

LIBERTY



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Federal Court Blocks State Ultrasound Law

Judge Says ACLU-NC, Allies are 'Likely to Succeed' on First Amendment Challenge to Intrusive Measures



ACLU-NCLF Paralegal Emily-Mary Brown (left) and Legal Director Katy Parker stand in front of the U.S. District Court in Greensboro following a preliminary hearing Oct. 17.

A federal court temporarily blocked one of the most egregious aspects of North Carolina's intrusive new abortion law on Oct. 25, after the American Civil Liberties Union, the ACLU of North Carolina Legal Foundation (ACLU-NCLF), Planned Parenthood Federation of America, Planned Parenthood of Central North Carolina, and the Center for Reproductive Rights filed a lawsuit Sep. 29 challenging the law's requirement that doctors must show a woman an ultrasound and describe the fetus or embryo in detail before providing abortion

care. The ACLU-NCLF and our allies argued that the requirement violated the constitutional rights of health care providers and women seeking abortion care.

Following a hearing on Oct. 17, U.S. District Judge Catherine Eagles granted a preliminary injunction to ensure that the law's ultrasound requirement would not go into effect as scheduled. The Court found that the ACLU-NCLF and our partners were "likely to succeed" in our First Amendment claims that key provisions of the law violate doctors' free speech rights and that allowing

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Never a More Urgent Time to Defend Civil Liberties in North Carolina

As the ACLU of North Carolina turned 46 this year, we celebrated our many successes over the past four and one-half decades, but we also realized that there is much work still to be done. Every year, we see threats to reproductive freedom arise in the North Carolina General Assembly and across the state, and many legislators and policy-makers at the state and local level openly disavow the fundamental principles of religious liberty and the need for the government to remain neutral on matters of religion.

We fight continued attempts to erode due process rights throughout North Carolina for students, immigrants and people moving through the criminal justice system. We rise up against efforts to censor political dissent. We fight back against continued – and increasingly hostile – attacks on the dignity and right to equality of gay/lesbian/bisexual/transgender people, including the disgraceful constitutional amendment being proposed in May 2012 that would prohibit the State from recognizing civil unions, domestic

partnerships, or any relationship other than marriage between a man and a woman.

Racial profiling continues to rear its ugly head in North Carolina, and our rights to privacy and freedom from unreasonable search and seizure are under unprecedented attack at the federal, state and local level. In addition, there is much work to be done as we seek to enforce the constitutional right of all of North Carolina's children to a sound, basic education (without being subjected to corporal punishment, religious discrimination, or baseless, humiliating bra searches); continue to oppose efforts by leaders in the North Carolina General Assembly who want to “divide and conquer” people who need public assistance; and continue fighting for permanent abolition of the death penalty.

The ACLU of North Carolina is a small organization with only seven employees and just over 8,000 members and supporters statewide – but we have big goals and the demands on our organization have



Jennifer Rudinger, ACLU-NC/LF Executive Director

been greater in 2011 than at any time in recent history.

We need your help! Please tear off the donation form on Page 5 and mail it back to us with the most generous contribution you can afford to give. Or if you prefer, please make a donation using our secure website at www.acluofnorthcarolina.org/?q=donate.

Your contribution will be entirely tax-deductible and will be used to fund our vital legal and educational programs this year.

Thomas Jefferson reportedly said, “Eternal vigilance is the price of liberty.” Thank you for supporting our eternal vigilance in North Carolina with your annual dues and contributions.

ACLU-NC & Allies Form ‘Protect NC Families’ to Defeat Anti-LGBT Ballot Measure in May



WWW.PROTECTNCFAMILIES.ORG

The ACLU-NC is proud to be one of the founding organizations behind Protect NC Families, the official campaign against Amendment 1, the proposed anti-LGBT amendment to our state constitution that is expected to appear on the May 8, 2012, ballot. If passed, this amendment would have a devastating impact on families all across North Carolina. We urge all

of our members and supporters to vote AGAINST Amendment 1 next May and visit protectncfamilies.org to learn how to help our campaign protect the basic rights of countless North Carolinians.

Amendment 1 is one of the most extreme anti-LGBT measures ever proposed on a statewide ballot. The amendment would not

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Forsyth County Appeals to U.S. Supreme Court in Attempt to Overturn ACLU-NC Victory in Government Prayer Ruling



ACLU-NCLF Legal Director Katy Parker spoke to reporters at the National Press Club Sept. 28 about Forsyth County appealing the ACLU-NCLF's government prayer victory to the United States Supreme Court.

