



Because Freedom Can't Protect Itself

acluofnc.org

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LOVE WINS!

Rulings Bring Marriage Equality to N.C.

North Carolina's harmful and discriminatory ban on marriage for same-sex couples is no more, thanks to a pair of federal court rulings that struck down the ban on Oct. 10 and Oct. 14 and have since paved the way for hundreds of same-sex couples to receive marriage licenses across North Carolina.

The historic week began on Oct. 6, when the U.S. Supreme Court announced that it would not review a federal appeals court ruling striking down Virginia's similar marriage

ban. News that the appeals court ruling was upheld meant that the freedom to marry would be recognized in Virginia and that all other states within the jurisdiction of the U.S. Court of Appeals for the Fourth Circuit — including North Carolina — would be bound by the legal precedent that declared Virginia's marriage ban unconstitutional.

After several hectic days of legal action, the first ruling striking down North Carolina's marriage ban came at 5:32 p.m. on Friday, Oct. 10, from

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HISTORY: Chris Creech (left) and Chad Biggs were the first same-sex couple married in Wake County after a federal judge struck down North Carolina's marriage ban late Friday, Oct. 10. Creech and Biggs both work for the Wake County Sheriff's Office.

See more: Visit the ACLU-NC's Facebook page at www.facebook.com/ACLUNC to see our #DayOneNC photo albums of newlywed same-sex couples.

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ACLU's Anthony Romero to Keynote 2015 Awards Dinner



Photo by Richard Corman

Anthony D. Romero, executive director of the American Civil Liberties Union, will come to North Carolina in February to deliver the keynote address at the 46th annual Frank Porter Graham Awards Dinner on Saturday, February 28, 2015, in Chapel Hill.

Romero took the helm of the organization just seven days before the September 11, 2001 attacks. Shortly afterward, the ACLU launched its national Keep America Safe and Free campaign to protect basic free-

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'The Freedom to Marry is Here to Stay'



"Our joy and excitement are boundless. We've been together for 48 years and are so happy that our love and commitment will now finally be recognized in the state we call home."

-Ellen "Lennie" Gerber, (left) and Pearl Berlin of High Point, ACLU plaintiffs who challenged N.C.'s marriage ban.

Marriage Victory Timeline (Oct. 6 – 14)

Oct. 6—The U.S. Supreme Court says it will not review appeals court rulings striking down marriage bans in Virginia and other states, setting a precedent for N.C.

Oct. 7— At a press conference in Raleigh, attorneys and plaintiffs in two ACLU lawsuits challenging N.C.'s marriage ban outline plans to ask an N.C. court for an immediate ruling.

Oct. 8—U.S. District Judge William Osteen Jr. lifts his stay in both ACLU cases, opening the path for a ruling.

Oct. 10—U.S. District Judge Max Cogburn Jr. strikes down N.C.'s marriage ban. The first couples get married in Wake, Buncombe and Guilford counties.

Oct. 14—Judge Osteen issues the second ruling finding N.C.'s marriage ban unconstitutional.

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U.S. District Judge Max Cogburn Jr. in Asheville. Registers of deeds in Buncombe, Guilford, and Wake counties stayed open late or reopened their doors to accommodate couples who had been waiting in line all day for the news, and officials presided over the first legally recognized marriage ceremonies in North Carolina.

"For countless couples and their children, this victory is nothing short of life changing," said Jennifer Rudinger, executive director of the ACLU of North Carolina. "Thousands



Left: ACLU plaintiffs Crystal Hendrix and Leigh Smith of Asheville, with their children, Quinn and Joe, were married in North Carolina after a trip to the Buncombe County Register of Deeds Office on Oct. 13.



Photos by Marti Sullivan

Their family was one of six that served as plaintiffs in the ACLU's first legal challenge to N.C.'s marriage ban. Now that the ban is struck down, both women can be legally recognized parents to their two children.

of North Carolinians are now able to marry the person they love and receive the dignity and legal security that comes with having that marriage recognized in their home state."

Days later, U.S. District Judge William Osteen Jr. became the second federal judge to find the state's marriage ban unconstitutional when he handed down a ruling in the two cases the ACLU and ACLU of North Carolina had filed in Greensboro. The ruling extends the freedom to marry to same-sex couples in North Carolina and requires North Carolina to recognize the marriages of same-sex couples from out of state.

N.C. House Speaker Thom Tillis and Senate President Pro Tempore Phil Berger have vowed to appeal the ruling and have hired a lawyer from the anti-gay National Organization for Marriage to represent them. However, their appeal to the Fourth Circuit is widely expected to be futile. As ACLU-NC Legal Director Chris Brook explained: "North Carolinians can rest assured that the freedom to marry is here to stay." ■

For any questions about your new rights or getting married in N.C., please visit acluofnc.org to read our Frequently Asked Questions.

