744: Passed both the House and the Senate and was signed into law by the governor on August 5, 2015. The vote counted is the 2nd Reading in the Senate and the concurrence vote in the House.

IMMIGRANTS' RIGHTS

H.B. 318: Protect North Carolina Workers Act

Prohibits local governments from adopting so-called “sanctuary” ordinances that limit the enforcement of federal immigration laws, and prohibits government officials—with the exception of law enforcement officers in some cases—from accepting consular and municipal or organizational ID cards to determine a person’s identity or residency. The bill also expands the use of E-verify in employment.

Disposition of H.B. 318: Passed both the House and the Senate and was transmitted to the governor on September 30, 2015. Governor McCrory has not acted on the bill. The votes graded in this report card are the 3rd Reading in the Senate and the concurrence vote in the House.

JUVENILE JUSTICE

S.B. 343: Student Assault on Teacher/Felony Offense

Would create a new felony penalty for students aged 16 and older who are found guilty of assaulting school person-

nel. Assault on school personnel is already a criminal offense, so rather than addressing a gap in current criminal law, S.B. 343 would exacerbate our current school-to-prison pipeline.

Disposition of S.B. 343: S.B. 343 passed the Senate, and was re-referred to the Committee on Children, Youth and Families after its 1st Reading in the House. The vote graded here is the 2nd Senate Reading.

REPRODUCTIVE JUSTICE

H.B. 465: Women and Children’s Protection Act

Triplies the government mandated waiting period for women seeking access to abortion from 24 to 72 hours.

Disposition of H.B. 465: Passed both the House and the Senate and was signed into law on June 5, 2015 by Governor McCrory. The votes graded here are the 3rd reading in the Senate and the concurrence vote in the House.

**Please note that only the final recorded vote on each bill is reflected in the Report Card.*

| North Carolina House Representative | Party | District | SB 279 <i>Nondiscrimination Policies</i> | SB 2 <i>LGBT Equality</i> | HB 774 <i>Capital Punishment</i> | HB 318 <i>Immigrants' Rights</i> | HB 465 <i>Reproductive Justice</i> |
|-------------------------------------|-------|----------|---|------------------------------|-------------------------------------|-------------------------------------|---------------------------------------|
| Adams, Jay | R | 96 | No vote | 🚫🚫 | 🚫 | 🚫 | 🚫 |
| Adcock, Gale | D | 41 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Ager, John | D | 115 | 🔥 | 🔥🔥 | 🚫 | 🔥 | 🔥 |
| Alexander, Kelly M. Jr. | D | 107 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Arp, Dean | R | 69 | 🚫 | 🚫🚫 | 🚫 | 🚫 | 🚫 |
| Avila, Marilyn | R | 40 | 🔥 | 🚫🚫 | 🚫 | 🚫 | 🚫 |

| House Representative | Party | District | HB 279 <i>Nondiscrimination Ordinances</i> | SB 2 <i>LGBT Equality</i> | HB 774 <i>Capital Punishment</i> | HB 318 <i>Immigrants' Rights</i> | HB 465 <i>Reproductive Justice</i> |
|--|-------|----------|---|------------------------------|-------------------------------------|-------------------------------------|---------------------------------------|
| Baskerville, Nathan | D | 32 | | | | | |
| Bell, John R. IV | R | 10 | | | | | |
| Bell, Larry M. | D | 21 | | | | | |
| Bishop, Dan | R | 104 | | | | | |
| Blackwell, Hugh | R | 86 | | | Absent | | |
| Blust, John M. | R | 62 | | | | | |
| Boles, James L. Jr. | R | 52 | | | | | |
| Bradford, John R. III | R | 98 | | Absent | Absent | | |
| Brawley, William | R | 103 | | | | | |
| Brisson, William D. | D | 22 | | Absent | | | |
| Brockman, Cecil | D | 60 | | | | | |
| Brody, Mark | R | 55 | | | | | |
| Brown, Brian <i>(Resigned 10/06/15)</i> | R | 9 | | Absent | | | Absent |
| Brown, Rayne | R | 81 | | | | | |
| Bryan, Rob | R | 88 | | | | | Absent |
| Bumgardner, Dana | R | 109 | | | | | |
| Burr, Justin P. | R | 67 | | | | | |
| Carney, Becky | D | 102 | | | Absent | Absent | |

