

We the People

of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do hereby ordain and establish this Constitution for the United States of America.

Article 1

# FIFTY YEARS



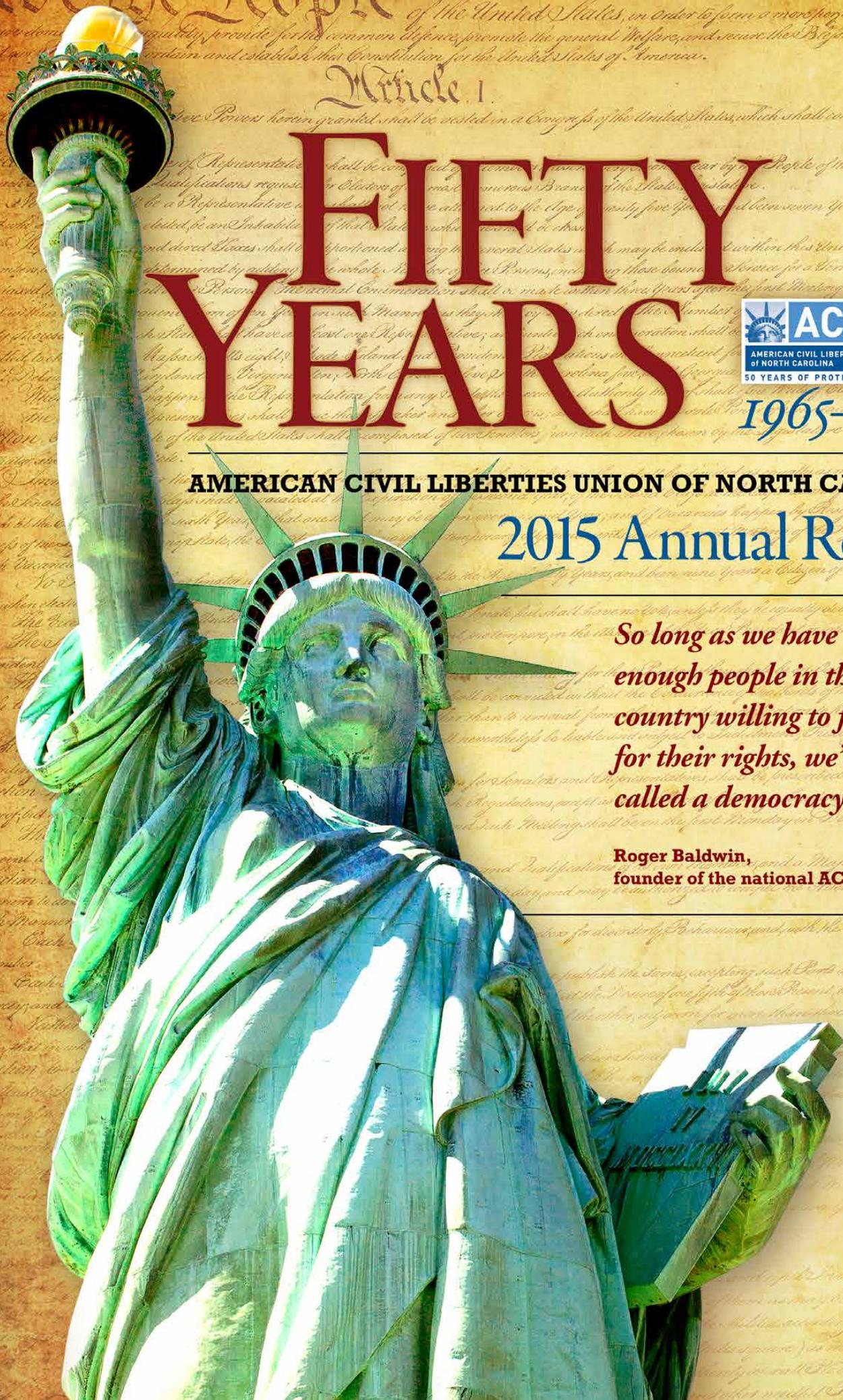
1965-2015

AMERICAN CIVIL LIBERTIES UNION OF NORTH CAROLINA

## 2015 Annual Report

*So long as we have enough people in this country willing to fight for their rights, we'll be called a democracy.*

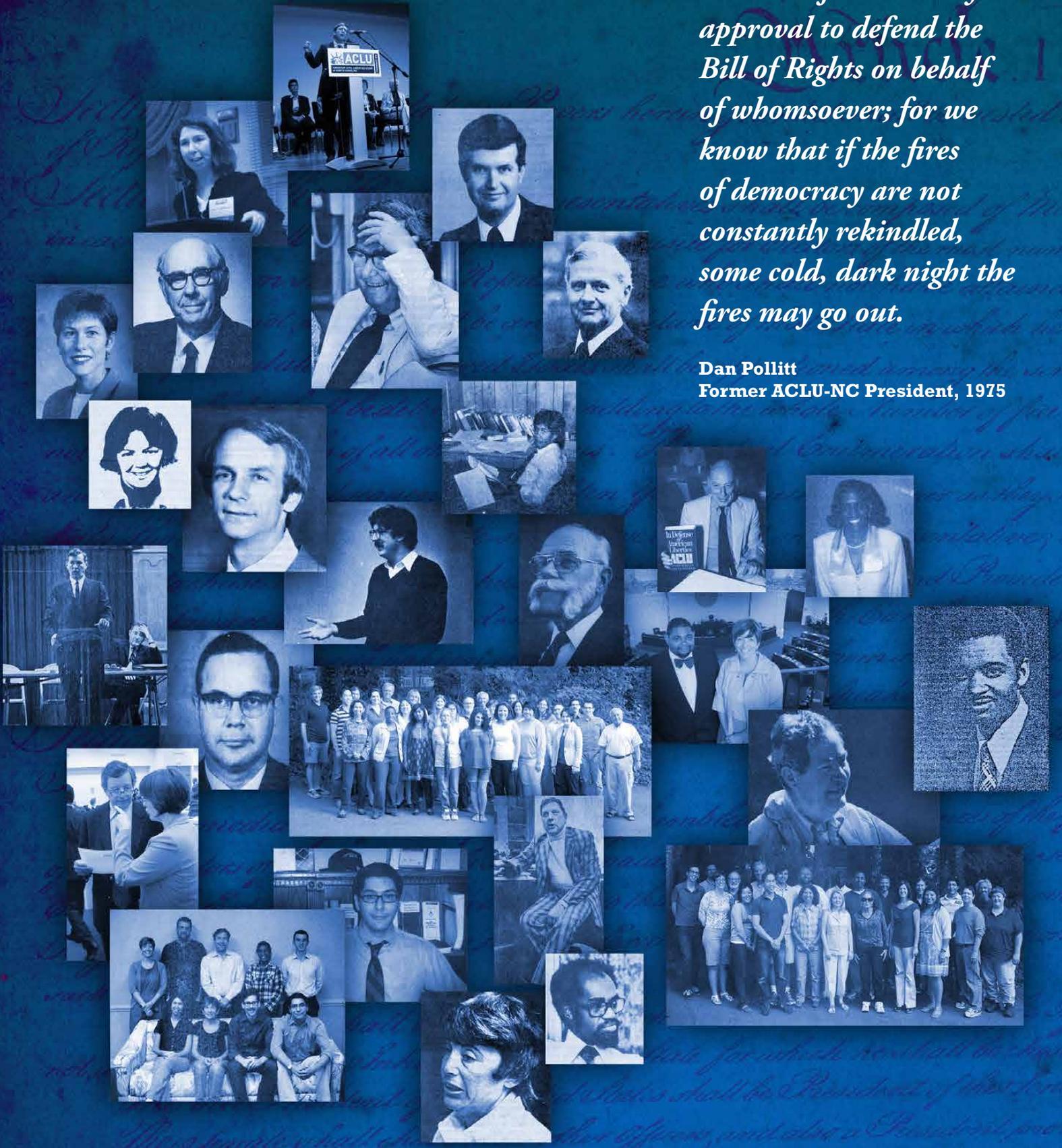
**Roger Baldwin,  
founder of the national ACLU**



# We the People

*We are willing to depart the light and the warmth of community approval to defend the Bill of Rights on behalf of whomsoever; for we know that if the fires of democracy are not constantly rekindled, some cold, dark night the fires may go out.*

**Dan Pollitt**  
Former ACLU-NC President, 1975



# 50 Years of Protecting Liberty



**I**n 1965, a small group of North Carolinians met in Chapel Hill to form the North Carolina affiliate of the American Civil Liberties Union.

In the years that followed, our organization has grown to become the state's leading defender of the individual rights and liberties guaranteed to all by the North Carolina and U.S. Constitutions and related civil rights laws.

Throughout our 50-year history, the ACLU-NC has played a central role in many of North Carolina's most important struggles for freedom, justice, and equality. Originally staffed by a network of volunteers, our organization now has a full-time staff of seven employees based in Raleigh who work daily in courts, communities, and the General Assembly to protect North Carolinians' civil liberties.

