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Campaign Against Amendment One Heats Up

Remember to Vote AGAINST anti-LGBT Amendment One on May 8!



ACLU-NC supporters rally against Amendment One in downtown Raleigh during the sixth annual Historic Thousands on Jones Street (HKonJ) march on Feb. 11.

ith less than a month to go until North Carolinians will vote on Amendment One, the proposed constitutional amendment to make heterosexual marriage the only legally protected relationship in the state, staffers from the ACLU of North Carolina are hard at work playing crucial leadership roles in the campaign to defeat this discriminatory and harmful amendment on May 8.

The ACLU-NC is one of seven organizations on the steering committee of the Coalition to Protect All North Carolina Families, the primary group campaigning against Amendment One. In addition, the ACLU-NC has employed a fulltime Campaign

Organizer, Colin Stephans, who has become the "Get Out the Vote" Director for the entire campaign.

The ACLU-NC has also financially backed campaign offices in Greensboro, Asheville, and Charlotte; produced thousands of pieces of campaign literature; and supported phone banks that have together made more than 160,000 calls to potential voters, in addition to speaking out against Amendment One at every opportunity. Soon we will also be unveiling an online multimedia project about LGBT families.

Stephans is currently helping to run the campaign's voter ID program and get-out-the-vote operations,

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Special Election Issue!

Vote Now to Elect Your Next Board of Directors; See Pp. 14-20 for Candidates & Ballot

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Christopher Brook Joins ACLU-NCLF As Our Next Legal Director

he ACLU of North Carolina Legal Foundation (ACLU-NCLF) is thrilled to announce that we have hired Christopher Brook to lead our legal department upon the upcoming departure of our tireless Legal Director, Katy Parker.

"From its work for LGBT equality to standing up for religious liberty, the ACLU of North Carolina and its Legal Foundation are at the forefront of efforts to protect human dignity in our state," said Brook. "I am honored to play my part in safeguarding and expanding these precious guarantees as Legal Director."

Brook received both his Bachelor of Arts (double-majoring in History and Political Science) and his law degree from the University of North Carolina at Chapel Hill. After graduating from law school in 2005, he worked as an associate at the Raleigh law firm of Cranfill Sumner & Hartzog for three years before join-

ing the newly formed Southern Coalition for Social Justice (SCSJ) in 2008 as a Staff Attorney. From 2007 – 2011, Brook also taught in the legal research/writing program at the UNC School of Law as an adjunct professor.

"Chris brings with him an impressive network of grassroots community partners, coalition partners, and ties to the legal community," said Jennifer Rudinger, Executive Director of the ACLU-NCLF. "He's the perfect person to build on the amazing work that Katy Parker has done, and we look forward to his leadership as our legal program continues to empower people to stand up for their rights any time the government is abusing its power."

Brook will start work at the ACLU-NCLF on May 1. He succeeds Katy Parker, who will be relocating to Wilmington with her family in early June. During her six-year tenure,



Christopher Brook

Parker has built a legal program in North Carolina that serves as a model for the rest of the nation, and she will remain involved as a member of the ACLU-NCLF Legal Committee as she embarks upon the next chapter of her career.

"I've worked with Chris for several years while he has been with SCSJ, and I can't imagine a better fit for our program," said Parker. "I am confident that Chris will be a great champion for the values of equality, inclusivity, fairness and individual liberty for which the ACLU stands."

With a Single Sentence, You Can Defend Freedom Now and Forever.

Right now, by adding the ACLU to your will, you can leave a legacy of liberty for generations to come and defend our freedom today.

Name the ACLU in your estate plans and the Lu-Esther T. Mertz Charitable Trust will make a cash matching contribution of up to \$10,000 to the ACLU today, while matching funds are available.

For simple bequest language to include in your will and for information on other gifts that qualify for the Legacy Challenge, visit **www.aclu.org/legacy** or call toll-free **877-867-1025**.





Attention, ACLU members and supporters in Greenville / Pitt County:

We are looking for volunteers who are interested in starting an ACLU Chapter in Pitt County. If you're willing to help, please contact Kevin Eason at keason@acluofnc.org or call us at (919) 834-3466.