| House Representative | Party | District | HB 279 <i>Nondiscrimination Ordinances</i> | SB 2 <i>LGBT Equality</i> | HB 774 <i>Capital Punishment</i> | HB 318 <i>Immigrants' Rights</i> | HB 465 <i>Reproductive Justice</i> |
|--------------------------|-------|----------|---|------------------------------|-------------------------------------|-------------------------------------|---------------------------------------|
| Catlin, Rick | R | 20 | | | | Absent | Absent |
| Cleveland, George R. | R | 14 | | | | | |
| Collins, Jeff | R | 25 | | | | | |
| Conrad, Debra | R | 74 | | | | | |
| Cotham, Tricia Ann | D | 100 | | | | | |
| Cunningham, Carla D. | D | 106 | | Absent | | | |
| Daughtry, N. Leo | R | 26 | | | | | |
| Davis, Ted Jr. | R | 19 | | | | | |
| Dixon, Jimmy | R | 4 | | | | | |
| Dobson, Josh | R | 85 | | | | | |
| Dollar, Nelson | R | 36 | | | | | |
| Earle, Beverly M. | D | 101 | | | | | |
| Elmore, Jeffrey | R | 94 | | | | | |
| Faircloth, John | R | 61 | | | | | |
| Farmer-Butterfield, Jean | D | 24 | | | | | |
| Fisher, Susan C. | D | 114 | Absent | Absent | Absent | Absent | |
| Floyd, Elmer | D | 43 | | | | | |
| Ford, Carl | R | 76 | | | | | |
| Fraley, John A. | R | 95 | | | Absent | | |

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|-------------------------------------|-------|----------|---|------------------------------|-------------------------------------|-------------------------------------|---------------------------------------|
| Gill, Rosa U. | D | 33 | | | | | |
| Glazier, Rick (Resigned 8/28/15) | D | 44 | Resigned prior to vote | | | Resigned prior to vote | |
| Goodman, Ken | D | 66 | | | | | |
| Graham, Charles | D | 47 | | | | | |
| Graham, George | D | 12 | | | | | |
| Hager, Mike | R | 112 | | | | | |
| Hall, Duane | D | 11 | Absent | | | | |
| Hall, Larry D. | D | 29 | | | | | |
| Hamilton, Susi H. | D | 18 | | Absent | | | |
| Hanes, Edward Jr. | D | 72 | | | | | |
| Hardister, Jon | R | 59 | | Absent | | | |
| Harrison, Pricey | D | 57 | | | | | |
| Hastings, Kelly E. | R | 110 | | | Absent | | |
| Holley, Yvonne Lewis | D | 38 | | | | | |
| Holloway, Bryan R. | R | 91 | | | | | |
| Horn, Craig D. | R | 68 | | Absent | | | |
| Howard, Julia C. | R | 79 | | Absent | | | |
| Hunter, Howard J. III | D | 5 | | Absent | | | |