Forsyth County has petitioned the United States Supreme Court to review the July 29 ruling by the Fourth Circuit Court of Appeals that the Forsyth County Board of Commissioners violated the First Amendment's Establishment Clause by opening an estimated four-fifths of public meetings with sectarian prayers. If the Court agrees to hear the appeal, it would mark the fourth time that the Forsyth County prayer

policy receives judicial review.

The ACLU-NCLF and the Winston-Salem Chapter of Americans United for Separation of Church and State filed a lawsuit in 2007 on behalf of Janet Joyner and Constance Blackmon, longtime residents of Forsyth County who had attended meetings of the County Board of Commissioners and objected to the sectarian invocations that were routinely delivered by clergy to begin each meeting. Both the U.S. District Court

for the Middle District of North Carolina and the Fourth Circuit Court of Appeals have ruled the prayers unconstitutional, since their content amounted to a government endorsement of Christianity over other belief systems.

"[L]egislative prayer must strive to be nondenominational so long as that is reasonably possible – it should send a signal of welcome rather than exclusion," Judge J. Harvie Wilkinson

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Federal Court Temporarily Blocks Demeaning Ultrasound Measure

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the law to go into effect would inflict irreparable harm on health care providers.

"The state should not be using women's bodies as political pawns, as this law clearly seeks to do," said Katy Parker, ACLU-NCLF Legal Director. "We hope that the court sides with the rights of women and their doctors over the ideological agenda of lawmakers."

The new law, which the North Carolina General Assembly passed in July over the veto of Governor Beverly Perdue, would require

abortion providers to perform an ultrasound and place the image in the woman's line of sight. The provider would then be required to describe the embryo or fetus in detail and to offer the woman the opportunity to hear the "fetal heart tone." While the law would allow the woman to avert her eyes and to somehow "refuse to hear," the provider would still be required to place the images in front of her and describe them in detail. The measure would make no exceptions for women under any circumstances, including cases of rape, incest, or

those whose pregnancy is life-threatening.

Judge Eagles ruled that the North Carolina abortion law "goes well beyond" requirements that patients give informed consent to medical procedures, writing that it could compel "an unwilling speaker to deliver visual and spoken messages to a listener who is not listening or looking." Judge Eagles also noted that the provision is "likely to harm the psychological health of the very group the state purports to protect."

The next hearing in the case is scheduled for Dec. 6-7.

ACLU-NCLF Files Challenge to Biased State License Plate Scheme

Lawsuit Seeks Pro-Choice Alternative to ‘Choose Life’ Plate

The ACLU-NCLF filed a lawsuit in federal court Sept. 8 on behalf of North Carolinians seeking a specialty license plate that supports a woman’s right to reproductive freedom, after the North Carolina General Assembly approved issuance of a “Choose Life” license plate but rejected all proposed alternative plates with pro-choice messages.

“If anti-choice drivers are permitted to express their views on their license plates, people like me should be able to express our view that women deserve full reproductive freedom,” said Sue Holliday, one of the lawsuit’s plaintiffs.

During this year’s legislative session, the North Carolina General Assembly passed House Bill 289, which authorized the issuance of a



The North Carolina General Assembly authorized this “Choose Life” license plate but rejected all proposals for a license plate supporting reproductive freedom.

“Choose Life” license plate. However, the legislature repeatedly refused to authorize a plate that supported the countervailing position in favor of reproductive freedom. Six amendments were proposed in the legislature to authorize an additional new plate that stated either, “Trust Women. Respect Choice,” or simply “Respect Choice.” The legislature

rejected all six amendments. The lawsuit alleges that the State is engaging in unconstitutional viewpoint discrimination in violation of the First Amendment. The lawsuit asks the Court to declare that the current license plate scheme constitutes viewpoint discrimination in violation of the First Amendment and to order the State to cease developing and issuing the “Choose Life” license plate without authorizing a countervailing pro-choice plate.

“Anyone who supports freedom of speech should agree with this stance, regardless of one’s position on abortion,” said ACLU-NCLF Legal Director Katy Parker. “Our position would be the same if the State had authorized a pro-choice license plate but not an anti-choice alternative.”

ACLU-NCLF’s Cell Phone Data Investigation Reveals Tracking of Users

In August, the ACLU-NCLF filed public records requests with law enforcement agencies across the state to determine how police use cell phone data to track individuals. What we discovered was so surprising – and until then, unknown – that our findings ended up in Wired.com and the websites of ABC News, *The Wall Street Journal*, NPR, MSNBC, Fox News, and PC Magazine.

