

# LIBERTY

Summer 2015

ACLU of North Carolina Newsletter



## Download New Mobile Justice NC App 'The People's Body Camera'

Ever since last year's events in Ferguson, Missouri, brought new attention to police abuse and excessive use of force, our national debate often returns to the issue of police accountability. How can ordinary citizens hold officers accountable when they violate someone's rights?

A growing number of law enforcement agencies in North Carolina and around the nation now use officer worn body cameras to record interactions with the public, but many fail to enact adequate policies to ensure that such tools are a true force for accountability and transparency. With all this in mind, the ACLU of North Carolina, along

with other ACLU affiliates across the country, created Mobile Justice: a free smart phone app that allows users to automatically record and submit cell phone videos to the ACLU when they believe law enforcement officers are violating civil rights.

Mobile Justice NC is now available for use on Android and iOS phones in English and Spanish, equipping North Carolinians with a new way to hold officers accountable and contact the ACLU of North Carolina for help. The app enables users to record, witness and report interactions with law enforcement and includes information on what rights protect you when you



The app has three main functions: RECORD, WITNESS and REPORT.  
The RECORD function initiates your phone's camera. When you are finished recording, the app prompts an incident report that you can fill out with any pertinent information regarding the police interaction you witnessed. This file, the video, audio and/or report are sent immediately to the American Civil Liberties Union.  
The WITNESS function turns on your phone's GPS and will alert you if any other Mobile Justice users have started to film a police interaction in your vicinity.  
The REPORT function prompts the incident report even if you didn't film the police interaction.

Mobile Justice also contains Know Your Rights information regarding your rights when you are stopped by police, and your rights to film police.

Download Mobile Justice NC through Apple's App Store or Google Play. Visit [acluofnc.org/app](http://acluofnc.org/app) for more information.

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Because Freedom Can't Protect Itself



## LIBERTY

Published 4 times per year  
Volume 48 Issue 3 • Summer 2015

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## New Look, Same Issues

**Y**ou may have noticed that this issue of *Liberty* looks different than past ones.

Along with more frequent updates on our website (acluofnc.org), Facebook (Facebook.com/ACLUNC) and Twitter (@aclu\_nc) pages, the goal of our new newsletter is to improve the ways we keep you updated about the many battles for civil liberties we are waging every day in North Carolina.

From our legal challenge to North Carolina's voter suppression law, to our legislative campaigns against proposals that would legalize discrimination, the ACLU-NC remains on the front lines of the most urgent battles for liberty and equality in our state.

In addition to our newsletter's new appearance, we're also using new technology to empower North Carolinians' to protect their rights through our new Mobile Justice NC smartphone app.

These aren't the only changes our organization has undergone recently. This spring, Jennifer Rudinger, who served as the ACLU-NC's executive director for the past 11 years, announced that she was stepping down after 20 years at the ACLU in order to travel, spend time with friends

and family, and address some health issues. We thank Jennifer for more than a decade of service spent working to protect the civil liberties of North Carolinians, and we wish her the best in future endeavors.

While we undergo a process to select Jennifer's permanent successor, I am very pleased that Sarah Preston, who has spent the last eight years overseeing our legislative and policy work, will serve as acting Executive Director. Anyone who has worked with Sarah or witnessed her advocacy at the General Assembly knows our organization is in very good hands.

Though our look may change, our work never ends. None of our efforts would be possible without your continued support. Please consider using the enclosed envelope to make a tax-deductible contribution so that we'll always stand ready to defend and advance the rights of all North Carolinians. ■■■



**Jillian Brevorka**  
ACLU of North Carolina Board President

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## Family Establishes Fund to Honor Longtime ACLU Supporters



The family of Kay and Eulyss Troxler is proud to announce the creation of the Kay and Eulyss Troxler Family Fund to honor the lives and values of the longtime ACLU supporters. The fund will benefit the work of the ACLU of North Carolina. Kay and Eulyss Troxler, natives of Greensboro, were early supporters of the NCCLU and responded to issues of social injustice through the years.

In 1948, Dr. Troxler helped create Greensboro's first integrated medical facility, a polio hospital, and he worked pro bono for over 30 years as staff

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# Voter Suppression Law Goes to Trial

**A**ttorneys from the ACLU-NC and national ACLU Voting Rights Project were in federal court in Winston-Salem in July to present arguments against North Carolina's 2013 restrictive voting law, which many observers have called the worst voter suppression law in the country.