ACLU-NC Turns 50

The year 2015 will mark the 50th anniversary of the founding of the ACLU of North Carolina by a small, dedicated group of civil libertarians in Greensboro. We've come a long way in the last half century. When the ACLU of North Carolina was founded in 1965, there were approximately 300 card-carrying ACLU members in the entire state. Today there are more than 12,000 of us, and our base of supporters continues to grow. So too does the scope of our work: During the very early days of our affiliate in the 1960s, the North Carolina Civil Liberties Union, as it was then called, focused primarily on fighting North Carolina's infamous "Speaker Ban" on college campuses and defending the rights of civil rights protestors and criminal defendants.

Fifty years later, the ACLU of North Carolina has expanded on that work to become a statewide leader in civil liberties struggles such as protecting the rights of people of color, students, women, immigrants, religious and ideological minorities, and LGBT North Carolinians; combating the surveillance state and reining in unwarranted government intrusions into our privacy; fighting to abolish racially biased policing practices and the death penalty; bringing much-needed reforms to our criminal justice system; challenging suppressive voting laws; championing the rights to free speech and freedom of association; and much more.

As we enter our 50th year, North Carolina continues to face dire threats to liberty, and our work is more crucial than ever. With your support, we can continue to be a strong and effective defender of civil liberties in our state for another 50 years and many more to come. Please use the form on the right to make a tax-deductible contribution today. Thank you so much for your support. ■



Jennifer Rudinger

Jennifer Rudinger
Executive Director

Will You Help Defend Civil Liberties?

Support the ACLU-NCLF by Making a Tax-Deductible Contribution Today!

o **Yes!** I want to help protect and expand civil liberties in North Carolina. Enclosed is a check for my tax-deductible contribution in the amount of:

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For more information or to charge your contribution on a credit card, contact Director of Operations Kevin Eason at (919) 834-3466 or keason@acluofnc.org. MasterCard, Visa, and Discover accepted, and we offer monthly, quarterly, and semiannual giving options to fit your budget. You can also make a contribution through the ACLU-NCLF's secure website at acluofnc.org



THE 2015 FRANK PORTER GRAHAM AWARDS

Join us and celebrate the 46th Annual

Frank Porter Graham Awards Ceremony

Saturday, February 28, 2015

**The William and Ida Friday Center for
Continuing Education
100 Friday Center Drive, Chapel Hill, NC**

5 p.m.—Jazz Reception

Buffet Dinner • Open Bar

**6:30 p.m.—Welcome Address
Awards Presentations**

Keynote Speech by

***ACLU Executive Director
Anthony Romero***

Individual reservations are \$100 per person. Purchase a table for 8 people for \$1,000 to be a sponsor of this event. Sponsors will be recognized in the program and at the event, and a placard will be placed on your table. Deadline to RSVP is February 20, 2015. Visit acluofnc.org or call 919-834-3466 for details.

THE HONORS:

Frank Porter Graham Award

*For longstanding and significant
contributions to the fight for individual
freedom and civil liberties
in North Carolina*

ACLU-NC Award

*For deep commitment to
preserving and defending civil
liberties in North Carolina*

Paul Green Award

*For extraordinary efforts to
abolish or limit the death penalty
in North Carolina*

Sharon Thompson Award

*For extraordinary efforts toward
advancing equal rights for
LGBT persons in North Carolina*

**Nominations are due by 5 p.m. on
Monday, November 24. For more
info, contact Jennifer Rudinger at
jrudinger@acluofnc.org.**



**Special thanks to our wonderful friends at Replacements, Ltd. for
their generous sponsorship of the Frank Porter Graham Awards!**

THE 2015 FRANK PORTER GRAHAM AWARDS

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doms during a time of crisis, achieving court victories challenging the USA Patriot Act, uncovering thousands of pages of documents detailing the torture and abuse of detainees in U.S. custody, and filing the first successful legal challenge to the Bush administration's illegal NSA spying program.

An attorney with a history of public interest activism, Romero has presided over the most successful membership growth in the ACLU's history and a large increase in national and affiliate staff. This



Keynote Speaker
Anthony Romero

extraordinary growth has allowed the ACLU to expand its nationwide litigation, lobbying and public education efforts, including

new initiatives focused on human rights, racial justice, religious freedom, technology and privacy, reproductive freedom, criminal law reform and LGBT rights

Romero is the ACLU's sixth executive director, and the first Latino and openly gay man to serve in that capacity. In 2005, Romero was named one of Time Magazine's 25 Most Influential Hispanics in America. Born in New York City to parents who hailed from Puerto Rico, Romero was the first in his family to graduate from high school. ■

2015 Frank Porter Graham Awards Ceremony

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We wish to be table sponsors. Please reserve a table for 8 people for \$1,000. I will submit a guest list of those to be seated at the table. (A sponsor placard will be placed on the table.)

