



ACLU

AMERICAN CIVIL LIBERTIES UNION
of NORTH CAROLINA

2013 Legislative Report Card

Ratings are based on legislation proposed in the North Carolina General Assembly during the 2013 legislative session.

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



= Supported the ACLU-NC’s position



= Opposed the ACLU-NC’s position

Legislation the ACLU-NC Opposed:

S.B. 306 Capital Punishment/Amendments: *Fully repeals the Racial Justice Act and implements several provisions intended to speed up executions.*

Final Disposition of S.B. 306: Passed by the House and Senate and signed by the Governor. S.B. 306 became law on June 19.

This bill repeals the 2009 Racial Justice Act (RJA), which allowed capital defendants to use statistical and other evidence to prove that racial bias played a significant role in their receiving a sentence of death. If a defendant was able to make this showing, the defendant would be sentenced to life imprisonment without the possibility of parole. Four death row inmates were able to make successful Racial Justice Act claims and were resentenced to death before the 2009 law was repealed. Another 149 death row inmates filed RJA claims and it is unclear how those will be resolved now.

S.B. 353 Health and Safety Law Changes: *Places a number of limitations on women seeking and clinics offering abortions.*

Final Disposition of S.B. 353: Passed by the House and Senate and signed by the Governor. The entire bill becomes law October 1.

S.B. 353 prohibits the State Health Insurance Exchange from

offering plans that cover abortion, even when carrying the pregnancy to term would threaten the health of the woman or when the fetus cannot survive. Additionally, S.B. 353 includes a provision punishing doctors who perform abortions sought due to the sex of the fetus, which unduly interferes with the doctor-patient relationship by turning doctors into interrogators and patients into suspects. The law also authorizes the Department of Health and Human Services to increase regulations on abortion clinics to the same regulations applied to ambulatory surgical centers, similar to hospitals. These regulations are both unnecessary and could be so difficult to reach and maintain that many clinics may be forced to close their doors, thereby reducing access to safe treatment for women.

S.B. 132 Health Curriculum/Preterm Birth: *Requires schools to teach inaccurate information about abortion.*

Final Disposition of S.B. 132: Passed the House and Senate and signed by the Governor. The bill became law on July 18 and is effective for the 2013-14 school year.

As part of the Healthy Living curriculum, schools are required by this law to teach about the preventable risks of pre-term birth, “including induced abortion” in grades 7 through 9. The claim that induced abortion leads to pre-term birth is unfounded, as there is no scientific consensus supporting it.

H.B. 589 VIVA/Election Reforms: *Makes a number of changes to election law, including shortening early voting, ending same-day registration, and requiring photo ID at the polls to vote.*

Final Disposition of H.B. 589: H.B. 589 passed the House and Senate and was signed by the Governor. Parts of the bill go in to effect immediately while other parts will be implemented over the next two and a half years.

H.B. 589 started in the House as a bill to require individuals to present government-issued photo ID to vote, but was amended in the Senate to add provisions shortening early voting by one week, doing away with same-day voter registration, preregistration for 16 and 17 year olds, straight party ticket voting, and several other provisions that will make it more challenging for people to vote. The House had two opportunities to vote on this bill; once when it only included voter ID provisions and again on the Senate omnibus voter suppression bill.

H.B. 522 Foreign Laws/Protect Constitutional Rights: *Bans the consideration of foreign laws by North Carolina courts.*

Final Disposition of H.B. 522: Passed the House and Senate and became law on September 1.

This bill prohibits North Carolina courts from considering “foreign laws” when deciding family law cases when those foreign laws would violate the constitutional rights of the parties to litigation, but is, in reality, a thinly veiled attempt to ban Sharia Law. Even the sponsors of this

needless law could not identify a single case where this law would have helped protect a litigant’s rights. Instead, these laws do nothing but promote stereotypes, encourage anti-Muslim sentiment and invite discrimination and hostility.

H.B. 392 Warrant Status/Drug Screen Public Assistance: *Requires drug testing of some recipients of public benefits.*

Final Disposition of H.B. 392: Passed the House and Senate, but vetoed by the Governor. The House and Senate each voted to override the veto, so the bill is now law.