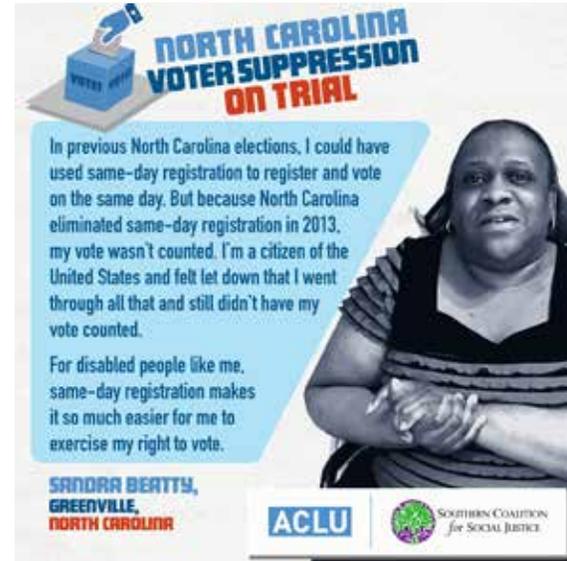
Our lawsuit targets provisions of the law that eliminated a week of early voting, ended same-day registration, and prohibited "out-of-precinct" voting—methods that hundreds of thousands of North Carolinians relied upon to cast their votes in previous elections, particularly those with low-wealth or transportation challenges. Along with the Southern Coalition for Social Justice, we are representing several individuals and groups, including the League of Women Voters of North Carolina. Dozens of North Carolinians who were disenfranchised because of the new law are testifying in the case.

In recent elections, North Carolinians could register, or update

their registration information and vote, in one trip to an early voting site. In both 2008 and 2012, approximately 250,000 people did so. African-Americans disproportionately relied on same-day registration in both elections. The law eliminates this opportunity to register, effectively disenfranchising tens of thousands.

One of those disenfranchised voters was Sandra Beatty (pictured), who is legally blind and has two prosthetic legs. Sandra's disability means she can't drive or read documents on her own—making tasks like registering to vote that much more difficult. In 2014, a friend

In the 2012 election, 900,000 North Carolinians cast their ballots during the seven days of early voting eliminated by the North Carolina General Assembly. More than 70 percent of African-American voters used early voting during the 2008 and 2012 general elections.



drove Sandra to a curbside voting site during early voting, where she registered and cast a ballot. Later, she learned her vote did not count because she didn't register in time. If North Carolina still had same-day registration, she would have been able to register and vote in the same visit—and cast a ballot that would have counted.

Visit [acluofnc.org](http://acluofnc.org) for updates on the trial. ■■

## Mobile Justice NC *continued from page 1*

are stopped by officers. The videos recorded by the app will be transmitted to the ACLU-NC and preserved even if the user's phone is later seized or destroyed.

"Our office receives hundreds of calls each year from people describing bad encounters with the police," said ACLU-NC Staff Attorney Carolyn Caicedo Manrique. "This tool gives North Carolinians the ability to serve as a check on police abuse when they believe it is occurring, allowing users to record and document any interaction with law enforcement. We believe Mobile Justice NC can serve as the people's body camera."

The ACLU-NC is working with community organizations across the state to provide "Know Your Rights" trainings on how to use the app as well as basic rights related to interactions with law enforcement. We encourage groups

to contact us to arrange trainings available in English and Spanish.

While Mobile Justice NC is intended for use by bystanders, the ACLU-NC recognizes that some users may want to use it while they are involved in a police encounter. Anyone interacting with law enforcement should announce that they are reaching for a phone, and that they are attempting to access the app to record the exchange. Users' safety depends on their ability to clearly communicate any actions they take and remain calm. ■■

**Download Mobile Justice NC through Apple's App Store or Google Play. Learn more at [acluofnc.org/app](http://acluofnc.org/app).**

# Supreme Court Declines Review of NC's Demeaning Ultrasound Law

**T**he U.S. Supreme Court announced in June that it would not review a ruling striking down North Carolina's 2011 law that would have forced a woman to undergo a narrated ultrasound before receiving abortion care. The Court's decision means the law, which had been challenged by the ACLU and other

groups, cannot go into effect.

"North Carolinians should take comfort in knowing that this intrusive and unconstitutional law, which placed the ideological agenda of politicians above a doctor's ability to provide a patient with the specific care she needs, will never go into effect," said Sarah Preston, acting Executive Director

of the ACLU-NC.