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|-----------------------|-------|----------|---|------------------------------|-------------------------------------|-------------------------------------|---------------------------------------|
| Hurley, Pat B. | R | 70 | 🚫 | 🚫🚫 | 🚫 | 🚫 | 🚫 |
| Iler, Frank | R | 17 | 🚫 | 🚫🚫 | 🚫 | 🚫 | 🚫 |
| Insko, Verla | D | 56 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Jackson, Darren G. | D | 39 | 🔥 | 🔥🔥 | 🚫 | 🔥 | 🔥 |
| Jeter, Charles | R | 92 | 🔥 | 🔥 Absent | 🚫 | No vote | 🚫 |
| Johnson, Linda P. | R | 83 | 🔥 | Absent 🚫 | 🚫 | 🚫 | 🚫 |
| Johnson, Ralph C. | D | 58 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Jones, Bert | R | 65 | 🚫 | 🚫🚫 | Absent | 🚫 | 🚫 |
| Jordan, Jonathan C. | R | 93 | 🚫 | 🚫🚫 | 🚫 | 🚫 | 🚫 |
| Lambeth, Donny | R | 75 | Absent | Absent 🚫 | 🚫 | Absent | 🚫 |
| Langdon, James H. Jr. | R | 28 | 🚫 | 🚫🚫 | 🚫 | 🚫 | 🚫 |
| Lewis, David R. | R | 53 | 🚫 | 🚫🚫 | 🚫 | 🚫 | 🚫 |
| Lucas, Marvin W. | D | 42 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Luebke, Paul | D | 30 | Absent | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Malone, Chris | R | 35 | 🚫 | Absent 🚫 | 🚫 | 🚫 | 🚫 |
| Martin, Grier | D | 34 | 🔥 | 🔥🔥 | Absent | 🔥 | 🔥 |
| Martin, Susan | R | 8 | 🚫 | 🚫🚫 | 🚫 | 🚫 | 🚫 |

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|--|-------|----------|---|------------------------------|-------------------------------------|-------------------------------------|---------------------------------------|
| McElraft, Pat | R | 13 | 🚫 | 🚫🚫 | 🚫 | 🚫 | 🚫 |
| McGrady, Chuck | R | 117 | 🔥 | 🚫🚫 | 🚫 | 🚫 | 🚫 |
| McNeill, Allen | R | 78 | 🚫 | 🚫🚫 | 🚫 | 🚫 | 🚫 |
| Meyer, Graig R. | D | 50 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Michaux, Henry M. Jr. | D | 31 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Millis, Chris | R | 16 | 🚫 | 🚫🚫 | 🚫 | 🚫 | 🚫 |
| Moore, Rodney W. | D | 99 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Moore, Tim | R | 111 | No vote | 🚫🚫 | 🚫 | 🚫 | No vote |
| Pendleton, Gary | R | 49 | 🚫 | 🚫🚫 | 🚫 | 🚫 | 🚫 |
| Pierce, Garland E. | D | 48 | 🔥 | 🔥 Absent | 🔥 | 🔥 | 🔥 |
| Pittman, Larry G. | R | 82 | 🔥 | 🚫🚫 | 🚫 | 🚫 | 🚫 |
| Presnell, Michele D. | R | 118 | 🚫 | 🚫🚫 | 🚫 | 🚫 | 🚫 |
| Queen, Joe Sam | D | 119 | 🔥 | 🔥🔥 | 🚫 | 🔥 | No vote |
| Reives, Robert T. | D | 54 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Richardson, Bobbie | D | 7 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Richardson, William O. <i>(Appointed 9/01/15)</i> | D | 44 | 🔥 | Appointed after votes | Appointed after vote | 🔥 | Appointed after vote |
| Riddell, Dennis | R | 64 | 🚫 | 🚫🚫 | 🚫 | 🚫 | 🚫 |
| Robinson, George S. <i>(Appointed 2/02/15)</i> | R | 87 | 🚫 | 🚫🚫 | 🚫 | 🚫 | 🚫 |
| Ross, Stephen M. | R | 63 | 🔥 | 🚫🚫 | 🚫 | 🚫 | 🚫 |
| Saine, Jason | R | 97 | 🔥 | 🚫🚫 | 🚫 | 🚫 | 🚫 |