Our investigation, which coincided with similar requests by the ACLU in 31 other states, uncovered something that had never been known publicly. According to the Department of Justice (DOJ), every major cell phone company keeps sensitive



Our records request revealed something never known publicly: every major cell phone company keeps sensitive information about its customers for at least a year – and often shares that information with law enforcement without a warrant.

personal information about their customers for at least a year, sometimes more, and the companies often share that information with law enforcement without any legal justification.

For example, cell phone companies keep track of where you use your phone, who you call, with whom you exchange text messages, and sometimes, what those text messages say. The policies of each company are explained in a 2010

chart the ACLU-NCLF received from the Justice Department. Companies such as T-Mobile and AT&T keep track of who exchanges text messages with you for up to five or seven years, respectively, according to the chart, while Verizon keeps the data for one year and Sprint for 18 months.

To find out how long your cell phone company keeps your records, view the DOJ chart online at: <http://acluofnc.org/cellphonedata>



'Full and Robust Debate'

ACLU-NCLF Asks State to Approve Occupy Raleigh Permit Request

In a sign of support for citizens peacefully exercising their freedom of speech on public grounds, the ACLU-NCLF sent a letter on Oct. 24 to North Carolina Department of Administration Secretary Moses Carey, Jr., asking the Department to approve a permit application by organizers of the Occupy Raleigh movement to demonstrate on the grounds of the North Carolina State Capitol "in the spirit of full and robust debate."

"Indeed, we encourage your Department to lessen its permit restrictions for all groups seeking permits for demonstrations on the State Capitol grounds, regardless of the content of the message of the particular group or the viewpoints espoused therein," wrote ACLU-NCLF Legal Director Katy Parker. "The right to free speech is one of the most important rights found in our federal and state Constitutions, and I would presume that the State would want to support its citizens who are exercising this critical right."

Read the letter: <http://acluofnc.org/OccupyRaleigh>

Please Support the ACLU of North Carolina Legal Foundation By Making a Tax- Deductible Contribution Today!

Friends, we need your help! We see many challenges to Americans' fundamental freedoms looming in the courts, in Congress, in the halls of the North Carolina General Assembly, and in city councils, school boards, and boards of county commissioners across the state. As you evaluate your budget and think about your charitable contributions for 2011, please put the ACLU-NCLF at the top of your list. The demand for our services has never been greater. Our legal program processes 200-250 requests for assistance per month!

Yes! I want to help keep the Flame of Liberty burning brightly in North Carolina. Enclosed is a check for my tax-deductible contribution in the amount of:

\$50 \$100 \$250 \$500 Other \$ _____

Name: _____

Address: _____

City: _____, NC Zip: _____

Home Phone: _____

Work Phone: _____

Email: _____

Make check payable to the
ACLU-NC Legal Foundation
and mail to:

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

For more information or to charge your contribution on a credit card, contact Executive Director Jennifer Rudinger at (919) 834-3466 or jrudinger@acluofnc.org. MasterCard and Visa are accepted, and we offer monthly, quarterly, and semiannual giving options to fit your budget.

You can also make a contribution through the ACLU-NCLF's secure website at:

www.acluofnc.org/?q=donate

Supporting Equal Rights for All



Staff members and supporters of the ACLU of North Carolina participate in a Sept. 13 rally for LGBT rights on the grounds of the North Carolina State Capitol following the General Assembly vote that placed an anti-LGBT constitutional amendment on the state's May primary ballot.

ACLU-NC Backs Campaign to Defeat Anti-LGBT Ballot Measure

(Continued from page 2)

only ban same-sex marriage (which is already prohibited by state law) but also any civil unions or domestic partnerships between committed couples, gay or straight. The amendment's language also has the potential to deny domestic partner benefits currently offered by several municipalities; prevent loved ones from making medical, financial, or end-of-life decisions for each other; remove domestic violence laws for unmarried couples; interfere with child custody and visitation rights; harm state business, and enshrine discrimination into our state constitution.

The ACLU-NC advocates for equal rights for all people and fervently opposes any measure that would make anyone a second-class citizen simply because of who they love. Our staff will commit a tremendous amount of time and many resources in the coming months to the statewide effort to defeat Amendment 1 at the polls. Please consider helping our campaign by volunteering, donating, or simply talking to your friends and neighbors about the harm this amendment would cause. You can also follow us on Facebook (facebook.com/ACLUNC) or Twitter (twitter.com/ACLU_NC) for regular updates.