Much has changed in North Carolina over the last half century, but the core principle guiding our work has remained the same: If the rights of society's most vulnerable members are denied, everyone's rights are imperiled.

As a nonprofit organization, our half century of operations has been made possible entirely because of our dedicated members and supporters. When the ACLU-NC was founded in 1965, there were 300 dues-paying ACLU members in North Carolina. Today we have more than 10,000 members and supporters. That support has enabled the ACLU-NC to defend the constitutional and civil rights of countless North Carolinians.

From safeguarding free speech, religious liberty, and privacy; to pursuing equal treatment for women, people of color, and LGBT North Carolinians; to working toward a fairer criminal justice system and protecting the sacrosanct right to vote—the ACLU-NC and our members have made a tremendous impact on the history, laws, and people of North Carolina.

Sadly, 50 years after our founding, our work is more important than ever, as so many of the rights and liberties we have worked so hard to advance continue to come under attack from extremists in the General Assembly and across our state.

With your continued support, we will continue to fight for the fundamental values we cherish for another 50 years and beyond.

Jillian Brevorka  
President, ACLU of North Carolina



## BOARD AND STAFF LIST

### STAFF

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**Mike Meno, Communications Director**

**Kevin Eason, Director of Operations**

**Carolyna Caicedo Manrique, Staff Attorney**

**Susanna Birdsong, Policy Counsel**

**Emily-Mary Brown, Paralegal**

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**Bruce Elmore, Vice President (Foundation)**

**Curry First, Secretary (Union)**

**Tish Gay, Secretary (Foundation)**

**Paula Kohut, Treasurer**

**Malik Edwards, Affirmative Action Officer**

**Jon Sasser, Legal Committee Chair (Foundation)**

**Carlos Mahoney, National ACLU Board Representative (Union)**

**Seth Cohen, General Counsel (Foundation)**

**Holning Lau, Immediate Past President**

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**Beth Klein**

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**Mitchell Price**

**Matthew D. Quinn (U)**

**Manju Rajendran**

**J. Wayne Riggins**

**Theresa Sharpe**

**Cindy Vogler (U)**

*Unless otherwise noted, Board members listed above serve on both Boards. (U) connotes membership on the ACLU-NC Board only, and (Foundation) connotes membership on the ACLU-NC Legal Foundation Board Only.*

# ACLU of North Carolina Major Events 1965–2015

## 1965

**Founding:** The North Carolina Civil Liberties Union is founded in Chapel Hill by James Mattocks, Charles Lambeth, and others.

## 1968

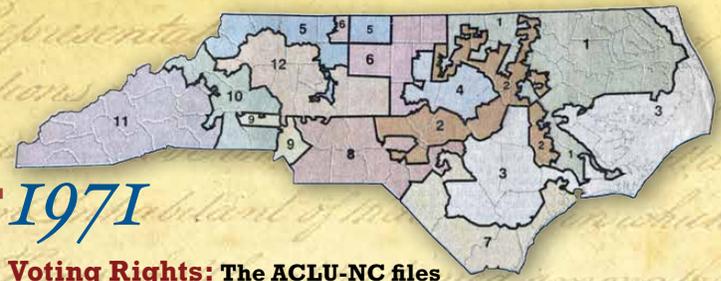
**Free Speech:** The ACLU-NC successfully represents UNC-Chapel Hill Student Body President Paul Dickson in a challenge to North Carolina's Speaker Ban, which a federal court rules violated the First Amendment.

## 1971

**Racial Justice:** The ACLU-NC successfully lobbies for a law that ensures equal access to housing for people of color.

## 1981

**Women's Rights:** The ACLU-NC wins a case challenging a state law that compels married couples to give their children the father's last name.



## 1971

**Voting Rights:** The ACLU-NC files a lawsuit that overturned North Carolina's "anti-single shot" and "numbered seat" laws, practices that blunted the strength of African-American voters.

## 1967

**Fair Trials:** In our first U.S. Supreme Court case, the ACLU-NC helps secure state defendants' rights to a speedy trial under the Sixth Amendment in *Klopfert v. North Carolina*.

## 1969

**Due Process:** A court strikes down North Carolina's hundred-year-old vagrancy law after the ACLU-NC challenges its application against a group of Charlotte youths whose "hippie house" was raided by police without probable cause.



This is the House on E. Kingston Checked By City Inspector

**Hippie House Is Dangerous, Unfit For Living--Inspector**

Charlotte News 1-16-69

Charlotte housing inspectors have found the "hippie house" at 205 E. Kingston Ave. "unfit for human habitation."

YESTERDAY'S inspection by Chief Inspector W. L. Culbertson and Inspector E. J. Pyle found no improvements in the housing. Home loans denied a shakedown inspection yesterday afternoon.

The house was raided by the city police vice squad last E. Kingston street and, without most of them in their teens or early 20s, was arrested on a charge of vagrancy.

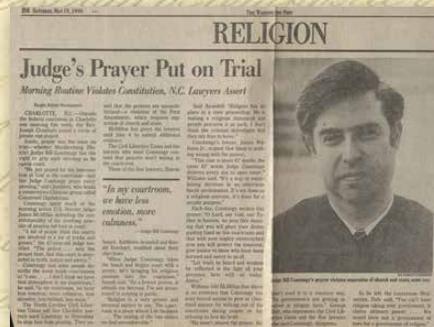
YESTERDAY'S inspection came at the request of Thomas W. Rivers, director of environmental health for Charlotte City, according to W. H. J. a man, superintendent of building inspection.

The owner, C. Gary Thomas of Greensboro, will be sent a registered letter today notifying him of the house's condition, Jansons said.

A hearing will be held in 10 days at which time Thomas will be given a certain number of days to bring the house into compliance. With 100 city's backing, he will, it is expected, be able to do so.

## 1976

**LGBT Equality:** The ACLU-NC challenges North Carolina's sodomy laws in *State v. Enslin*.



## 1991

**Religious Liberty:** The ACLU-NC files a successful lawsuit against a state judge in Charlotte who opened his court each morning with a sectarian prayer.

## 1991

**Voting Rights:** The ACLU-NC and ACLU Voting Rights Project persuaded the U.S. Justice Department to reject a redistricting plan that diluted the voting strength of African-American North Carolinians.

"Citizens are entitled to receive information and ideas through books, films, and other expressive materials anonymously.... The fear of government tracking and censoring one's reading, listening, and viewing choices chills the exercise of First Amendment rights."

-U.S. District Judge Marsha J. Peckham of the Western District of Washington State

## 2013

**Immigrants' Rights:** The ACLU-NC helps persuade the state Department of Transportation to issue drivers licenses to young immigrants with federally authorized work permits.

## 1993

**Religious Liberty:** The ACLU-NC files a successful lawsuit on behalf of Native American inmates after corrections officials denied them the materials necessary to practice their faith.

## 2011

**Privacy:** The ACLU-NC successfully settles a lawsuit that prevents the North Carolina Department of Revenue from collecting information about Amazon.com customers' purchases.

## 2015

**Women's Rights:** The U.S. Supreme Court declines to review the ACLU's successful challenge to North Carolina's demeaning forced ultrasound law, ensuring the unconstitutional measure will not go into effect.

## 1997

**Juvenile Justice:** The ACLU-NC successfully lobbies for a major overhaul of the juvenile justice system, allowing more juvenile offenders to enter community-based alternatives to prison.

## 2014

**LGBT Equality:** Same-sex couples in North Carolina win the freedom to marry after judges rule in lawsuits brought by the ACLU and others that North Carolina's marriage ban violates the Constitution.

## 2015

**Voting Rights:** The ACLU-NC and ACLU Voting Rights Project challenge North Carolina's highly restrictive voter suppression law in federal court.

## 2009

**Racial Justice:** The ACLU-NC helps lobby for passage of the Racial Justice Act, which allowed inmates to appeal their death sentences and receive life without parole if they showed that race played a role in their sentencing.



# FREE SPEECH

## Protecting The Right to Speak Your Mind

**P**rotecting all North Carolinians' right to free speech and expression is at the heart of the ACLU of North Carolina's mission.