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|--|--------------|----------|---|------------------------------|-------------------------------------|-------------------------------------|---------------------------------------|
| Salmon, Brad | D | 51 | | | | | |
| Schaffer, Jacqueline M. | R | 105 | Absent | | | Absent | |
| Setzer, Mitchell S. | R | 89 | | | | | |
| Shepard, Phil | R | 15 | | | | | |
| Speciale, Michael | R | 3 | | | | | |
| Stam, Paul | R | 37 | | | | | |
| Starnes, Edgar V. <i>(Resigned 1/13/2015)</i> | R | 87 | Resigned before vote | Resigned before votes | Resigned before vote | Resigned before vote | Resigned before vote |
| Steinburg, Bob | R | 1 | | | Absent | | |
| Stevens, Sarah | R | 90 | | | | | |
| Szoka, John | R | 45 | | | Absent | | |
| Terry, Evelyn | D | 71 | | Absent | | | |
| Tine, Paul | Unaffiliated | 6 | | Absent | | No vote | |
| Torbett, John A. | R | 108 | | | | | |
| Turner, Brian | D | 116 | | | | | |
| Turner, Rena W. | R | 84 | | | | | |
| Waddell, Ken | D | 46 | | | | | |
| Warren, Harry | R | 77 | | | Absent | | |
| Watford, Sam | R | 80 | | | | | |
| West, Roger | R | 120 | | Absent | | | |
| Whitmire, Chris | R | 113 | | | Absent | | |
| Willingham, Shelly | D | 23 | | | | | |
| Wray, Michael H. | D | 27 | | Absent | | | |
| Yarborough, Larry | R | 2 | | | | | |
| Zachary, Lee | R | 73 | | Absent | | | Absent |

| State Senator | Party | District | SB 343 <i>Juvenile Justice</i> | SB2 <i>LGBT Equality</i> | HB 774 <i>Capital Punishment</i> | HB 318 <i>Immigrants' Rights</i> | HB 465 <i>Reproductive Justice</i> |
|---------------------------|-------|----------|-----------------------------------|-----------------------------|-------------------------------------|-------------------------------------|---------------------------------------|
| Alexander, John M. Jr. | R | 15 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Apodaca, Tom | R | 48 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Barefoot, Chad | R | 18 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Barringer, Tamara | R | 17 | 🔥 | 🔥🔥 | 🔥 | Absent | 🔥 |
| Berger, Phil | R | 26 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Bingham, Stan | R | 6 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Blue, Dan | D | 14 | 🔥 | 🔥 Absent | 🔥 | 🔥 | Absent |
| Brock, Andrew C. | R | 34 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Brown, Harry | R | 6 | 🔥 | 🔥🔥 | Absent | 🔥 | 🔥 |
| Bryant, Angela R. | D | 4 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Clark, Ben | D | 21 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Cook, Bill | R | 1 | 🔥 | 🔥🔥 | 🔥 | Absent | 🔥 |
| Curtis, David L. | R | 44 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Daniel, Warren | R | 46 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Davis, Don | D | 5 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Davis, Jim | R | 50 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Ford, Joel D. | D | 38 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Foushee, Valerie P. | D | 23 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Gunn, Rick | R | 24 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Harrington, Kathy | R | 43 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Hartsell, Fletcher L. Jr. | R | 36 | 🔥 | Absent 🔥 | 🔥 | 🔥 | 🔥 |