In December 2014, a unanimous three-judge panel of the U.S. Court of Appeals for the Fourth Circuit affirmed that the law violates the First Amendment rights of physicians by forcing them to deliver politically motivated communications to a patient even over the patient's objection. ■

## Federal Court:

# Rowan Commissioners Prayer Policy is Coercive, Unconstitutional

**D**espite a recent U.S. Supreme Court ruling in favor of sectarian prayer at government meetings, the ACLU-NC recently won a case that shows there are still real constitutional limits on government-sponsored prayer. In May, a federal court ruled that the Rowan County Board of Commissioners violated the Constitution when they coerced public participation in prayers that overwhelmingly advanced beliefs specific to one religion. Between 2007 and 2013, more than 97 percent of the prayers delivered by commissioners before public meetings were specific to one religion, Christianity.

The ACLU-NC and national ACLU Program on the Freedom of Religion and Belief had filed a lawsuit challenging the Commissioners' coercive prayer practice in March 2013 on behalf of Rowan County residents Nan Lund, Robert Voelker, and Liesa Montag-Siegel.

"I'm very glad that the court



Plaintiffs Bob Voelker and Nan Lund speak to media in Salisbury after a court ruled that Rowan County Commissioners' practice of coercing the public to participate in government prayers was unconstitutional.

agrees that Rowan County and other local governments should work to be welcoming to residents of all beliefs, and not simply those who share the majority view," said Nan Lund, the lead plaintiff in the case. "Rowan County is home to

people of many different beliefs, and I think our officials should embrace that diversity and make public meetings as inclusive as possible."

Rowan County is appealing the ruling. ■



### Love Wins!

The ACLU helped win the freedom to marry for same-sex couples nationwide when the U.S. Supreme Court ruled on June 26 that all remaining state marriage bans were unconstitutional in the case of *Obergefell v. Hodges*. The ACLU successfully represented Jim Obergefell and John Arthur, who sought recognition of their Maryland marriage on John's death certificate before John's death in 2013. Visit [aclu.org](http://aclu.org) to thank all the courageous ACLU clients who fought for marriage equality.

Pictured above: ACLU-NC Staff celebrating the historic Supreme Court ruling in Asheville. Left: Jim Obergefell.



## Both Moms on the Birth Certificate

The ACLU-NC has been working with the North Carolina Department of Health and Human Service to develop new guidelines to allow the same-sex spouse of a woman who gives birth to a child during the marriage to be listed as a parent on the child's birth certificate.

As a result of advocacy from the ACLU, North Carolina in May began allowing some married lesbian parents to both be listed on their children's birth certificates, just as the state allows a non-biological father to be listed on the birth

certificate of a child born to his wife through donor insemination.

But the state is not allowing lesbian parents to both appear on a birth certificate if their child was born before North Carolina won marriage equality on October 10, 2014. These families are excluded from the benefits of having both parents on a birth certificate, benefits ranging from making it easier to register their child for school to obtaining the child's Social Security card. Visit [acluofnc.org](http://acluofnc.org) to learn more and take action. ■



Christine and Megan Regan of Winston-Salem had their second child in July.



The ACLU-NC joined advocates, business owners, and faith leaders to deliver more than 10,000 signatures urging Gov. Pat McCrory to pledge to veto North Carolina's proposed RFRA law.

## ACLU & Allies Defeat RFRA in NC—For Now

**N**orth Carolina House Speaker Tim Moore announced in late April that North Carolina's proposed Religious Freedom Restoration Act (RFRA), an Indiana-style bill that would allow individuals to use their religious beliefs to discriminate against or deny services to others, would not advance this session in its current form. The announcement came after the ACLU-NC and a coalition of allies from the faith, business, and civil rights communities condemned the proposal as giving individuals and businesses a license to discriminate under the guise of religious freedom. The ACLU-NC and Equality NC are in the process of hiring an organizer to continue building momentum against similar harmful proposals. ■■

## Discriminatory 'Magistrates Recusal' Bill Becomes Law

**T**he General Assembly voted in June to override Governor Pat McCrory's veto of Senate Bill 2, which allows magistrates and other government officials to deny marriage services to legally eligible couples if the officials cite a deeply held religious objection. The bill's sponsors stated the legislation was in response to North Carolina granting the freedom to marry to same-sex couples, but it is so broadly written that it could allow officials to deny services to any couple. At least 14 magistrates across the state

### Discriminated against? Contact us today.

The ACLU is exploring legal challenges to SB2. If you are discriminated against while trying to obtain a marriage license in North Carolina, or face any difficulties while obtaining a civil marriage license, we want to hear from you. Call us at 919-834-3466 or email [contact@acluofnc.org](mailto:contact@acluofnc.org).

have recused themselves from marriage services. "This shameful backlash against equality will make it harder for all couples in our state to marry and force many to spend what is supposed to be a happy day trapped in a maze of government offices," said ACLU-NC acting Executive Director Sarah Preston upon the bill's passage. "We encourage any North Carolina couples who encounter new hurdles because of this discriminatory law to contact our office." Visit [acluofnc.org](http://acluofnc.org) to learn more about SB2. ■■

### Remembering Slater Newman



Slater Newman was a renowned human rights and peace activist who worked actively with the ACLU, the ACLU of North Carolina, and its local chapters and committees for 50 years prior to passing away on May 13.