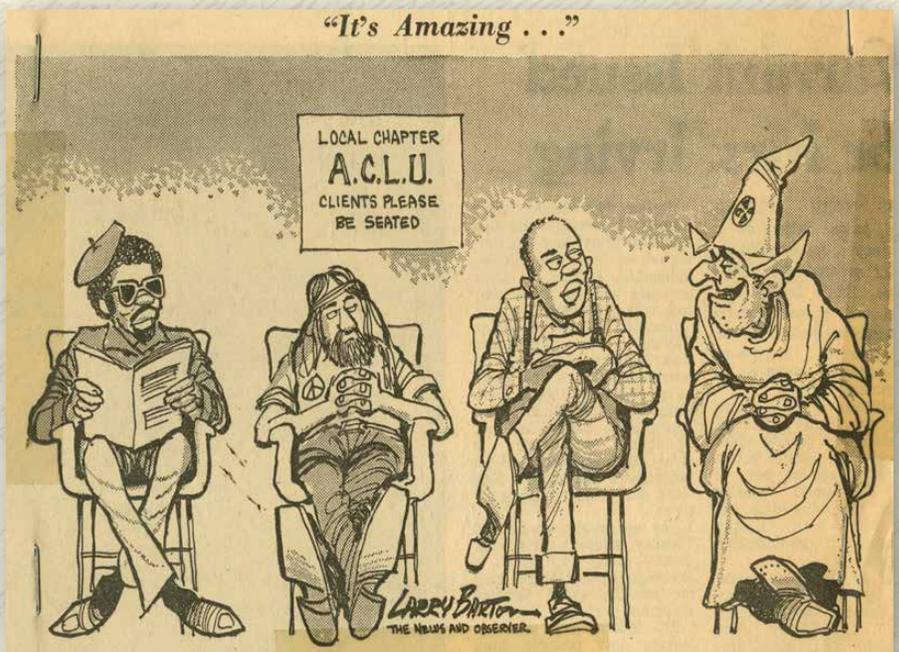
In 1965, James Mattocks and Charles Lambeth founded the organization to aid University of North Carolina students in their protest of the Speaker Ban, a law that forbade so-called "radicals" from speaking at state universities. The following year, the new organization challenged the law in federal court. In 1968, the court delivered the ACLU-NC one of its first victories by ruling that the Speaker Ban violated North Carolinians' free speech rights.

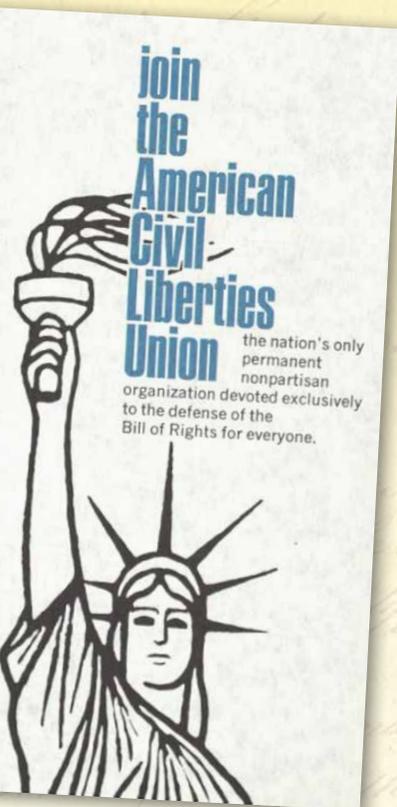
The ACLU-NC has continued to protect individuals' right to free expression, even when people's opinions are controversial or unpopular.



### FREE SPEECH FOR ALL

Since our founding, the ACLU-NC has defended the free speech rights of North Carolinians from across the political spectrum—from civil rights activists to Ku Klux Klan members—in order to ensure that the First Amendment protects us all, even when the ACLU-NC disagrees with the speaker. In 1968 alone, the ACLU-NC successfully challenged a decision to deny civil rights activists a permit to picket a whites-only laundromat in Statesville and helped the Ku Klux Klan secure access to a state-owned arena after officials refused to rent to the group because of their politics.





# 2015

## WINSTON-SALEM BUSKERS

In July 2015, the ACLU-NC called on officials in Winston-Salem to revise the city's rules for street performers so that they don't violate the First Amendment. Musician Julian Robson contacted our office for help after the city imposed overly broad rules that include requiring street performers to pay for a permit, prohibiting amplified music, and threatening violators with fines. Under the new rules, Robson had to stop performing downtown with his band, The Salem Revival Project, in order to avoid being criminally charged for engaging in free speech. In a letter to city officials, the ACLU-NC wrote that "the Supreme Court has emphatically held that music and other artistic expression is at the core of what the First Amendment protects."



The Salem Revival Project plays in downtown Winston-Salem before the city imposed overly broad restrictions on street performers.

# 2014-15

The ACLU-NC helps defeat five separate efforts to ban books from high school English curricula.

# 1999

The ACLU-NC represents a Halifax County student in a case challenging the school district's mandatory dress code.

# 1982

The ACLU-NC defends a Wilmington woman who was fired from her job after she posed in *Hustler* magazine.

# 1970

The ACLU-NC pressures the Guilford County School Board to readmit students who were suspended because of their long hair.

# 1965

The ACLU-NC is founded to defeat North Carolina's Speaker Ban.

# RACIAL JUSTICE

## Promoting Civil Rights, Fighting Racial Bias

Throughout our history, the ACLU of North Carolina has sought to preserve and extend constitutional rights for individuals to whom these rights have been historically denied on the basis of race.

After our founding in 1965, the ACLU-NC successfully lobbied for the repeal of segregation laws that remained on the

books, helped dismantle the state's interracial marriage ban, and advocated for the integration of the North Carolina Bar Association.



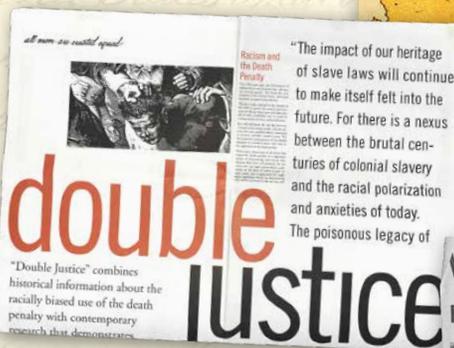
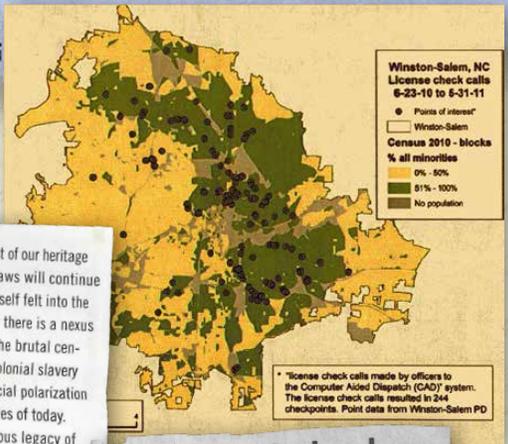
The ACLU-NC continues to fight for a North Carolina free of racial discrimination. Since the 1960s, we've worked to fully desegregate and equalize schools, to eliminate racial profiling, to end the disproportionate criminalization of people of color, and to advance policies that promote racial equity.

AMENDMENT TO ARTICLE FOURTEEN, (*Miscellaneous.*)

### CHAPTER XXX.

AN ORDINANCE TO AMEND ARTICLE FOURTEEN OF THE CONSTITUTION, PROHIBITING INTERMARRIAGE OF THE RACONS.

The people of North Carolina in Convention assembled do ordain, That of the Constitution



# 2015

## EQUAL ACCESS

The ACLU-NC challenges discriminatory laws and regulations. In 1975, we successfully challenged a Raleigh-area recreation park's policy of excluding Mexican Americans from using its swimming facilities.



## EQUAL PROTECTION FOR IMMIGRANTS

In 2015, the ACLU-NC learned that Locke Bell, the district attorney for Gaston County, refused to certify a domestic violence survivor's visa application because he thought the relevant law protecting crime victims "was never intended to protect Latinos from Latinos," according to the *Charlotte Observer*. The case surrounded Evelin, a domestic abuse survivor who courageously called police to press charges against her abusive boyfriend, who assaulted her while she was pregnant. Following advocacy from the ACLU-NC and others and a groundswell of public pressure, Bell changed course and agreed to provide people like Evelin with a temporary U-visa, given to victims of crimes who assist law enforcement in investigations or prosecutions. Along with the national ACLU, we're encouraging federal guidance that will prevent such injustices from happening again.

# 2015

## MOBILE JUSTICE

In an attempt to make it easier for communities to hold law enforcement officers accountable, in 2015 the ACLU-NC launched Mobile Justice NC, a free smartphone app that allows North Carolinians to automatically record and submit cell phone videos to the ACLU-NC when they believe law enforcement officers are violating civil rights. The videos recorded by the app are transmitted to our office and preserved even if the user's phone is later seized or destroyed. More than 10,000 North Carolinians downloaded the app this year.

Mobile Justice NC was developed as a way to empower communities with a new tool for combatting excessive use of force by police officers. The ACLU-NC is also working with many police departments across the state to help guide their use of officer worn body cameras. With the right policies to ensure transparency and protect privacy, we believe police body cameras and Mobile Justice NC, which we call "the people's body camera," can help improve the strained relationships that exist between many law enforcement agencies and communities of color.