| State Senator | Party | District | SB 343 <i>Juvenile Justice</i> | SB2 <i>LGBT Equality</i> | HB 774 <i>Capital Punishment</i> | HB 318 <i>Immigrants' Rights</i> | HB 465 <i>Reproductive Justice</i> |
|---|-------|----------|-----------------------------------|-----------------------------|-------------------------------------|-------------------------------------|---------------------------------------|
| Hise, Ralph | R | 47 | 🚫 | 🚫🚫 | 🚫 | 🚫 | 🚫 |
| Jackson, Brent | R | 10 | 🔥 | 🚫🚫 | 🚫 | 🚫 | 🚫 |
| Jackson, Jeff | D | 37 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Krawiec, Joyce | R | 31 | 🚫 | 🚫🚫 | 🚫 | 🚫 | 🚫 |
| Lee, Michael V. | R | 9 | 🚫 | 🚫🚫 | 🚫 | 🚫 | 🚫 |
| Lowe, Paul A. Jr. <i>(Appointed 1/30/2015)</i> | D | 32 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| McInnis, Tom | R | 25 | 🚫 | 🚫🚫 | 🚫 | 🔥 | 🚫 |
| McKissick, Floyd B. Jr. | D | 20 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Meredith, Wesley | R | 19 | 🚫 | 🚫🚫 | 🚫 | 🚫 | 🚫 |
| Newton, E.S. (Buck) | R | 11 | 🚫 | 🚫🚫 | 🚫 | Absent | 🚫 |
| Parmon, Earline W. <i>(Resigned 1/28/15)</i> | D | 20 | Resigned before vote | Resigned before votes | Resigned before vote | Resigned before vote | Resigned before vote |
| Pate, Louis | R | 7 | 🚫 | 🚫🚫 | 🚫 | 🚫 | 🚫 |
| Rabin, Ronald J. | R | 12 | 🚫 | 🚫🚫 | 🚫 | 🚫 | 🚫 |
| Rabon, Bill | R | 8 | 🔥 | 🚫🚫 | 🚫 | 🔥 | 🔥 |
| Randleman, Shirley B. | R | 30 | 🚫 | 🚫🚫 | 🚫 | 🚫 | 🚫 |
| Robinson, Gladys A. | D | 28 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Rucho, Bob | R | 39 | 🚫 | 🚫🚫 | 🚫 | Absent | 🚫 |
| Sanderson, Norman W. | R | 2 | 🚫 | 🚫🚫 | 🚫 | 🚫 | 🚫 |
| Smith, Jane W. | D | 13 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Smith-Ingraham, Erica | D | 3 | 🔥 | 🔥🔥 | 🔥 | 🔥 | 🔥 |
| Soucek, Dan | R | 45 | 🚫 | Absent 🚫 | 🚫 | 🚫 | 🚫 |

| State Senator | Party | District | SB 343 <i>Juvenile Justice</i> | SB2 <i>LGBT Equality</i> | HB 774 <i>Capital Punishment</i> | HB 318 <i>Immigrants' Rights</i> | HB 465 <i>Reproductive Justice</i> |
|-------------------|-------|----------|-----------------------------------|-----------------------------|-------------------------------------|-------------------------------------|---------------------------------------|
| Stein, Josh | D | 16 | 🕯️ | 🕯️ Absent | 🕯️ | 🕯️ | Absent |
| Tarte, Jeff | R | 41 | 🕯️ | 🕯️🕯️ | 🕯️ | 🕯️ | 🕯️ |
| Tillman, Jerry W. | R | 29 | 🕯️ | 🕯️🕯️ | 🕯️ | 🕯️ | 🕯️ |
| Tucker, Tommy | R | 35 | 🕯️ | 🕯️🕯️ | 🕯️ | 🕯️ | 🕯️ |
| Van Duyn, Terry | D | 49 | 🕯️ | 🕯️🕯️ | 🕯️ | 🕯️ | 🕯️ |
| Waddell, Joyce | D | 40 | 🕯️ | 🕯️🕯️ | 🕯️ | 🕯️ | 🕯️ |
| Wade, Trudy | R | 27 | 🕯️ | 🕯️🕯️ | 🕯️ | 🕯️ | 🕯️ |
| Wells, Andy | R | 42 | 🕯️ | 🕯️🕯️ | 🕯️ | 🕯️ | 🕯️ |
| Woodard, Mike | D | 22 | 🕯️ | 🕯️🕯️ | 🕯️ | Absent | 🕯️ |



Founded in 1965, **the American Civil Liberties Union of North Carolina** is a nonprofit, nonpartisan organization dedicated to defending and expanding the individual rights and freedoms found in the U.S. and North Carolina Constitutions and related federal and state civil rights laws.

With more than 10,000 members and supporters throughout the state and an office located in Raleigh, the organization achieves its mission through advocacy, public education, community outreach, and when necessary, litigation.

acluofnc.org