Forsyth County Appeals Prayer Ruling to U.S. Supreme Court

(Continued from page 3)

Ill wrote in the majority opinion for the Fourth Circuit Court of Appeals. "It should not reject the tenets of other faiths in favor of just one."

The Forsyth County Board of Commissioners filed a petition on Oct. 27 asking the U.S. Supreme Court to review the case. In September, ACLU-NCLF Legal Director Katy Parker spoke to reporters at the National Press Club in Washington, D.C. about the case's history and its chances of receiving Supreme Court review.

Attorneys for the Alliance Defense Fund, a conservative Christian legal organization that is representing Forsyth County, issued a statement Oct. 27 wrongly claiming that by defending the constitutional principle of government neutrality toward religion, the ACLU and Americans United are advocating "censorship."



"As every other court that has reviewed this case has found, Forsyth County has taken a very public stance in favor of one particular religion – Christianity," said ACLU-NCLF Legal Director Katy Parker. "We will continue to advocate for our clients, and all religious minorities in Forsyth County, who seek to have a government that stays neutral on matters of religion."

Dissent is Patriotic

Go to aclu.org/dissent to download a poster-size "Dissent is Patriotic" image or share it on Facebook and Twitter.

For more than 90 years, the ACLU has passionately defended the rights of demonstrators to speak their minds and assemble together. We firmly believe that dissent is a form of patriotism, because we believe all people have the right to free speech and the freedom (and sometimes even the obligation) to stand up for what they believe in.

If you support free speech and open discussion, please consider displaying the ACLU's "Dissent is Patriotic" poster in your window, posting it on Facebook and sharing it with friends.

Join our Action Alert Email List...

Be a part of the solution!

Join the ACLU-NC's Action Alert list and receive email alerts on pending legislation, complete with bill summaries, talking points and contact information for communicating with key legislators. We need you! You will also receive our e-newsletter and announcements of upcoming events.

Please fill out this form and return it to us at ACLU-NC, P. O. Box 28004, Raleigh, NC 27611 or email the information to contact@acluofnc.org.

YES! I want to help! Please sign me up for the Action Alert List.

Name: _____

Address: _____

Phone: _____

Email: _____

If you know it:

Congressional District: _____

NC House District: _____

NC Senate District: _____

City Officials Ask Roanoke Rapids Man to Take Down Sign; ACLU-NCLF Comes to His Aid in Defense of Free Speech

In August, the ACLU-NCLF was contacted by a citizen of Roanoke Rapids who reported a potential violation of his free speech rights protected by the First Amendment to the U.S. Constitution.

Moses Parker hung a banner on the front of his home that read, "I AM A MUSLIM AND MY NEIGHBORS ARE HARASSING ME JUST BECAUSE ... WHERE IS THE JUSTICE?"

According to Parker, a Roanoke Rapids code enforcement officer instructed him to take down the sign without providing Parker with any specific city code that required that action. Rather, the officer reportedly informed Parker that he could not place his sign on his own home because of "land usage" issues and the fact that Parker's home is located in a "residential neighborhood."



Photo courtesy of Moses Parker

ACLU-NCLF Legal Director Katy Parker intervened on Moses Parker's behalf by contacting the city attorney for Roanoke Rapids. In a letter dated Aug. 26, Katy Parker urged the city attorney to immediately stop this unconstitutional restraint on Mr.

Parker's free speech rights, suggesting the city should instead focus its attention on putting an end to the harassment Mr. Parker has been facing.

"Rather than protecting and serving Mr. Parker as law enforcement should do by investigating [his] complaints of harassment by neighbors, city officials apparently came to Mr. Parker's home specifically to *stifle* his free speech," the letter stated. "I have advised Mr. Parker that

he has the First Amendment right to put his sign back on his home. I presume that you [the city attorney] and the city officials will inform all code enforcement officers and police officers of the same."

Moses Parker has since put his sign back up and received no further communication from the city.

ACLU-NCLF Submits Brief in Brunswick County School Strip Search Case

On Nov. 4, the ACLU-NCLF submitted a friend-of-the-court brief to the North Carolina Supreme Court in the case of an alternative school student whose administrators wrongfully subjected her and other female students to an intrusive strip search of their personal effects, jackets, pockets, shoes, socks, and undergarments without any reasonable suspicion that these individuals had been involved in wrongdoing.