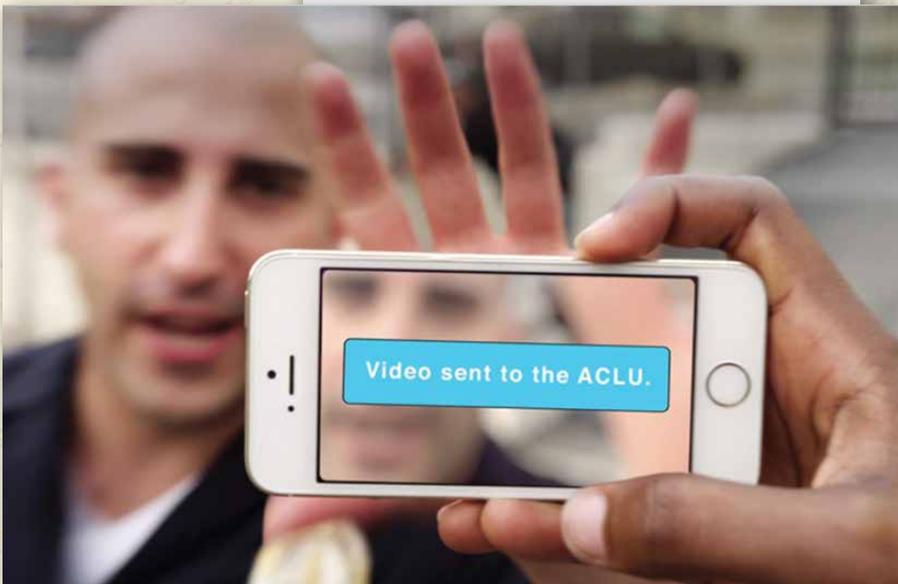
The app has three main functions: **RECORD, WITNESS and REPORT.**

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.



# 2015

The ACLU-NC releases **Mobile Justice NC**, a free smartphone app that allows North Carolinians to document encounters with police and send video to the ACLU-NC.

# 2012

The **Winston-Salem Police Department** changes its vehicle checkpoint policy after a year-long investigation by the ACLU-NC revealed that more than 85 percent of the city's checkpoints were placed in communities of color.

# 1989

The ACLU-NC files a friend-of-the-court brief in a case that successfully challenges the practice of excluding people of color from serving as jury forepersons.

# 1978

The ACLU-NC successfully challenges a **Blowing Rock** restaurant owner's policy of excluding African Americans.

# 1971

The ACLU-NC successfully lobbies for a law that ensures equal access to housing for people of color.

# VOTING RIGHTS

## Keeping Voting Free, Fair and Accessible

**T**hroughout our history, the ACLU of North Carolina has worked to ensure that all eligible voters have an opportunity to cast a ballot that counts.

In 1966, the ACLU-NC filed a friend-of-the-court brief in a case that found North Carolina in violation of the 1965 Voting Rights Act, which prohibits racial discrimination at the ballot box. Since then, the ACLU-NC has promoted North Carolinians' right to vote, challenged laws that seek to suppress or dilute the votes of

different groups, and sought to uphold the promise of the Voting Rights Act by fighting attempts to restrict voting opportunities for communities of color.

### REDISTRICTING

In 1991, the ACLU-NC and the ACLU Voting Rights Project successfully persuaded the U.S. Department of Justice to reject a redistricting plan that diluted the voting strength of African Americans.



### Single-Shot Bill Is Extremist Fodder

A necessary corollary of the citizen's right to vote is the right not to vote. Therefore, a bill approved by the House Election Laws Committee designed to eliminate single-shot voting is an infringement on that right and should be killed.

The Rev. W. W. Finlator, in a statement for the North Carolina Civil Liberties Union, correctly pointed out the bill's target. That target is the minority voter, be he Republican, American Independent,

or black. The objective is to water down or eliminate his political influence.

In a race in which there are 10 candidates for five offices, the bill would require every voter to vote for at least three. Otherwise, his vote would not be counted. Frequently, minorities have no hope of electing a representative unless they ballot for only one candidate, while the majority spreads its support among several.

This measure is designed to deny minorities the representation in government to which they are entitled. As such it is more fodder for extremists on the left and right who argue that the democratic system won't work. Moreover, it is another sorry example of the recurring search by some legislators for new ways to discourage participation in government. A sense of fair play and respect for American principles demand that the legislature tell them "no."

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA RALEIGH DIVISION

Civil Action No. \_\_\_\_\_

S. G. DUNSTON, OTIS GILL, SARAH SMALL, GEORGIA PIERCE, JETTY PURNELL, JEREMIAH WEBB, ALICE BALANCE, TIMOTHY BAZEMORE, JOHN R. ELLIS, PATSY T. HARGROVE, JOHN W. EDWARDS, AND O. R. STOVALL,

Plaintiffs,

v.

J. BRIAN SCOTT, ERNEST J. HOUSE, L. H. JONES, HIRAM H. WARD, and JERRY S. ALBIS, Individually and as Chairman and Members, Respectively, of the North Carolina State Board of Elections.

COMPLAINT AND FOR PRELIMINARY AND PERMANENT INJUNCTION

740 - July 2, 1971

### EQUAL PROTECTION

In 1971, the ACLU-NC filed a lawsuit that overturned North Carolina's "anti-single shot" and "numbered seat" laws, practices that blunted the strength of African-American voters.

# 2015

## VOTER SUPPRESSION ON TRIAL

This summer, attorneys from the ACLU-NC and ACLU Voting Rights Project presented arguments in federal court in Winston-Salem against North Carolina's



**NORTH CAROLINA VOTER SUPPRESSION ON TRIAL**

In previous North Carolina elections, I could have used same-day registration to register and vote on the same day. But because North Carolina eliminated same-day registration in 2013, my vote wasn't counted. I'm a citizen of the United States and felt let down that I went through all that and still didn't have my vote counted.

For disabled people like me, same-day registration makes it so much easier for me to exercise my right to vote.




**NORTH CAROLINA VOTER SUPPRESSION ON TRIAL**

When I checked in to vote, the polling officials told me they couldn't locate my registration information — even though nothing about my voter registration had changed from the last two times I voted. My registration had vanished without a trace. I ended up filling out a provisional ballot — but because they couldn't find my registration, my vote was not counted.



**JESSICA JACKSON, MOUNT HOLLY, NORTH CAROLINA**




2013 restrictive voting law, which many election 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 ballot in previous elections, particularly African Americans and voters 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 by the new law testified during the three week trial.

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 did so. African-Americans disproportionately relied on same-day registration in both elections. The 2013 law eliminates this opportunity to same-day register, effectively disenfranchising tens of thousands. In 2012, 900,000 North Carolinians cast their ballots during the seven days of early voting eliminated by the 2013 law. More than 70 percent of African-American voters used early voting during the 2008 and 2012 general elections.



# 2015

The ACLU-NC and others present arguments in federal court against North Carolina's 2013 voter suppression law.

# 1986

The ACLU-NC negotiates a favorable settlement with the City of High Point after challenging its “at large” system for electing city council members, arguing that it violated the 1965 Voting Rights Act.

# 1980s

The ACLU-NC and ACLU Southern Regional Office file lawsuits challenging the creation of racially discriminatory voting districts across North Carolina.

# 1975

An ACLU-NC lawsuit overturns a law that diluted Native Americans' voting strength in Robeson County School Board elections.

# 1972

The ACLU-NC unsuccessfully challenges a North Carolina law that disenfranchises convicted felons. Today, felons can vote in North Carolina if their sentences are complete.

# WOMEN'S RIGHTS

## Advancing Women's Equality Under the Law

Since the early 1970s, the ACLU of North Carolina has been at the forefront of the struggle to ensure equal treatment and reproductive justice for women in North Carolina.

The ACLU-NC established its Women's Rights Project in 1971 to challenge sex discrimination in employment and education, fight for women's equality under the law, and work to protect women's ability to make private decisions about whether and where to have children.

North Carolina women have made great strides toward equality since the founding of the ACLU-NC, but gender bias and attacks on reproductive justice continue to create barriers.

Today, the ACLU-NC continues to fight for every woman's right to a life of dignity, free from violence, discrimination, and coercion.

# 2015



## BATTLING PREGNANCY DISCRIMINATION IN THE WORKPLACE

Jaimie Cole was pregnant with her third child and working as a certified nursing assistant when her doctor recommended that she restrict her heavy lifting. In previous pregnancies, Cole suffered from preeclampsia, which can be dangerous for both mother and baby. But when Cole requested temporary light duty from her employer, the Brian Center for Health and Rehabilitation in Weaverville, they denied her request and instead stopped giving her shifts. "I went home really upset," Cole said.



"All I could think about was my other kids at home. There was a mortgage and car payments, and now I'm bringing this third baby into the world and they

weren't letting me work."

In 2015, the ACLU-NC helped Cole file a complaint with the Equal Employment Opportunity Commission that seeks compensation for lost work, legal fees, and economic and emotional damages. North Carolina is one of four states that offer no additional protection to pregnant or breastfeeding employees.

According to the Pew Research Center, 40 percent of households with children have mothers who are either the sole or primary source of income for the family.