U.S. Supreme Court Declines to Hear Forsyth County Sectarian Prayer Case, Ending 5-Year Legal Battle

Case Has Far-Reaching Impact in North Carolina and Surrounding States; Ensures that Prayer at Government Meetings Must Be Inclusive and Nonsectarian



"The law is now settled, and we are very happy that no one in Forsyth County will feel like a second-class citizen because of what they believe."

- Katy Parker, ACLU-NCLF Legal Director

Pictured in front of the Fourth Circuit Court of Appeals, from left: Ayesha Khan, Americans United for Separation of Church and State; Katy Parker, ACLU-NCLF Legal Director; Dan Mach, ACLU Program on Freedom of Religion and Belief; Constance Blackmon, plaintiff; Janet Joyner, plaintiff; Emily-Mary Brown, ACLU-NCLF Paralegal.

he U.S. Supreme Court announced on Jan. 17 that it would not review the ACLU-NCLF's victory in a case that found sectarian prayer at government meetings to be an unconstitutional government endorsement of religion, bringing a much-desired resolution to a five-year legal battle to keep government neutral on matters of religion.

The case, Joyner v. Forsyth County, was filed in 2007 by the American Civil Liberties Union, the ACLU-NCLF, and the Winston-Salem Chapter of Americans United for Separation of Church and State, on behalf of Janet Joyner and Constance Blackmon.

The two longtime Forsyth County residents had attended meetings of

the Forsyth County Board of Commissioners and objected to the sectarian invocations that were delivered by clergy to open more than three-fourths of the public meetings. Three separate courts previously ruled the prayers unconthat stitutional, holding their content amounted to a government endorsement of Christianity over other belief systems. "Faith is as deeply important as it is deeply personal," read the ruling from the Fourth Circuit Court of Appeals, the highest court to rule on this case, "and the government should not appear to suggest that some faiths have it wrong and others got it right ... legislative prayer must strive to be nondenominational so long as that

is reasonably possible – it should send a signal of welcome rather than exclusion. It should not reject the tenets of other faiths in favor of just one."

Backed by the right-wing Christian organization, the Alliance Defense Fund, Forsyth County continuously appealed the rulings all the way to the Supreme Court.

Katy Parker, ACLU-NCLF Legal Director, heralded the news that the Supreme Court would not review the case as a victory for religious liberty. "This is the same conclusion that was reached by three separate lower courts who heard our case," she said. "The law is now settled, and we are very happy that nobody

(Continued on page 4)

ACLU-NCLF's Forsyth County Prayer Case Victory Impacts Local Governments Across the Region

(Continued from page 3)

in Forsyth County will feel like a second-class citizen because of what they believe."

The ruling has already had a wide impact beyond Forsyth County. Because the Fourth Circuit Court of Appeals has jurisdiction over North Carolina, South Carolina, Virginia, West Virginia, and Maryland, the court's ruling that any invocations delivered at a government meeting must be nonsectarian and cannot favor any one religion over others now applies to all local, county, and state governments in these five states.

In the aftermath of the ruling, the ACLU-NCLF contacted more than two dozen local governments in North Carolina to make sure that they were aware of the law and would abide by it. We chose to specifically contact local governments about which we had received complaints from local residents that sectarian prayers were being used to open government meetings.

We have confirmed that more than 20 local governments (see list on opposite page) have voluntarily changed their prayer practices or policies in light of *Joyner*, either to a nonsectarian prayer, a moment of silence, or no prayer at all.

A Warning to the General Assembly

Unfortunately, not everyone has shown a willingness to obey the law. On Feb. 2, the ACLU-NCLF sent a letter to North Carolina Attorney General Roy Cooper outlining constitutional concerns about the ongoing use of sectarian prayers to open meetings of the North Carolina General Assembly (NCGA). Several legislators and members of the community have contacted the ACLU-NCLF to express concern about the frequent practice of convening sessions of the NCGA with sectarian prayer.