H.B. 392 requires county Departments of Social Services to perform a urine or other drug test on some applicants to the state’s Work First program, which provides assistance to low income families. While H.B. 392 describes its standard for determining which applicants are subjected to drug testing as “reasonable suspicion,” it instead uses standards which are so vague as to invite arbitrary enforcement. This incredible invasion of privacy violates the Fourth Amendment’s protection against unreasonable searches. Additionally, the applicant must pay for the test up front and is only reimbursed if s/he tests negative and there is no plan offered to help those who test positive to find treatment services for substance abuse.

NOTE: *While several bills that the ACLU-NC supported because they would improve protections of or otherwise expand individual liberties were introduced, many with bipartisan support, none of these bills were given a final vote by both the House and Senate and are therefore not included in the ACLU-NC scorecard this year.*

House Representative	Party	District	Elections <i>Two versions of H.B. 589: voter ID only & omnibus</i>	Reproductive Rights <i>S.B. 353 & S.B. 132</i>	Racial Justice <i>S.B. 306</i>	Privacy Rights <i>H.B. 392</i>	Religious Liberty <i>H.B. 522</i>
Adams, Alma	D	58					
Alexander, Kelly	D	107					
Arp, Dean	R	69					
Avila, Marilyn	R	40					
Baskerville, Nathan	D	32					
Bell, Larry M.	D	21					

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Bell, John R., IV	R	10	🚫🚫	🚫🚫	🚫	🚫	🚫
Blackwell, Hugh	R	86	🚫🚫	🚫🚫	🚫	🚫	🚫
Blust, John M.	R	62	🚫🚫	🚫🚫	🚫	🚫	🚫
Boles, James L., Jr.	R	52	🚫🚫	🚫🚫	🚫	🚫	🚫
Brandon, Marcus	D	60	🔥🔥	🔥🔥	🔥	🔥	🚫
Brawley, C. Robert	R	95	🚫🚫	🚫🚫	🚫	🚫	🚫
Brawley, William	R	103	🚫🚫	🚫🚫	🚫	🚫	🚫
Brisson, William D.	D	22	🚫 Absent	🔥🔥	🚫	🚫	No vote
Brody, Mark	R	55	🚫🚫	🚫🚫	🚫	🚫	🚫
Brown, Rayne	R	81	🚫🚫	🚫🚫	🚫	🚫	🚫
Brown, Brian	R	9	🚫🚫	🚫🚫	🚫	🚫	🚫
Bryan, Rob	R	88	🚫🚫	🚫🚫	🚫	🚫	🚫
Bryant, Angela (Resigned 1/4/13)	D	7	N/A	N/A	N/A	N/A	N/A
Bumgardner, Dana	R	109	🚫🚫	🚫🚫	🚫	🚫	🚫
Burr, Justin P.	R	67	🚫🚫	🚫🚫	🚫	🚫	🚫
Carney, Becky	D	102	🔥🔥	🔥🔥	🔥	🚫	🔥
Catlin, Rick	R	20	🚫🚫	🚫🚫	🚫	🚫	🚫
Cleveland, George	R	14	🚫 Absent	🚫🚫	🚫	Absent	Absent
Collins, Jeff	R	25	🚫🚫	🚫 Absent	🚫	🚫	🚫

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Conrad, Debra	R	74	🚫🚫	🚫🚫	🚫	🚫	🚫
Cotham, Tricia Ann	D	100	🔥🔥	🔥🔥	Absent	🚫	🔥
Cunningham, Carla	D	106	🔥🔥	🔥 Absent	🔥	🔥	🔥
Daughtry, N. Leo	R	26	🚫🚫	🚫🚫	🚫	🚫	🚫
Davis, Ted, Jr.	R	19	🚫🚫	🚫🚫	🚫	🚫	🚫
Dixon, Jimmy	R	4	🚫🚫	🚫🚫	🚫	🚫	🚫
Dobson, Josh	R	85	🚫🚫	🚫🚫	🚫	🚫	🚫
Dockham, Jerry	R	80	🚫🚫	N/A 🚫	🚫 N/A	N/A	N/A
Dollar, Nelson	R	36	🚫🚫	🚫🚫	🚫	🚫	🚫
Earle, Beverly M.	D	101	🔥🔥	🔥🔥	🔥	🔥	🔥
Elmore, Jeffrey	R	94	🚫🚫	🚫🚫	🚫	🚫	🚫
Fairecloth, John	R	61	🚫🚫	🚫🚫	🚫	🚫	🔥
Farmer-Butterfield, Jean	D	24	🔥🔥	🔥🔥	🔥	🔥	🔥
Fisher, Susan C.	D	114	🔥🔥	🔥🔥	🔥	🔥	🔥
Floyd, Elmer	D	43	🔥🔥	🔥🔥	🔥	🚫	🔥
Ford, Carl	R	76	🚫🚫	🚫🚫	🚫	🚫	🚫
Foushee, Valerie P.	D	50	🔥🔥	🔥🔥	🔥	🚫	🔥
Fulghum, Jim	R	49	🚫🚫	🚫🚫	🚫	🔥	🚫
Gill, Rosa U.	D	33	🔥🔥	🔥🔥	🔥	🔥	🔥