On Nov. 5, 2008, the principal at Brunswick County Academy, an alternative high school in Bolivia, North Carolina, where students



daily pass through metal detectors as they enter the building, received an anonymous tip that students were bringing pills to school. The school proceeded to conduct an

intrusive strip search of all the girls at the school. The girls were required to perform a "bra lift," where they pull their shirts out, shake them, and pull their bras away from their bodies using their thumbs.

"Students do not surrender their rights when they enter school, and such broad, suspicionless searches are clearly unconstitutional," said Katy Parker, ACLU-NCLF Legal Director. "Brunswick Academy officials forced these girls to submit to an invasive and demeaning strip search with no reasonable cause or individualized suspicion. There is simply no legal or common-sense justification for treating students this way."

ACLU-NC Criticizes Lawmaker's Drug-Testing Proposal

NC House Speaker Thom Tillis Advocated Drug Testing As a Way to 'Divide and Conquer' People Receiving Public Assistance

The American Civil Liberties Union of North Carolina (ACLU-NC) criticized North Carolina House Speaker Thom Tillis (R-Mecklenburg) on Oct. 11 for proposing that recipients of public aid in North Carolina, and possibly every state employee, be subjected to drug testing as a way to “divide and conquer” those receiving public assistance.

“Drug testing as a requirement for public assistance is not only a violation of an individual’s constitutional rights but is also costly to taxpayers and notoriously ineffective,” said Jennifer Rudinger, ACLU-NC Executive Director. “Testing every public aid recipient or state employee, regardless of their job or whether or not they are suspected of drug use, would represent an egregious, wasteful, and unjustified invasion of privacy for potentially millions of North Carolinians.”

Tillis made his comments to a group of supporters at Mars Hill College. Video of the comments is available on Youtube.

The ACLU-NC was the *only*



statewide organization to challenge Tillis’ comments.

Several states, including Arizona, Indiana, and Missouri, passed laws this year requiring people receiving public aid to undergo drug testing, and three dozen other states proposed similar policies. On Oct. 25, in a case brought by the ACLU of Florida, a federal judge temporarily blocked a new law that would have required drug testing for all welfare recipients in Florida. In 2009, the North Carolina Court of Appeals ruled that the Graham County Board of Education’s proposal to randomly drug test all of its employees was

“Drug testing as a requirement for public assistance is not only a violation of an individual’s constitutional rights but costly to taxpayers and notoriously ineffective.”

-Jennifer Rudinger, Executive Director, ACLU-NC.

unconstitutional.

Drug testing of welfare recipients is opposed by an array of public health organizations, including the American Public Health Association; National Association of Social Workers; National Association of Alcoholism and Drug Abuse Counselors; Association of Maternal and Child Health Programs; National Health Law Project; National Association on Alcohol, Drugs and Disability, Inc.; National Advocates for Pregnant Women; Juvenile Law Center, and National Coalition for Child Protection Reform.

By including the ACLU in your will, you can leave a legacy of liberty for generations to come.



Thousands of passionate civil libertarians have stepped forward and expressed their most cherished values by making a deeply meaningful gift to the ACLU in their estate plans.

We invite you to join this special group of ACLU supporters who have made freedom, justice, and equality their personal legacy by remembering the ACLU in your estate plans.

To learn more, or to take advantage of our estate planning resources, visit www.aclu.org/legacy or call toll-free 877-867-1025.

Updates from Around the State

International Human Rights Committee

The recipient of the Human Rights Coalition of North Carolina's 2011 International Human Rights Award is Frank Goldsmith, who is being honored for his work in international human rights, specifically for his pro bono work since 2007 on behalf of alleged enemy combatants who had been held for many years at Guantánamo Bay. The estimated cost to date for the work done by Goldsmith and his colleagues is \$100,000 and counting, since the case for one of their clients is still on appeal. Goldsmith also worked as a court-appointed attorney on several death-penalty related cases.

Goldsmith has chaired the ACLU-NCLF Legal Committee, has served as ACLU-NC President, and



Frank Goldsmith will be presented with this year's International Human Rights Committee Award.

has been a recipient of the Frank Porter Graham Award. Among his many other activities are Senior Lecturing Fellow at Duke University Law School, Service on the Board of Directors of the North Carolina Bar Association and the North Carolina

Advocates for Justice, President of the 29th Judicial District and McDowell County Bar Associations and Board member of North Carolina Prisoner Legal Services.