"We recommend that you adopt a policy to ensure that the NCGA halts the practice of opening sessions and any meetings with sectarian invocations," wrote Parker, emphasizing that "the NCGA is still permitted to open its sessions with a prayer, so long as the prayer is nonsectarian."

In a statement responding to our letter, North Carolina House Speaker Thom Tillis (R-Mecklenburg) ignored the *Joyner* decision and accused the ACLU of "pushing a radical, far-left agenda that is out of touch with most North Carolinians."

Parker responded by pointing out that "as private individuals, members of the General Assembly are free to pray on their own in whatever way they choose. But

when a prayer is used in a government chamber to open a legislative session, the law clearly states that the prayer cannot be specific to one religion."

The ACLU-NCLF is continuing to investigate the NCGA's use of sectarian prayer.

Rowan County Defies Ruling

The ACLU-NCLF has received more complaints about sectarian prayer at government meetings from citizens of Rowan County than from anywhere else in the state. Unfortunately, despite an official warning from our office, the commissioners in Rowan County have, with one exception, refused to cease opening meetings with sectarian prayers. During board's March 2 meeting, Commissioner Jon Barber prayed in Jesus' name, referred to "the salvation of Jesus Christ," and declared the name of Jesus to be "the only way to eternal life."

We have been contacted by several Rowan County residents who have said they are willing to serve as plaintiffs in a lawsuit against the county. Stay tuned to our website and Facebook page (facebook.com/ACLUNC) for potential developments.

What do our critics say?

"The ACLU has an affinity for pushing a radical, far-left agenda that is out of touch with most North Carolinians."

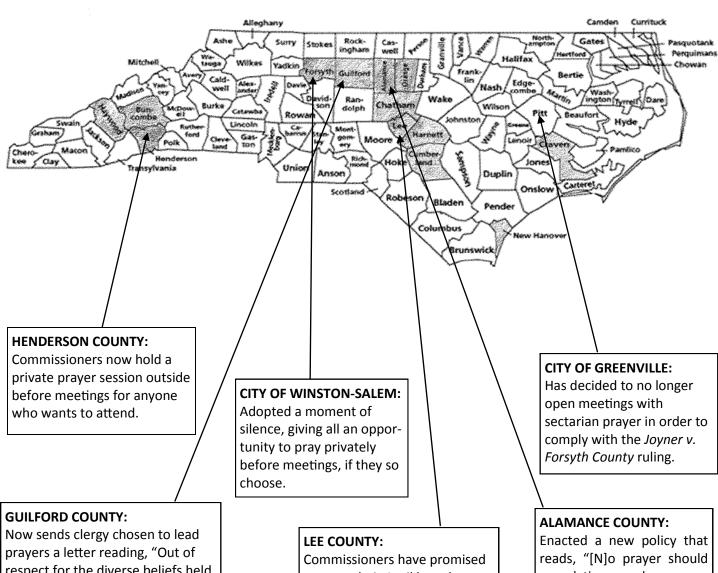
-NC House Speaker Thom Tillis, in response to an ACLU-NCLF request that the General Assembly obey the law when holding invocations. The GA has a 16% approval rating, according to a January poll.

So far, more than 20 North Carolina governments have changed prayer policies in light of *Joyner v. Forsyth County:*

Counties: Alamance, Buncombe, Chatham, Craven, Cumberland, Forsyth, Guilford, Harnett, Haywood, Henderson, Lee, Orange, New Hanover (in gray)

Cities/Towns: Granite Quarry, Greensboro, Greenville, Havelock, Kannapolis, Raleigh, Wilmington, Winston-Salem

Responses from around the state:



Now sends clergy chosen to lead prayers a letter reading, "Out of respect for the diverse beliefs held by our community, we respectfully request that you do not use the invocation to advance a particular religious faith, sect, or [tenet] of belief over another."

Commissioners have promised to open their April board meeting with a moment of silence, allowing those present to pray — or not — according to their conscience.

Enacted a new policy that reads, "[N]o prayer should proselytize or advance any faith, or disparage the religious faith or non-religious views of others."

ACLU-NC & Allies Lead Coalition to Protect ALL North Carolina Families



Volunteers call potential voters from our campaign office in Asheville.