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Gillespie, Mitch (Resigned 1/6/13)	R	85	N/A	N/A	N/A	N/A	N/A
Glazier, Rick	D	44				No vote	
Goodman, Ken	D	66					
Graham, Charles	D	47		Absent			
Graham, George	D	12					
Hager, Mike	R	112					
Hall, Larry D.	D	29					
Hall, Duane	D	11					
Hamilton, Susi H.	D	18				Absent	Absent
Hanes, Edward, Jr.	D	72					
Hardister, Jon	R	59					
Harrison, Pricey	D	57					
Hastings, Kelly E.	R	110					
Holley, Yvonne Lewis	D	38					
Hollo, Mark W.	R	73					
Holloway, Bryan R.	R	91					
Horn, D. Craig	R	68					
Howard, Julia C.	R	79	Absent		Absent		
Hurley, Pat B.	R	70					

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Iler, Frank	R	17	🚫🚫	🚫🚫	🚫	Absent	Absent
Insko, Verla	D	56	🔥🔥	Absent/Absent	🔥	🔥	🔥
Jackson, Darren G.	D	39	🔥🔥	🔥🔥	🔥	🚫	🔥
Jeter, Charles	R	92	🚫🚫	🔥🔥	🚫	🚫	🚫
Johnson, Linda P.	R	83	🚫🚫	🚫🚫	🚫	🚫	🚫
Jones, Bert	R	65	🚫🚫	🚫🚫	🚫	🚫	🚫
Jordan, Jonathan C.	R	93	🚫🚫	🚫🚫	🚫	🚫	🚫
Lambeth, Donny	R	75	🚫 Absent	🚫 Absent	🚫	🚫	🚫
Langdon, James. H. Jr.	R	28	🚫🚫	🚫🚫	🚫	🚫	🚫
Lewis, David R.	R	53	🚫🚫	🚫 Absent	🚫	🚫	🚫
Lucas, Marvin W.	D	42	🔥🔥	🔥🔥	🔥	🚫	🔥
Luebke, Paul	D	30	🔥🔥	🔥🔥	🔥	🔥	🔥
Malone, Chris	R	35	🚫🚫	🚫🚫	🚫	🚫	Absent
Martin, Grier (Appointed 6/1/13)	D	34	N/A 🔥	Absent 🔥	Absent	🔥	🔥
Martin, Susan	R	8	🚫	Absent 🚫	🚫	🚫	🚫
McElraft, Pat	R	13	🚫🚫	🚫🚫	🚫	🚫	🚫
McGrady, Chuck	R	117	🚫🚫	🚫🚫	🚫	🚫	🔥
McManus, Deb	D	54	Absent 🔥	Absent 🔥	🔥	🚫	🚫