A Professor of Psychology at North Carolina State University for more than 45 years, Slater was involved in the founding of the ACLU of North Carolina, its chapter in Wake County, and the ACLU of North Carolina's International Human Rights

Committee, among many other social justice organizations. He also served on the National Board of the ACLU for several years and was later elected to the ACLU's National Advisory Council.

In recognition of the tremendous impact Slater made on the ACLU of North Carolina, our Board of Directors is pleased to announce the creation of the Slater Newman Endowment to honor Slater's many contributions and support the engagement of new supporters in the work of protecting civil liberties. Call 919-834-3466 to learn how to make a contribution to the Endowment. ■■

## Chapter updates



### Charlotte Chapter

The ACLU-NC held its annual statewide meeting at the Levine Museum of the New South in Charlotte on June 6 with a reception and panel discussion to commemorate the 50th anniversary of our founding in 1965.

From left: Panelists Amanda Hughett, Duke University PhD candidate who compiled the research for the exhibit "ACLU of North Carolina: 50 Years of Protecting Liberty;" former ACLU general counsel and longtime ACLU-NC board member James Ferguson; former ACLU-NC president and longtime board member Charles Johnson; and acting Executive Director Sarah Preston.

### Wake County Chapter

Rep. Rodney Moore, Eddie Caldwell of the North Carolina Sheriff's Association, and acting ACLU-NC Executive Director Sarah Preston spoke about police accountability and racial profiling at our Wake County chapter's annual meeting on June 3.



### Western NC Chapter

On May 31, our Western NC chapter presented its 2015 Evan Mahaney Champion of Civil Liberties Award to Building Bridges, an organization that has spent the last 23 years in the Asheville area working to confront and overcome racism through education and community outreach. The keynote speaker was Daryl Atkinson, senior staff attorney at the Southern Coalition for Social Justice, whose work focuses on drug policy and criminal justice reform. Daryl was recently recognized by the White House as a "Reentry and Employment Champion for Change" for his extraordinary work to facilitate employment opportunities for people with criminal records. 

# McCrory Signs New Abortion Restrictions

## Breaking Campaign Promise Again

**A**gainst calls from the ACLU-NC and many others, this June Gov. Pat McCrory signed HB 465, which triples the mandatory waiting time for abortion care to 72 hours, making North Carolina only the fifth state in the nation with such a lengthy forced delay. During his 2012 campaign for governor, McCrory vowed to sign no further restrictions on abortion access. In 2013, McCrory signed a bill that authorized severe and medically unnecessary restrictions on women's health clinics that provide abortions. "For the second time, Governor McCrory has broken his promise to sign no new restrictions on abortion access in our state, making it clear that he does not respect a woman's ability to make her own personal health care decisions," said Sarah Preston, acting Executive Director of the ACLU of North Carolina. "This shameful law will do nothing to help women in North Carolina. Instead, it will force a woman to endure an unnecessary and potentially harmful delay before receiving the care that she and her doctor have decided is right for her." 

Read more about our legislative work at [acluofnc.org](http://acluofnc.org)



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## See the exhibit!

“ACLU of North Carolina: Fifty Years of Protecting Liberty,” our 50th anniversary history exhibit, will be on display:

- Now – Sept. 4: New Hanover County Public Library, 201 Chestnut St, Wilmington
- Sept. 7 – Nov. 30: Chapel Hill Public Library, 100 Library Dr, Chapel Hill

## Troxler Family Fund

*continued from page 2*

orthopedist at the Cerebral Palsy School as it evolved into the Gateway Education Center for Disabled Children. He was one of the few white doctors to serve at L. Richardson Hospital before the de-segregation of the city’s treatment programs in 1960.

Active in the Greensboro Community Fellowship, Kay Troxler persuaded Sears and Roebuck to take down the white and colored water fountain signs. She worked tirelessly in East White Oak, the black Cone Mill village, to prepare children for their transfer to nearby white schools, and she made sure the Vigil for Peace in Vietnam stood outside the Federal Building every Wednesday for all those years.

In 1995, the Troxlers received the McNeil Smith Award as advocates for peace and social justice, presented by the Greensboro Chapter of the ACLU. 

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