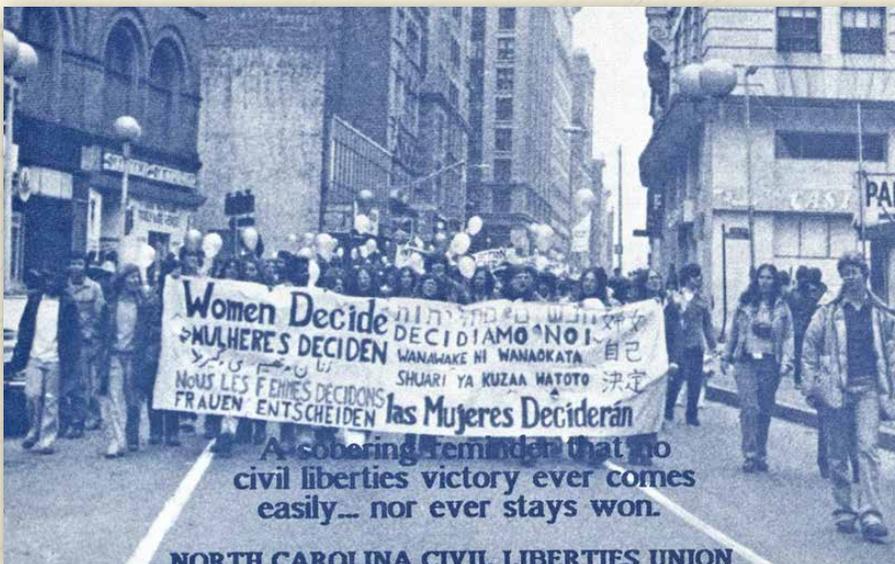
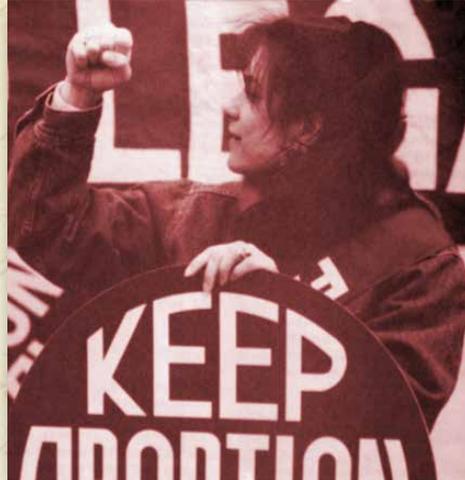
# 2015

## REPRODUCTIVE JUSTICE

The ACLU-NC has consistently supported individuals' right to make personal decisions about parenthood. The ACLU-NC has helped dismantle North Carolina's involuntary sterilization laws, expanded access to contraception, and campaigned for comprehensive sex education – all while remaining vigilant against encroachments on women's access to safe and legal abortions.

In 2015, the ACLU-NC successfully concluded a four-year legal battle against a demeaning and intrusive law that would have forced a woman to undergo a narrated ultrasound before receiving abortion care. Passed in 2011, the law was immediately challenged by the ACLU and other groups and struck down by a federal court. In 2014, a three-judge appeals court unanimously agreed that the law violated the First Amendment rights of physicians by forcing them to deliver politically motivated messages to a patient over their objection. The U.S. Supreme Court announced in June 2015 that it would not review the state's appeal, ensuring that the law won't go into effect.

Unfortunately, the Legislature renewed its attack on women's access to health care in 2015 by passing a law that triples the mandatory waiting time for abortion care to 72 hours. The ACLU-NC lobbied against the bill and was able to add privacy protections through amendments. We will always remain vigilant against further attacks and explore legal challenges whenever possible.



# 2015

The U.S. Supreme Court declines to review a ruling striking down North Carolina's demeaning narrated ultrasound law in a case brought by the ACLU and others.

# 1997

The ACLU-NC files a friend-of-the-court brief in a lawsuit that upholds the Freedom of Access to Clinic Entrances Act, which protects women entering abortion clinics from violence and intimidation.

# 1981

The ACLU-NC wins a case challenging a state law that compelled married couples to give their children the father's last name.

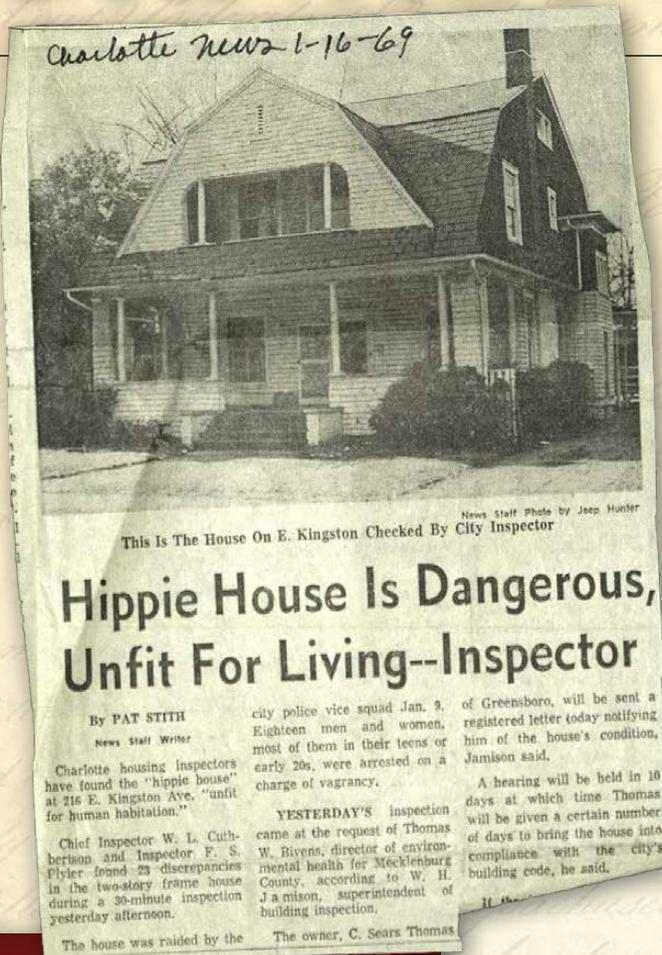
# 1976

The ACLU-NC files a friend-of-the-court brief in a lawsuit that helps dismantle the state's involuntary sterilization program.

# 1971

Kathy Sebo and Betsy Brinson launch the ACLU-NC Women's Rights Project.

# PRIVACY



## Protecting The Right to Be Left Alone

**T**he ACLU of North Carolina has always sought to protect North Carolinians from unwarranted invasions of their privacy.

In 1968, the ACLU-NC represented twelve young people after Charlotte police raided their home without probable cause. The officers lacked evidence of criminal activity, but the youths' long hair and psychedelic dress convinced police that these "hippies" were up to no good. Relying on the state's hundred-year-old vagrancy law to justify their actions, the police repeatedly searched the "hippie house" without a warrant. But with the ACLU-NC's help, the youths won their case.

Today, our organization continues to defend the Fourth Amendment's ban on unreasonable searches and seizures, especially as new technologies make it increasingly easy to peer into people's private lives.



## WARRANTLESS SEARCHES

Throughout our history, the ACLU-NC has worked to protect North Carolinians against warrantless police surveillance, searches, and seizures. In 1971, the ACLU-NC successfully defended the Black Panthers after Winston-Salem police raided the organization's headquarters and took its property.



## 2015

### THE PATRIOT ACT

Just six weeks after the September 11 attacks, a panicked Congress passed the "USA/Patriot Act," which vastly expanded the government's authority to spy on its own citizens without checks and balances. Under the Patriot Act, the government claims sweeping authority to collect a record of every single phone call made by every single American "on an ongoing daily basis."

Days after the call collection program was revealed by journalists and ACLU client Edward Snowden, the ACLU challenged the government's collection of phone records under Section 215 of the Patriot Act. In May 2015, a court of appeals ruled that the phone records program is illegal. ACLU-commissioned polls have found that the overwhelming majority of Americans and North Carolinians support reining in this surveillance.

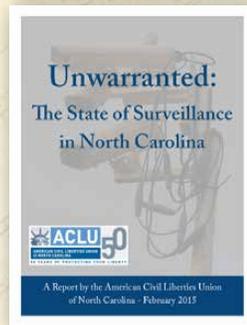
In May 2015, the ACLU-NC delivered more than 60,000 signatures to the office of Sen. Thom Tillis calling for an end to Section 215 of the Patriot Act.

# 2015

## PRIVACY TODAY

In 2015, the ACLU-NC redoubled its efforts to advance privacy protections in the North Carolina General Assembly. In February, we hosted a legislative briefing in Raleigh for lawmakers, the media, and the public about the need to pass legislation to regulate the use of surveillance technology that could invade North Carolinians' privacy. That same day we released a report documenting the widespread use of cell phone tracking, automatic license plate readers, and other surveillance technology by North Carolina law enforcement agencies without state laws requiring warrants.

Our advocacy this year helped persuade the Charlotte-Mecklenburg Police Department to disclose more information to the public about its secretive use of StingRays, powerful devices used to spy on cell phones. And our legal staff submitted a brief in a case before the North Carolina Court of Appeals that argued that any time police seek to use cell phone location data, they should first obtain a warrant showing probable cause.