The award will be presented at a dinner at the NC State University Club, 4200 Hillsborough Street, Raleigh (just east of the State Fair Grounds) on Thursday, Dec. 8. The social hour will begin at 6:30 p.m., with dinner at 7:15. Cost is \$35 per person. Please send checks payable to HRCNC to Joyce Scapicchio, 5400 Neuse Forest Road, Raleigh, NC 27616. Advance payment is required and must be received on or before Wednesday, Nov. 30. For additional information, please call Joyce at (919) 880-3820.

Elon University School of Law Chapter

The Elon University School of Law chapter of the American Civil Liberties Union has been actively involved, not only within the law school but within the greater Greensboro community.

On Oct. 11, the Elon chapters of the ACLU, Democratic Party, OutLaw, and American Constitution Society cosponsored the "Elon Law Action Panel on Marriage Equality," a panel discussion on the proposed anti-LGBT amendment to the North Carolina Constitution that featured Sarah Preston, Policy Director of the North Carolina ACLU; Rep. Marcus Brandon (D), District 60 of High Point; Rep. Pricey Harrison (D), District 57 of Greensboro, and Lennie Gerber, a retired attorney familiar with legal issues facing same-sex

couples. They gave insightful viewpoints and thoughts that led to a lively discussion and Q&A session among both the speakers and students.

A Know-Your-Rights training was held Oct. 12 for students interested in being legal observers for the Occupy Greensboro demonstration held downtown. Such community participation not only educates and benefits law students by granting pro bono hours, but such service, more importantly, assists the citizens within the greater Greensboro community with their legal issues.

Also on Oct. 12, Elon ACLU, in conjunction with the Innocence Project, hosted a showing of the documentary "Paradise Lost: The Child Murders at Robin Hood Hills" as part of a film series on the recently



ACLU-NC Policy Director Sarah Preston spoke on a panel about marriage equality at Elon Law on Oct. 11.

released West Memphis 3. After the movie, Professor Michael Rich led a brief discussion on the documentary. It was a great opportunity for students to discuss some of the reasons for wrongful convictions and what we, as future lawyers, can do about this problem.

University of North Carolina School of Law Chapter



Standing Up for LGBT Rights

Members of the ACLU's UNC Law Chapter protest against North Carolina's proposed anti-LGBT constitutional amendment before a debate between Rep. Paul "Skip" Stam and Rep. Rick Glazier at UNC Law School on Sept. 21.

The University of North Carolina School of Law Chapter of the ACLU hosted its first general meeting of the year on Sept. 9 and had about 30 to 40 students in attendance. We have started up three committees: the activities committee, the pro bono committee, and the membership committee. The pro bono committee is working on planning the first project of the year: the Voter Registration Project. This project is just in the works of being planned, but the plan is to target just-of-voting age (or soon-to-be-of-age) high school students who will be eligible to vote

on the important ballot issues in May.

The UNC Law Chapter helped table at the La Fiesta del Pueblo festival in Raleigh on Sept. 11.

Members of the UNC School of Law Chapter attended a Sept. 12 candlelight vigil in Raleigh to show opposition to the state's proposed anti-LGBT constitutional amendment. Additionally, the chapter planned and hosted a protest against the amendment during a debate between Rep. Paul "Skip" Stam (R-Wake) and Rep. Rick Glazier (D-Cumberland) at UNC Law. The protesters greeted Stam by chanting,

"No on One, no on hate, love does not discriminate!"

The debate, which was hosted by the UNC Center on Law and Government, and the protest were heavily covered by the media. Chapter President Jackie Azis was quoted in the *Raleigh News & Observer* when she said, "Minority rights are up to a vote, and we don't think that the majority has the right to define the minority's rights."

The chapter is also planning to continue its second annual lobbying day in the spring.

Duke University School of Law Chapter

The ACLU-NC's Duke University School of Law chapter is thrilled to start our new academic year. We have brand new leadership and are working on building our board so we can be a stronger presence at our school.

We think our presence at Duke Law is vital; the conservative Federalist Society has a strong presence in our community, but we are excit-

ed for the opportunity to expose our classmates to a variety of viewpoints. This is why we are thrilled to sponsor an upcoming event.

We are still in the planning stages, but soon we hope to host a debate between the ACLU at Duke Law and the Federalist Society Duke Law chapter. Our chapter is also co-sponsoring an event with OUTLaw (Duke Law's LGBT organization) to

raise awareness about the upcoming ballot measure concerning the proposed anti-LGBT amendment to the North Carolina Constitution.

We hope to make this year the ACLU at Duke Law's best and to continue to raise awareness and increase our presence at Duke Law.