(Continued from page 1)

which will encourage opponents of the amendment to participate in Early Voting to ensure that our supporters cast a ballot.

To date, our coalition has raised more than \$1 million and received the support of more than 120 organizations, including the NAACP, the Libertarian Party, and many faith organizations. Business leaders, Gov. Bev Perdue, and even President Obama have voiced their opposition to the amendment — but we still need your help! Polls have shown that we can defeat Amendment One only with a fully educated electorate.

We encourage all ACLU members and supporters to do anything you can – volunteer, speak out, display a bumper sticker or yard sign, etc. – to inform your friends and family about the amendment's harms and to help



ACLU-NC Campaign Organizer Colin Stephans

defeat Amendment One on May 8.
Visit protectncfamilies.org or email our Campaign Organizer, Colin Stephans, at cstephans@acluofnc.org for more information.

PROTECT All

Get Informed & Involved!

Help us defeat Amendment One!

Visit protectncfamilies.org

What every voter should know about Amendment One:

The Amendment harms children:
It could take away legal protections from the children of unmarried parents, jeopardize their health insurance, threaten custody and visitation rights, and take children away from a committed parent who has loved them their whole life if something happens to the other parent.

The Amendment harms families:

Marriage for gay and lesbian couples is already illegal in North Carolina, but the amendment would also ban domestic partnerships and civil unions. It could jeopardize the ability of committed but unmarried couples to make medical and financial decisions for each other.

The Amendment harms women:
The Amendment could take away
domestic violence and stalking
protections from unmarried women.

ACLU-NC Criticizes New Hanover County Board for Rejecting \$9,000 in Reproductive Health Care Funds

Calls All-Male Board's Unanimous Vote "Shameful" and "Appalling"

he ACLU-NC sharply criticized the New Hanover County Board of Commissioners for voting on March 12 to reject a state grant worth almost \$9,000 that would have funded reproductive health care and family planning services for women. Chairman Ted Davis told the board he opposed accepting the state money to fund doctor's visits, medication, contraception and other services for women because, "If these young women were responsible people and didn't have the sex to begin with, we wouldn't be in this situation."

After the five-member, all-male board voted unanimously to reject the funds, Jennifer Rudinger, ACLU-NC Executive Director, called the commissioners' vote "truly shameful" and issued the following statement:

"Most American women use contraception at some point in our lives in order to plan responsibly, and for many of us, contraception can also aid with other medical conditions. Unfortunately, many low-income women and young women do not have reliable access to contraception. The state funds the county rejected could have provided these women with medical care they cannot otherwise afford or access. The state offered this money to the county without any strings attached and without any increased burden on taxpayers. The commissioners' decision

to reject this funding is appalling."



ACLU-NC Executive Director Jennifer Rudinger

Editor's note: At the time of this writing, the New Hanover County Commissioners were scheduled to reconsider their vote on April 2, after a tremendous outpouring of public opposition and criticism from the ACLU of North Carolina.



Volunteers call potential voters from our campaign office in Asheville. The ACLU-NC has rented and opened campaign offices in Asheville, Charlotte, and Greensboro to fight against Amendment One.

Volunteering to Protect All North Carolina Families



Q.

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

Friends, we need your help. As you evaluate your budget and think about your charitable contributions for 2012, <u>please</u> put the ACLU-NCLF at the top of your list. The demand for our work has never been greater!

☐ 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:
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Address:
City:, NC Zip:
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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 Program Associate Kevin Eason at 919-834-3466 or keason@acluofnc.org. MasterCard and Visa 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.acluofnorthcarolina.org/?q=donate

Defending Free Speech Rights for Conservative Activist

he ACLU-NCLF sent a letter to the Guilford County Board of Commissioners on Jan. 27 expressing concern that the Board's recent decision to ban multimedia presentations during public comment periods violates the First Amendment.