From left: Former State Senator Thom Goolsby; Nathan Freed Wessler, staff attorney with the ACLU's Speech, Privacy and Technology Project, and acting ACLU-NC Executive Director Sarah Preston spoke at the ACLU-NC's legislative briefing on privacy issues on February 5.

# 2015

The ACLU-NC releases a report, "Unwarranted: The State of Surveillance in North Carolina," showing that more than 70 North Carolina law enforcement agencies use one or more surveillance tools currently unregulated by state law.

# 1996

The ACLU-NC successfully challenges Jacksonville's anti-loitering ordinance, which allowed police to search anyone on the street.

# 1983

The ACLU-NC wins a case filed on behalf of a Greensboro woman whose home was ransacked by police without a warrant.

# 1977

The ACLU-NC successfully defends a woman whose car was searched without probable cause at Fort Bragg.

# 1969

The ACLU-NC wins the Charlotte "hippie house" case when a court strikes down North Carolina's outdated vagrancy law.

# LGBT EQUALITY

## Promoting Fairness

**F**rom battling discrimination to winning the freedom to marry, the ACLU of North Carolina has a long and distinguished history of advocating for equal rights for lesbian, gay, bisexual, and transgender North Carolinians.

Even before the rise of the gay liberation movement in the 1970s, the ACLU-NC took a stand on issues such as the constitutionality of sodomy laws, fair employment practices, and the rights of gay and lesbian service members.

In 1987, the ACLU-NC founded its Lesbian and Gay Rights Project with the goal of protecting LGBT North Carolinians' constitutional right to enjoy equality, personal autonomy, and freedom of expression and association. Today the ACLU-NC continues to be a leading voice for LGBT North Carolinians and their families.



### DISCRIMINATORY LAWS

During the 1970s, the ACLU-NC worked to dismantle North Carolina's sodomy laws, which allowed police to arrest LGBT adults for engaging in private, consensual sexual behavior. In 1976, the ACLU-NC represented Eugene Enslin after he was arrested for having sex with a male police informant. The ACLU-NC lost the case in North Carolina's Supreme Court, and the state's sodomy laws remained in effect until the U.S. Supreme Court struck down all remaining sodomy laws in 2003.





## 2015

### **MARRIAGE EQUALITY COMES TO NORTH CAROLINA—AND THE NATION**

Same-sex couples in North Carolina—and every other state in the country—now have the freedom to marry the person they love, thanks in large part to the work of the ACLU.

In North Carolina, the ACLU-NC filed the first two lawsuits that challenged the state's ban on marriage for same-sex couples. Brought on behalf of nine loving families, our lawsuits argued that state law denied same-sex couples the legal security and dignity that comes only with marriage. In October 2014, two separate judges ruled North Carolina's marriage ban unconstitutional, and in June 2015, in another ACLU case, the U.S. Supreme Court struck down all remaining state marriage bans.

But the fight for full equality is far from over. The ACLU-NC is lobbying state officials to make it easier for LGBT couples to jointly adopt children, allow the same-sex spouse of a woman who gives birth during marriage to be listed as a parent on their child's birth certificate, and protect the rights of transgender North Carolinians.

Despite robust advocacy from the ACLU-NC and our allies, and a veto from Governor Pat McCrory, the General Assembly this year also passed Senate Bill 2, which allows sworn government officials to deny civil marriage services to couples if they cite a religious objection. Though its impact could be much broader, the law is a clear effort to deny the freedom to marry to same-sex couples, and the ACLU-NC is asking affected couples to contact our office for legal help.

## 2014

North Carolina's ban on marriage for same-sex couples is ruled unconstitutional by a federal court after the ACLU-NC and other groups filed several challenges to the law.

## 2000

The ACLU-NC files a friend-of-the-court brief in a case that compels the state to recognize a lesbian woman's out-of-state adoption of her child.

## 1998

The ACLU-NC files a friend-of-the-court brief in an unsuccessful case defending a Henderson County man who lost custody of his children because he was gay.

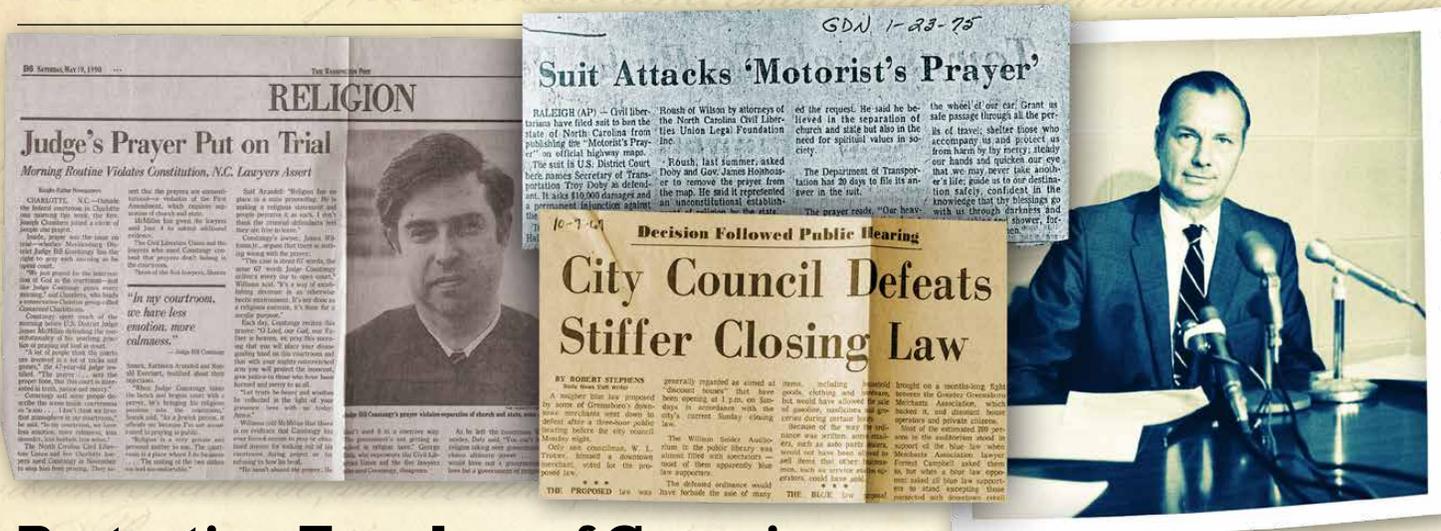
## 1987

The ACLU-NC launches its Lesbian and Gay Rights Project.

## 1976

The ACLU-NC challenges North Carolina's sodomy laws in *State v. Enslin*.

# RELIGIOUS LIBERTY



## Protecting Freedom of Conscience

**T**he ACLU of North Carolina works to ensure that citizens of all beliefs are treated equally by their government and that North Carolinians of all beliefs are free to practice their faith—or no faith at all—without governmental interference.

During our 50-year-history, the ACLU-NC has fought to uphold the dual protections enshrined in the First Amendment's guarantee of religious liberty: the right to religious expression, and the promise that the government must not endorse one set of religious beliefs over others. Soon after our founding in 1965, the ACLU-NC worked to end mandatory prayer in public schools and to repeal laws that imposed religious qualifications for elected office.

### RELIGION IN PUBLIC SCHOOLS

The ACLU-NC works to ensure that public schools and universities respect all students' religious liberty. In 1982, the ACLU-NC challenged North Carolina State University's ban on proselytizing in dorms on behalf of a Christian student. Four years later, in 1986, the ACLU-NC worked with the Granville County Superintendent to end teacher-led prayer in the county's schools after students' parents wrote to the organization for help. Over the years we've gone on to defend many individual students' right to practice their faith in schools.

# 2015

## MAKING GOVERNMENT WELCOMING TO CITIZENS OF ALL BELIEFS

The ACLU-NC has long advocated for government meetings to be open and welcoming to citizens of all beliefs. In 2015, we won a major victory when 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, Christianity. We had challenged the commissioners' coercive prayer policy in 2013 on behalf of three county residents who felt alienated by the practice. Between 2007 and 2013, more than 97 percent of the prayers delivered by commissioners before public meetings were specific to one religion, Christianity. The ruling, which Rowan County is appealing, shows that there are still real constitutional limits on government sponsored-prayer, despite a recent U.S. Supreme Court ruling in favor of sectarian prayer at government meetings.



# 2015

## SAYING “NO” TO A LICENSE TO DISCRIMINATE

Freedom of religion is one of our most fundamental rights. It's enshrined in the Constitution, reflected in laws across the nation, and the ACLU has fought for decades to defend that freedom for all. But in 2015, a new type of legislation, known as the Religious Freedom Restoration Act (RFRA), was proposed across the country, and infamously passed in Indiana, that would allow individuals to use their religious beliefs as a way to discriminate against and deny services to others. The ACLU-NC worked with a coalition of allies from faith, business, and civil rights groups to oppose North Carolina's RFRA in 2015. In late April, state House Speaker Tim Moore announced that the bill would not advance this year in its current form. But we and our allies are not remaining idle and are already preparing for future struggles against more proposals that would allow people to discriminate under the guise of religious freedom.