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McNeill, Allen	R	78	🚫🚫	🚫🚫	🚫	🚫	🚫
Michaux, Henry M., Jr.	D	31	🔥🔥	🔥🔥	🔥	🔥	🔥
Millis, Chris	R	16	🚫🚫	🚫🚫	🚫	🚫	🚫
Mobley, Annie W.	D	5	🔥🔥	🔥🔥	🔥	🔥	🔥
Moffitt, Tim D.	R	116	🚫🚫	🚫🚫	🚫	🚫	🚫
Moore, Tim	R	111	🚫🚫	🚫🚫	🚫	🚫	🚫
Moore, Rodney W.	D	99	🔥🔥	🔥🔥	Absent	🔥	🔥
Murry, Tom	R	41	🚫🚫	🚫🚫	🚫	🚫	🚫
Pierce, Garland E.	D	48	🔥🔥	🔥🔥	🔥	🔥	🔥
Pittman, Larry G.	R	82	🚫🚫	🚫🚫	🚫	🚫	🚫
Presnell, Michele D.	R	118	🚫🚫	🚫🚫	🚫	🚫	🚫
Queen, Joe Sam	D	119	🔥🔥	🔥🔥	🔥	🚫	🚫
Ramsey, Nathan	R	115	🚫🚫	🚫🚫	🚫	🚫	🚫
Richardson, Bobbie (Appointed 1/9/13)	D	7	🔥🔥	🔥🔥	🔥	🔥	🔥
Riddell, Dennis	R	64	🚫🚫	🚫🚫	🚫	🚫	🚫
Ross, Deborah (Resigned 6/1/13)	D	34	🚫 N/A	N/A	N/A	N/A	N/A
Ross, Stephen M.	R	63	🚫🚫	🚫🚫	🚫	🚫	🚫
Saine, Jason	R	97	🚫🚫	🚫 No vote	🚫	🚫	🚫
Samuelson, Ruth	R	104	🚫🚫	🚫 Absent	🚫	🚫	🚫
Schaffer, Jacqueline	R	105	🚫🚫	🚫🚫	🚫	🚫	🚫
Setzer, Mitchell S.	R	89	🚫🚫	🔥🔥	🚫	🚫	🚫

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Shepard, Phil	R	15	🚫🚫	🚫🚫	🚫	🚫	🚫
Speciale, Michael	R	3	🚫🚫	🚫🚫	🚫	🚫	🚫
Stam, Paul “Skip”	R	37	🚫🚫	🚫🚫	🚫	No vote	🚫
Starnes, Edgar V.	R	87	🚫🚫	🚫🚫	🚫	🚫	🚫
Steinburg, Bob	R	1	🚫🚫	🚫🚫	🚫	🚫	🚫
Stevens, Sarah	R	90	🚫 Absent	🚫🚫	🚫	🚫	Absent
Stone, Mike C.	R	51	🚫🚫	🚫🚫	🚫	🚫	🚫
Szoka, John	R	45	🚫🚫	🚫🚫	🚫	🚫	🚫
Terry, Evelyn	D	71	Absent 🔥	🔥🔥	🔥	🚫	🔥
Tillis, Thom	R	98	🚫🚫	🚫 No vote	🚫	No vote	No vote
Tine, Paul	D	6	🚫🔥	🔥🔥	🔥	🚫	🚫
Tolson, Joe P.	D	23	🔥🔥	🔥🔥	🔥	🚫	🔥
Torbett, John A.	R	108	🚫🚫	🚫🚫	🚫	🚫	🚫
Turner, Rena W.	R	84	🚫🚫	🚫🚫	🚫	🚫	🚫
Wadell, Ken	D	46	🚫🔥	🔥🔥	🔥	🚫	🚫
Warren, Harry	R	77	🚫🚫	🚫🚫	🚫	🚫	🚫
Wells, Andy	R	96	🚫🚫	🚫🚫	🚫	🚫	🚫
West, Roger	R	120	🚫🚫	🚫🚫	🚫	🚫	🚫
Whitmire, Chris	R	113	Absent 🚫	🚫🚫	🚫	🚫	🚫
Wilkins, W.A. “Winkie”	D	2	🔥🔥	🔥🔥	🔥	🚫	🔥
Wray, Michael H.	D	27	🔥 Absent	🔥🔥	🔥	Absent	Absent
Younts, Roger (Appointed 7/15/13)	R	80	N/A 🚫	N/A, N/A	N/A	🚫	🚫