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I/We cannot attend but want to help. Please accept my tax-deductible donation to support the event and/or to sponsor seats for students and people with limited incomes who wish to attend. I am enclosing payment in the amount of \$ _____.

I am interested in purchasing an ad in the program. Payment is enclosed, and I will submit the ad by e-mail no later than Monday, February 9, 2015. See page 7 for details.

Please make your check payable to ACLU-NCLF or fill out credit card information above, and mail payment along with this RSVP card to:

ACLU-NCLF, P.O. Box 28004, Raleigh, NC 27611-8004.

Reservations \$100 per person. Call (919) 834-3466 for more info or to charge by phone.

'Why Doesn't the State of North Carolina Want People to Vote?'

“Why doesn't the state of North Carolina want people to vote?”

That was the question federal judge James A. Wynn Jr. posed to state attorneys defending North Carolina's restrictive new voting law in a federal appeals court hearing in Charlotte on September 25.

Wynn's line of inquiry came about after the ACLU and other groups asked him and the two other judges on the Fourth Circuit Court of Appeals panel to put on hold key provisions of the law that violate the 14th Amendment and the Voting Rights Act. Those provisions include an end to same-day voter registration, cuts to an entire week of early voting, and the end of out-of-precinct

voting. All three appeals court judges who heard the case agreed that a lower court had erred in its analysis of how those measures would cumulatively make it harder for many eligible voters in North Carolina to cast a ballot. For example, more than 20,000 North Carolina voters used same-day registration in the 2010 midterm election. In a 2-1 decision on Oct. 1, the appeals court judges reinstated same-day registration and out-of-precinct voting, in which a voter who shows up at the wrong precinct can still cast a provisional ballot, for the November 2014 midterm elections.

Unfortunately, just one week later, the U.S. Supreme Court reversed that ruling for the 2014



Attorneys from the ACLU and Southern Coalition for Social Justice with plaintiffs outside a federal courthouse in Charlotte after an appeals court heard arguments in the groups' challenge to North Carolina's voter suppression law on Sept. 25.

elections, putting all of the voter suppression measures back into effect. The ACLU and other groups will return to court in July 2015 for a full trial over the entire voter suppression law. ■

Appeals Court Hears ACLU Challenge to N.C.'s Demeaning Ultrasound Law

Three federal appeals court judges heard arguments on Oct. 29 in a case brought by the ACLU and other groups challenging a 2011 North Carolina law that would have required abortion providers to show a woman an ultrasound and describe the images in detail four hours before performing an abortion, even if the woman objects. A federal court struck down key provisions of the law in January; the

state is now appealing that ruling.

“These unconstitutional measures would have prevented doctors from using their best medical judgment to provide patients with care based on their specific individual needs,” said Jennifer Rudinger, executive director of the ACLU of North Carolina. “Politicians have no business intruding into individuals' private medical decisions.”

The ACLU, the ACLU of North Carolina Legal Foundation, the Center for Reproductive Rights, and Planned Parenthood Federation of America filed a constitutional challenge to the law in September 2011, arguing that it violated the rights of health care providers and women seeking abortion care. The appeals court is expected to issue a ruling in coming weeks. ■

Advertise in our 2015 Awards Program

Advertise your business, congratulate this year's Frank Porter Graham honorees, or celebrate the Bill of Rights!

- Full page (5" x 8") - \$100
- 1/2 page (5" x 4") - \$50
- 1/4 page (2.5" x 4" or business card) - \$35

Ads should be emailed to keason@acluofnc.org by Monday, February 9, 2015.

PDF, JPEG or Word formats preferred.

Please contact Director of Operations Kevin Eason at (919) 834-3466 or keason@acluofnc.org for more information. All ads may be subject to editing.

Fight for Freedom

Help raise freedom's voice in North Carolina and across the nation. Join the ACLU-NC's email list to stay informed about current issues and campaigns, upcoming events, and how you can get more involved in the fight to protect and expand civil liberties. Go to:

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The civil liberties landscape can change in unexpected ways.

Ten years ago, for example, we never thought we would need to defend the right to vote for millions of Americans. What civil liberties threats will we face in 20, 30, or 40 years?

Whatever they are, your future gift can help ensure that the ACLU will be there — proud, principled, unflinching, and effective.

When you name the ACLU to receive a bequest or other gift through your estate plans, you play a personal role in protecting freedom's future.

Visit www.aclu.org/legacy
or call toll-free: 877-867-1025 to learn more.