The ACLU-NC and allies delivered 10,000 signatures to Gov. Pat McCrory in April, asking him to veto North Carolina's discriminatory RFRA law if it reached his desk.

# 2015

A federal court rules in favor of the ACLU and three Rowan County residents, finding that Rowan County Commissioners' coercive prayer practice violated the Constitution.

# 2000

The ACLU-NC secures meeting space at the Dare County Public Library for the Pagan Alliance for Tolerance after library staff denied the group's application because of its religious affiliation.

# 1991

The ACLU-NC files a successful lawsuit against a state judge in Charlotte who opened his court each morning with a sectarian prayer.

# 1980

The ACLU-NC successfully advocates for the removal of a sectarian prayer printed on roadmaps published by the state.

# 1969

The ACLU-NC lobbies against the passage of religiously influenced laws that limit alcohol sales on Sunday.

# CRIMINAL JUSTICE

## Ensuring Fair Treatment for All

**C**riminal justice issues have always been at the center of the ACLU of North Carolina's work.

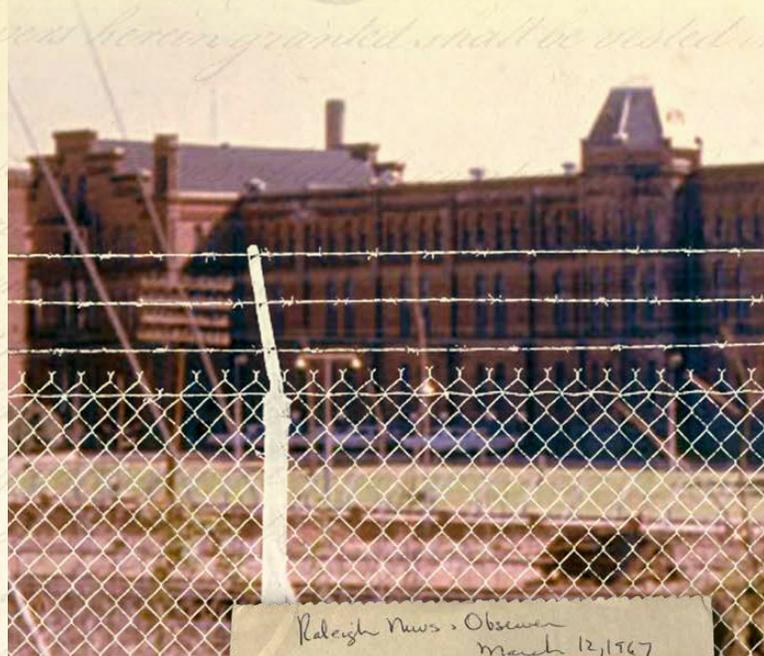
In 1967, the ACLU-NC's very first U.S. Supreme Court case, *Klopper v. North Carolina*, established state court defendants' Sixth Amendment right to a speedy trial. The following year, the ACLU-NC successfully challenged the practice of excluding opponents of the death penalty from juries because it violated individuals' Sixth Amendment right to a trial by an impartial group of peers.

The ACLU-NC continues to protect the rights of North Carolinians caught up in the criminal justice system. Since our founding, we've advocated for appropriate police practices,

swift and impartial trials, fair sentencing laws, respect for prisoners' rights, and the abolition of the death penalty.

### THE DEATH PENALTY

The ACLU-NC views the death penalty as the ultimate violation of the Eighth Amendment's ban on cruel and unusual punishment. During the 1970s, North Carolina had the highest number of individuals on death row in the nation, and the ACLU-NC made the abolition of capital punishment its highest legislative priority. We continue to work with a broad coalition of groups committed to ending the death penalty in North Carolina, where at least nine innocent people have been released from death row, and no executions have taken place since 2006.



### CLU Plan Would Establish Prisoner's Bill of Rights

By AL ANDREWS

A bill of rights for the incarcerated, a plan that would grant liberties like habeas corpus, was presented to the North Carolina Council on Crime and Delinquency Tuesday by the N. C. Civil Liberties Union (CCLU).



Rev. W. W. Finlator

The prisoner's bill of rights was one of several proposals brought before the council's legislative committee at a five-hour public hearing in the State Legislative Building.

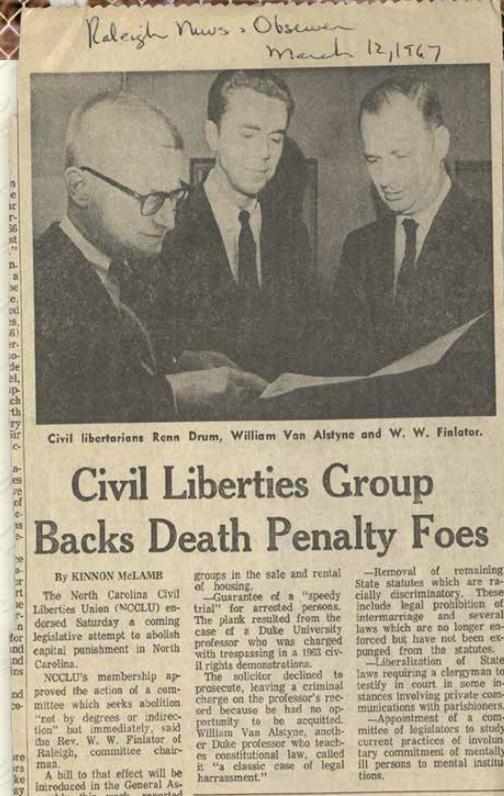
The Rev. W. W. Finlator, pastor of Wake Memorial Baptist Church in Raleigh and chairman of the ACLU legislative committee, outlined the plan.

The list of nine prisoner rights was one of five proposed changes in the criminal law the ACLU is seeking to establish.

—Unlimited correspondence rights with no censorship by prison authorities.  
—Access to all types of reading material.  
—Freedom of worship for every religious.  
—Access to legal reference materials.  
—Access to medical care.  
—Constitutional violation rights for incarcerated prisoners.  
—The right to a hearing prior to any discipline for prison or other institutional offenses.  
—Freedom from discrimination because of race.  
—The ACLU also called for abolition of the death penalty; repeal of laws discriminating against a system of hearings prior to parole revocations; and more funds to raise for civil damages attributed to the state.  
Capturing the rehabilitative theme of the group's proposals, the Rev. Mr. Finlator said of the liberating law, "How do you make a man a better citizen, when the first thing you do is strip him of his manhood?"  
Lee Beeson of the State Bar Association, president of the ACLU, had referred the agenda to the council and Prof. D. University of Law School, Raleigh, who presented the suggestions. "I would like to see the council take a stand on this," he said.

### PRISONERS' RIGHTS

The ACLU-NC works to ensure that North Carolina's prisons and jails comply with the Constitution. During our 50-year history, the ACLU-NC has promoted conditions of confinement that are consistent with standards of health, safety, and human dignity. We've also worked to end policies that unnecessarily limit prisoners' rights, such as those that broadly restrict mail, free speech, or make it difficult to practice their religion.





## 2015

### **SOLITARY CONFINEMENT**

In 2015, the ACLU-NC and ACLU's National Prison Project worked with a coalition of human rights groups to sound the alarm on the horrific conditions suffered by the approximately 14 percent of North Carolina prisoners who at any given time spend 23 to 24 hours a day locked in solitary confinement, without sunlight, fresh air, proper mental health treatment, or contact with human beings.

Our coalition sent a letter urging the U.S. Department of Justice to open an investigation into North Carolina's use of solitary confinement following the 2014 death of inmate Michael Anthony Kerr, a 53-year-old former Army sergeant diagnosed with schizoaffective disorder, who was found unresponsive in a prison van after being transported between facilities. Kerr had spent 35 days in solitary confinement, and the cause of his death was determined to be dehydration.

On any given day, as much as 14 percent of North Carolina's 37,500 prison inmates are locked away in solitary confinement—often for such minor offenses as using profanity. More than one in five of those prisoners placed in isolation require some type of treatment for mental health issues.

## 2015

The ACLU-NC and a coalition of human rights groups urge the federal government to investigate the horrific and underfunded treatment of North Carolina inmates held in solitary confinement.

## 2012

The ACLU-NC helps overturn the convictions of dozens of people falsely incarcerated because of an erroneous interpretation of gun possession laws.

## 1997

The ACLU-NC successfully lobbies for a major overhaul of the juvenile justice system, allowing more juvenile offenders to enter community-based alternatives to prison.

## 1977

The ACLU-NC helps pass the Crime Victims Compensation Act, which helps ease the financial burden of people injured as victims of crime.

## 1967

The ACLU-NC secures state defendants' right to a speedy trial in *Klopfers v. North Carolina*.