Jodi Riddleberger

In October, Jodi Riddleberger, a Guilford County resident affiliated with a group called Conservatives for Guilford County, played a video as part of her allowed three-minute public comment. After the presentation ended, Board Chairman Marvin L. Alston indicated his displeasure with the video as an "unpaid commercial for candidates" and remarked that from that point forward, the County should try to "screen videos" for content. The board subsequently voted, without public input, to ban audio/visual presentations during public comment periods but later indicated that groups wishing to show videos during board meetings could ask to be placed on the board's meeting agenda. However, Chairman Alston and staff later denied Riddleberger's requests to be placed on the agenda.

"It appears that the County's actions with regard to Ms. Riddleberger, as well as the passage of the ban on audio/visual presentations during public comment period, constitute violations of the First Amendment," said Katy Parker, ACLU-NCLF Legal Director. "The general requirement that individuals can show videos only if approved and placed on the agenda is an unconstitutional prior restraint on speech. Further, Chairman Alston's specific comments and actions against Ms. Riddleberger suggest that these new rules are not being applied evenly to all speakers."

Parker has urged the board to reverse the ban on audio/visual presentations during public comment periods.

Winston-Salem Police Dept. Improves Checkpoint Policy Following ACLU-NCLF Investigation

'A Great Step Forward,' Says ACLU-NCLF

n response to an investigation and public pressure from the ACLU-NCLF, Winston-Salem Police Chief Scott Cunningham announced on Feb. 13 that his department would revise its policy concerning the placement and execution of driver's license checkpoints throughout the city.

ACLU-NCLF Racial Justice Attorney Raul Pinto has spent the last year investigating the department's checkpoints, about 85% of which are placed in predominantly minority neighborhoods, according to police data showing the city conducted 244 checkpoints in an 11-month span. After receiving many complaints from citizens whose neighborhoods are disproportionately affected by checkpoints, ACLU-NCLF attorneys asked the Winston-Salem Police Department to adopt four policy changes to ensure that these checkpoints do not violate the Fourth Amendment's protections again unreasonable search and seizure and to be sure they are not targeting drivers based on race or ethnicity.

The four recommendations

were to (1) end the disproportionality of checkpoints in minority communities, (2) adopt a form to document what happens at each checkpoint, (3) properly report information about enforcement actions at checkpoints to the State Bureau of Investigation, and (4) provide officers with additional training about checkpoint protocol, the new reporting forms, and racial bias.

Under the new policy, Chief Cunningham agreed to adopt three of the four requested changes. First, the department will create new forms to gather data on checkpoints that include the location of the checkpoint, the purpose of the checkpoint, and information about citations written or arrests made. Second, the department will take steps to improve its method of reporting checkpoints to the State Bureau of Investigation. Third, all officers will now require additional training for executing and reporting checkpoints.

In addition to these improvements, checkpoints will now require approval from an officer with the rank of lieutenant or higher and all



ACLU-NCLF Racial Justice Attorney Raul Pinto discusses racial justice issues during a panel at UNC Law school.

checkpoint stops will be monitored by in-car cameras.

Pinto told the Winston-Salem Journal that the changes are "a great step forward to solving the problem," but encouraged the city to be transparent with its checkpoint data and allow an outside entity to audit the new policies.

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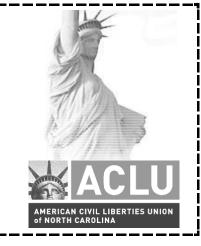
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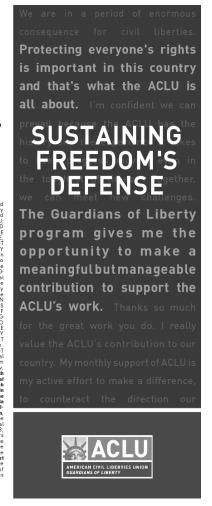




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To contact us about your membership please call (212)-549-2543 or email guardians@aclu.org

A copy of the latest Financial Report and Registration filed by the American Civil Liberties Union may be obtained by the American Civil Liberties Union may be obtained by the American Civil Liberties Union, 125 Broad Street, 18th Floor, New York, NY 10004-2400, 1-888-567-ACLU, or in Fiords, A COPY OF THE OFFICIAL REGISTRATION AND THE OFFICIAL REGISTRATION DESCRIPTION OF CONSUMER SERVICES BY CALLING TOIL-FREE DIMISION OF CONSUMER SERVICES BY CALLING TO SERVICES BY CALL



ACLU-NC Monitors Preparations for 2012 Democratic National Convention in Charlotte

s Charlotte prepares to host the Democratic National Convention in September, the ACLUNC has been keeping a watchful eye on the city's proposed crowd-control ordinances in order to ensure that the constitutional rights of protestors and others are not infringed.