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Allran, Austin M.	R	42	⚡	⚡⚡	⚡	⚡	⚡
Apodaca, Tom M.	R	48	⚡	⚡⚡	⚡	⚡	⚡
Barefoot, Chad	R	18	⚡	⚡⚡	⚡	⚡	⚡
Barringer, Tamara	R	17	⚡	⚡⚡	⚡	⚡	⚡
Berger, Phillip Edward	R	26	⚡	⚡⚡	⚡	⚡	⚡
Bingham, Stan	R	33	⚡	⚡⚡	⚡	⚡	⚡
Blue, Daniel T.	D	14	🔥	🔥🔥	🔥	⚡	⚡
Brock, Andrew C.	R	34	⚡	⚡⚡	⚡	⚡	⚡
Brown, Harry	R	6	⚡	⚡⚡	⚡	⚡	Absent
Brunstetter, Peter S.	R	31	⚡	⚡⚡	⚡	⚡	Absent
Bryant, Angela (Appointed 1/7/13)	D	4	🔥	🔥🔥	🔥	⚡	⚡
Clark, Robert B.	D	21	🔥	🔥🔥	🔥	⚡	⚡
Clodfelter, Daniel G.	D	37	Absent	Absent 🔥	🔥	Absent	Absent
Cook, William M.	R	1	⚡	⚡⚡	⚡	⚡	Absent
Curtis, David L.	R	44	⚡	⚡⚡	⚡	⚡	Absent
Daniel, Warren	R	46	⚡	⚡⚡	⚡	⚡	⚡
Davis, Don	D	5	🔥	No vote ⚡	🔥	⚡	⚡
Davis, James W.	R	50	⚡	⚡⚡	⚡	⚡	⚡
Ford, Joel	D	38	🔥	🔥🔥	🔥	⚡	⚡
Goolsby, Thomas C.	R	9	⚡	⚡⚡	⚡	⚡	Absent
Graham, Malcolm	D	40	🔥	🔥🔥	🔥	🔥	Absent
Gunn, Rick	R	24	⚡	⚡⚡	⚡	⚡	⚡

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Harrington, Kathryn	R	43	⚡	⚡⚡	⚡	⚡	⚡
Hartsell, Fletcher L.	R	36	⚡	⚡⚡	⚡	⚡	Absent
Hise, Ralph	R	47	⚡	⚡⚡	⚡	⚡	⚡
Hunt, Neal	R	15	⚡	⚡⚡	⚡	⚡	Absent
Jackson, Brent	R	10	⚡	⚡⚡	⚡	⚡	⚡
Jenkins, S. Clark	D	3	Absent	Absent, No vote	🔥	Absent	Absent
Kinnaird, Eleanor “Ellie”	D	23	🔥	🔥🔥	🔥	🔥	🔥
McKissick, Floyd B.	D	20	🔥	🔥🔥	🔥	⚡	🔥
McLaurin, Eugene B.	D	25	🔥	Absent ⚡	🔥	Absent	⚡
Meredith, Wesley A.	R	19	⚡	⚡ Absent	⚡	⚡	⚡
Nesbitt, Martin L.	D	49	🔥	🔥🔥	🔥	⚡	Absent
Newton, E.S. “Buck”	R	11	⚡	⚡⚡	⚡	⚡	⚡
Parmon, Earline	D	32	🔥	🔥🔥	🔥	🔥	⚡
Pate, Louis M.	R	7	⚡	⚡⚡	⚡	⚡	⚡
Rabin, Robin J.	R	12	⚡	⚡⚡	⚡	⚡	⚡
Rabon, William P.	R	8	⚡	🔥⚡	⚡	⚡	No vote
Randleman, Shirley	R	30	⚡	⚡⚡	⚡	⚡	⚡
Robinson, Gladys	D	28	🔥	🔥🔥	🔥	🔥	Absent
Rucho, Robert	R	39	⚡	⚡⚡	⚡	⚡	⚡
Sanderson, Norman	R	2	⚡	⚡⚡	⚡	⚡	⚡
Soucek, Daniel F.	R	45	⚡	⚡⚡	⚡	⚡	Absent

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Stein, Joshua H.	D	16	🔥	🔥🔥	🔥	⚖️	Absent
Tarte, Jeff	R	41	⚖️	⚖️⚖️	⚖️	⚖️	⚖️
Tillman, Jerry W.	R	29	⚖️	⚖️⚖️	⚖️	⚖️	⚖️
Tucker, Tommy	R	35	⚖️	⚖️⚖️	⚖️	⚖️	⚖️
Wade, Trudy	R	27	⚖️	⚖️⚖️	⚖️	⚖️	⚖️
Walters, Michael P.	D	13	Absent	Absent ⚖️	🔥	Absent	Absent
Woodard, J. Michael	D	22	🔥	🔥🔥	Absent	⚖️	Absent



The **ACLU of North Carolina** is a nonprofit, nonpartisan organization dedicated to defending and expanding the individual rights and freedoms found in the U.S. and North Carolina Constitutions and related federal and state civil rights laws.

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