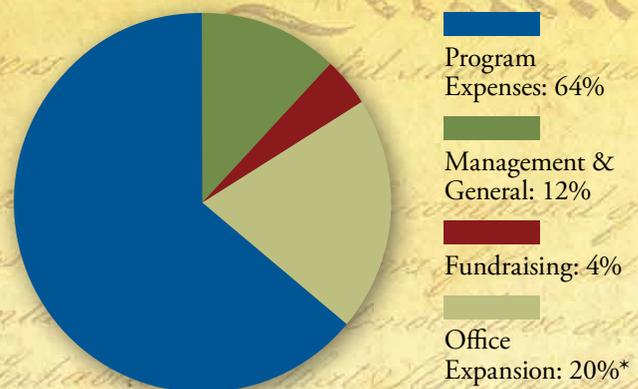
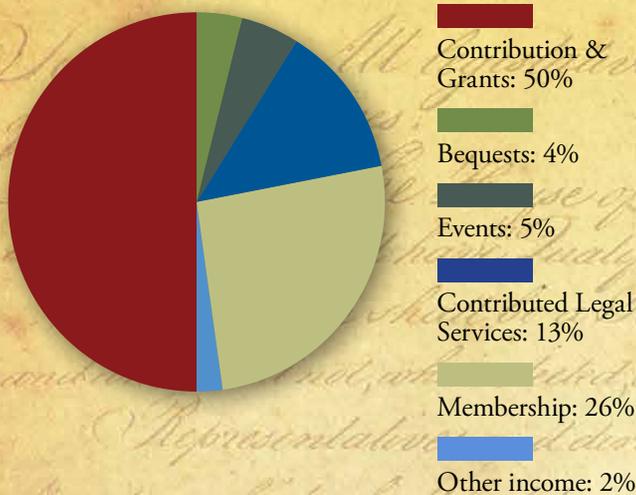
# Financial Overview

The American Civil Liberties Union of North Carolina and ACLU-NC Legal Foundation

Fiscal year 2015 (April 1, 2014 to March 31, 2015)

**FISCAL YEAR 2015 INCOME \$1,284,290.39**

**FISCAL YEAR 2015 EXPENSES \$1,082,261.13**



\*The ACLU-NC purchased a new office suite in FY 2015.

The unaudited financial information set forth above is preliminary and subject to adjustments and modifications.

## Ways to Give

The work of the ACLU-NC is made possible by generous donors. There has never been a more important time to support our work. Here's how:

### JOIN AND BECOME A CARD-CARRYING MEMBER

A contributing individual membership is only \$35 per year. ACLU-NC membership automatically extends to the national ACLU and to your local chapter. Membership is not tax-deductible and supports our legislative, lobbying, and membership activities.

### MAKE A TAX-DEDUCTIBLE GIFT

Because the ACLU-NC Legal Foundation is a nonprofit 501(c)(3) organization, donations are tax-deductible to the extent authorized by law. You can make a one-time or recurring financial contribution, make a gift of stock, or donate a car, truck or other vehicle. The ACLU-NC Legal Foundation supports our litigation, legal advocacy, public education, and community outreach activities.

### HOST AN ACLU-NC EVENT

Interested in hosting a house party or fundraiser with friends, neighbors, and associates? Let us know! We have staff and board members available to talk about our work and more.



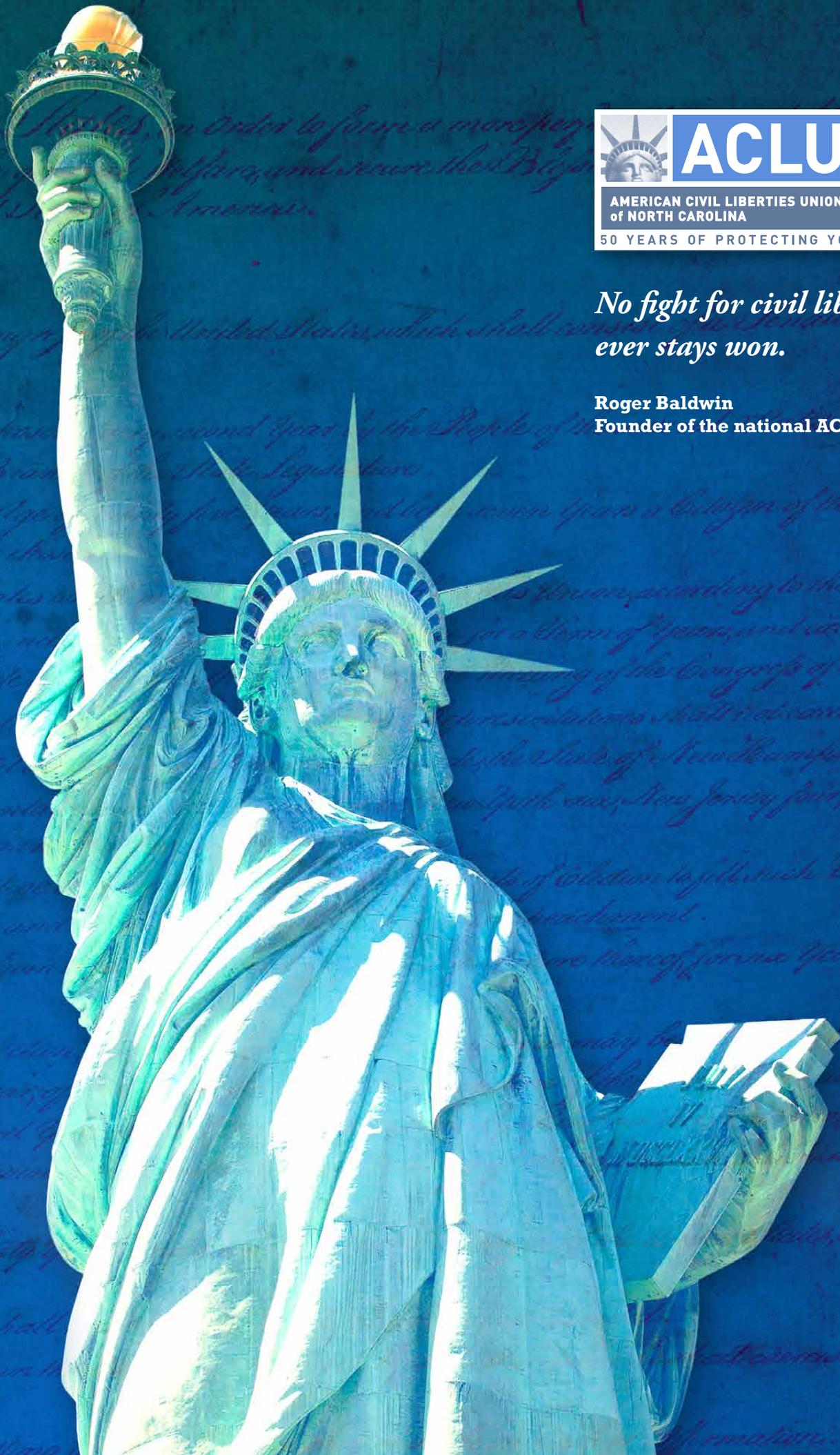
### LEAVE A LEGACY OF LIBERTY

**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](http://www.aclu.org/legacy) or call toll-free: 877-867-1025 to learn more.**



*No fight for civil liberties  
ever stays won.*

**Roger Baldwin**  
Founder of the national ACLU

# We the People

of the United States, in order to form a more perfect Union, establish Justice, insure domestic Tranquillity, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

## Article 1

Section 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and seven Years a Citizen of the United States, and when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and including Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty thousand, but each State shall have at least one Representative, and until such Enumeration shall be made, the State of New Hampshire shall be entitled to three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Electors in such State shall have the Qualification to fill such Vacancies. The House of Representatives shall choose their Speaker and other Officers, and shall have the sole Power of Impeachment.

Section 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for a Term of Years, and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Clases. The Electors in each State shall have the Qualification requisite for Electors of the most numerous Branch of the State Legislature. The first Class shall be vacated at the Expiration of the second Year, the second Class at the Expiration of the fourth Year, and the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Term of any Senator, the Electors in such State, the Legislature thereof, or the Governor thereof, in the Absence of the Legislature, shall have the Qualification to fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been seven Years a Citizen of the United States, and when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, except they be equally divided. The Senate shall choose their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the Chief Justice shall preside. And no Person shall be convicted, unless the Concurrence of two thirds of the Members present. Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of Profit or Trust under the United States; but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment according to Law.

Section 4. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; and the Congress may at any time by Law make or alter such Regulations, except as to the Places of choosing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

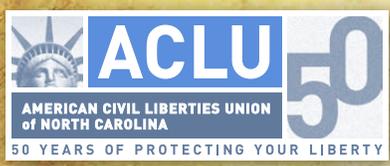
Section 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business, but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties, as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any Question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House during the Session of Congress, shall adjourn for more than three Days, nor to any other Place, than that in which the two Houses shall be sitting.

Section 6. The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Bribery, or other high Crimes and Misdemeanors, be privileged from Arrest during their Attendance in Congress, or in going to or from the same, and for any Speech or Debate in either House; but they shall in all Cases be subject to the Jurisdiction of the Law.



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