**Celebrating Our Honorees for the 43rd Annual Frank Porter Graham Awards Ceremony on Feb. 11, 2012, in Chapel Hill:
Robert “Hoppy” Elliot, Kristin Parks, Ian Palmquist,
Rep. Marcus Brandon and Jackie Azis.**

For 43 years, the ACLU-NCLF has had the distinguished honor of recognizing local exemplary civil rights leaders at our annual Frank Porter Graham Awards Ceremony. We are thrilled to announce our honorees for 2012.

The Frank Porter Graham Award will be presented to **Robert “Hoppy”**



Robert “Hoppy” Elliot

Elliot, a long-time former board member and General Counsel for the ACLU-NC who has served as a cooperating attorney for the ACLU-NCLF on countless cases involving free speech, ballot access, and equal protection.

Elliot has taken up the cases of convicted death-row inmates, victims of ineffective assistance of counsel, and political third parties seeking ballot access, among many others. Perhaps most notably, Elliot has recently won wide praise for his work providing legal representation for detainees at Guantánamo Bay, along with Frank Goldsmith and Elliot’s law partner Griffin Morgan.

The Paul Green Award will be presented to **Kris**

Parks, an attorney who represents several death row clients in their post-conviction appeals. Parks has worked with Disability Rights



Kris Parks

North Carolina through numerous sessions of the state legislature in an ongoing attempt to pass a bill that would prohibit the execution of people with severe mental illness. As part of that campaign, she has spent significant time during the last several years traveling across the state educating North Carolinians about the issues of mental illness and the death penalty.

The ACLU-NC Award will be presented to **Ian Palmquist**, who recently



Ian Palmquist

completed nearly 12 years of work as a highly effective leader with one of our closest allies, the statewide LGBT advocacy organization Equality North Carolina, including five as their Executive Director. Palmquist is also receiving the ACLU-NC Award for his tireless advocacy on behalf of people with HIV/AIDS and for his commitment to ensuring reproductive freedom by helping to reestablish and rebuild NARAL Pro-Choice North Carolina and contributing his leadership skills to the successful push for comprehensive sexuality education at both the county and state levels.

The Sharon Thompson Award will be presented to **Rep. Marcus Brandon (D-Greensboro)**, who, as the only openly gay legislator in the North Carolina General Assembly, has been a stalwart advocate for LGBT rights throughout the state.

During the debate in the NC



Rep. Marcus Brandon

House of Representatives over North Carolina’s proposed anti-LGBT constitutional amendment, Brandon delivered an impassioned plea to the

state’s lawmakers to vote against this mean-spirited, discriminatory measure, saying, “This is all about ‘someone is different,’ therefore you will be treated different.”

Finally, the Board of Directors of the ACLU-NC will honor **Jackie Azis**, one of our most dedicated volunteers, with the Norman Smith Award. Azis volunteered as a fulltime law clerk for the ACLU-NC in Summer 2010 and worked for the ACLU’s Capital Punishment Project in Summer 2011. She has also served as an anonymous plaintiff in an ACLU-NCLF lawsuit; organized UNC law students to lobby state lawmakers on LGBT, racial justice,

death penalty, and voting rights issues; organized a protest at UNC Law against



Jackie Azis

the state’s LGBT ballot measure, and has helped promote the ACLU-NC and our mission in numerous other ways.

SAVE THE DATE:

Please mark your calendars and make your reservations early to join us for the 43rd Annual Frank Porter Graham Awards as we celebrate the work of these truly inspiring honorees.

- *Saturday, February 11, 2012*
- *Jazz Reception starts at 5 p.m.*
- *Awards Presentation at 7 p.m.*
- *William and Ida Friday Center for Continuing Education, Chapel Hill*

The ACLU-NCLF is offering the opportunity to purchase an ad in the program for the Frank Porter Graham Awards Ceremony. Advertise your business, send a message of congratulations to this year's honorees, or celebrate the Bill of Rights!

Full page (5" x 8") — \$100

1/2 page (5" x 4") — \$50

1/4 page (2.5" x 4", or business card) — \$35

Ads should be emailed to jrudinger@acluofnc.org. PDF, JPEG or Word formats preferred.

Ads should be submitted no later than **January 27, 2012**.

Please call Jennifer Rudinger, Executive Director, at 919-834-3466 for more information.

(All ads may be subject to editing.)

| | |
|--|--|
| 43rd Annual Frank Porter Graham Awards Ceremony | |
| <p>Name(s) _____ _____ _____</p> <p>Address _____ _____</p> <p>Phone # _____</p> <p>E-mail _____</p> <p>I prefer to charge my reservations to: VISA MASTERCARD</p> <p>Card # _____</p> <p>Exp. Date _____</p> <p>CVV Code (3-digit number) _____</p> <p>Zip Code of Credit Card Billing Address: _____</p> | <p><input type="checkbox"/> I/We wish to sponsor a table. Please reserve a table for ten people for \$1,000. I will submit a guest list of those to be seated at my/our table. (A sponsor placard will be placed on the table.)</p> <p><input type="checkbox"/> Please reserve _____ seats for \$100 per person. Payment enclosed.</p> <p><input type="checkbox"/> I/We cannot attend. Please accept my tax-deductible donation to support the event and/or to sponsor seats for students and people with limited incomes who wish to attend. I am enclosing payment in the amount of \$ _____.</p> <p><input type="checkbox"/> I am interested in purchasing an ad in the program. Payment is enclosed, and I will submit the ad by email no later than Friday, January 27, 2012.</p> |
| <p>Please make your check payable to ACLU-NCLF or fill out credit card information above, and mail payment along with this RSVP card to: ACLU-NCLF, P.O. Box 28004, Raleigh, NC 27611-8004. Reservations \$100/person. Call 919-834-3466 for more info or to charge by phone.</p> | |

Update from ACLU-NC's Western NC Chapter



Curry First, President of the ACLU-NC's Western NC Chapter, tables at Asheville's GoomBay African-American Festival, which took place Aug. 26 - 28.

Board members from the ACLU of North Carolina's Western NC Chapter tabled for a total of 22 hours at Asheville's 3-day GoomBay African-American festival in August. 2011 marked the 30th anniversary of this downtown festival, and over the years, the ACLU-NC's Western NC Chapter has been a visible presence promoting the ACLU and handing out civil liberties literature to passersby. The chapter also offered and assisted in voter registration at its table. The following month, the chapter tabled at Blue Ridge Pride, a downtown Asheville celebration and recognition of the town's LGBT community.

In October, the chapter successfully supported Frank Goldsmith for the 2011 International Human Rights Award. (See *IHRC update on page 10 for more details*).

The chapter's Racial Justice Committee is working closely with the local Latino community on several projects including helping monitor police checkpoints and educating the community about its rights on this issue. This committee has been significantly aided by assistance from ACLU-NCLF Racial Justice Fellow Raul Pinto.

JOIN TODAY!

Your dues include memberships for the national ACLU, ACLU of North Carolina, and your local chapter if one exists in your region. You will also receive *Liberty*, the quarterly ACLU-NC newsletter, along with the national newsletter and other mailings. You will be able to vote in our statewide Board elections and will be invited to ACLU events like the Frank Porter Graham Awards Ceremony and the annual membership meeting. Simply fill out the form below and return it in a stamped envelope.

Enclosed is my/our check for:

- \$5 Limited Income Membership
- \$20 Basic Membership
- \$30 Joint Membership (two people)
- \$35 Contributing Membership*
- \$50 Joint Contributing Membership
- \$75 Supporting Membership
- \$125 Sustaining Membership
- \$1,000 Lifetime Membership
- \$ Other

*Please give this amount or more if you can

Make check payable to the ACLU. Please note that membership dues are not tax-deductible because the ACLU engages in lobbying and direct advocacy.

NAME: _____

ADDRESS: _____

CITY/ZIP: _____

PHONE: _____

EMAIL: _____

Would you like information regarding chapter activities in your area, if available?

YES

NO

Please return this form to:

ACLU-NC

P.O. Box 28004

Raleigh, NC 27611



ACLU

AMERICAN CIVIL LIBERTIES UNION
of NORTH CAROLINA

Introducing the two Boards of Directors of the ACLU of North Carolina and the ACLU-NC Legal Foundation:

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

ACLU-NC/LF Staff



Pictured, from left, top row: Racial Justice Fellow Raul Pinto, Communications Manager Mike Meno, Program Associate Kevin Eason. Bottom row, from left: Legal Director Katy Parker, Paralegal Emily-Mary Brown, Executive Director Jennifer Rudinger, Policy Director Sarah Preston.

LIBERTY

The Quarterly Newsletter of the ACLU of North Carolina

4 issues per year:

January, April, August, and November

STAFF:

Jennifer Rudinger, Executive Director
Katherine Lewis Parker, Legal Director
Sarah Preston, Policy Director
Mike Meno, Communications Manager
Raul A. Pinto, Racial Justice Fellow
Kevin Eason, Program Associate
Emily-Mary Brown, Paralegal

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