In the media and in direct talks with Charlotte officials, ACLU-NCLF Legal Director Katy Parker has expressed concerns about several aspects of the proposals and specifically a provision that would allow police to search backpacks, duffle bags, and other bags if they are "carried with the intent to conceal weapons or other prohibited items."

"To me, that looks like the cops can search your backpack for any reason," Parker told the *Charlotte Observer*. "If you have no standards, it risks racial profiling, or other profiling."

The four-day event will be held at the Time Warner Cable arena. Previous party conventions in other cities have resulted in ACLU lawsuits over violations of free speech, equal protection, and privacy.

GUARDIANS OF LIBERTY: SUSTAINING FREEDOM'S DEFENSE

For over 90 years, the American Civil Liberties Union has defended the freedoms guaranteed in the Constitution and the Bill of Rights.

Now more than ever we need the dependable support of members like you.

Guardians of Liberty members make modest monthly donations to provide the ACLU with consistent support to defend all of our rights.

You can count on me to defend the Constitution and Bill of Rights with an automatic monthly gift charged to my credit card in the amount of: □\$25 □\$20 □\$15 □Other\$ *Minimum monthly donation is \$10.	TERMS OF AGREEMENT Terms of Agreement: I authorize the ACLU to charge my credit card in the amount that I have indicated. I understand that I may
Name	cancel my pledge at any time. A record of each gift will appear on
Address	my credit card statement.
City State Zip	
To receive email updates:	
Please charge my contribution to: MC VISA Amex Discover	Signature
Account #:	
Expiration Date:/	Date
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Your monthly gift can provide the support we need to fight for all our freedoms. As a Guardian of Liberty you will also receive monthly updates on our work.

Please take a moment to complete the form and send it back today, or go to www.aclu. org/guardian to sign-up. It's fast, easy, and secure.



Charges Dropped Against Disabled Demonstrator

ACLU-NCLF Provided Legal Defense for Woman Arrested at Occupy Raleigh

n Feb. 14, the Wake County District Attorney's Office dropped criminal charges filed against a 57-year-old disabled Occupy Raleigh protestor who was arrested for refusing to move a chair she required because of back problems away from the demonstration in which she was participating.

Margaret Schucker received legal representation from the ACLU-NCLF and Cooperating Attorney Scott Holmes, of the Durham law firm of Brock, Payne & Meece. The ACLU-NCLF argued that Schucker's arrest violated her constitutional right to free speech and peaceful assembly.

"We're very pleased that the charges against Ms. Schucker have been dropped," said Katy Parker, ACLU-NCLF Legal Director, who called the news "a victory for the First Amendment and for the rights of all people with disabilities."

Schucker was sitting in a chair while protesting Oct. 27 on the public sidewalk along Morgan Street



Margaret Schucker sits in her chair on the sidewalk along Morgan Street in downtown Raleigh prior to her October 27 arrest. Image courtesy of Occupy Raleigh.

outside the North Carolina State Capitol, where peaceful protestors were forced to move after being expelled from the Capitol grounds.

Police ordered Schucker to move her chair from the sidewalk and relocate away from the street, to a bench on the Capitol grounds, where protestors were not allowed to demonstrate. Schucker, who was wearing a blue and white handicapped permit on her chest, told the police that she had back problems and needed the chair to participate in the demonstration. She was not blocking traffic on the sidewalk and had made sure to leave at least three feet of space for passersby, in compliance with the Americans with Disabilities Act. When she refused to move her chair, Schucker was arrested for second-degree trespassing.

Raleigh, Counties Warned About Panhandling Rules

New Laws Require Fees, Photo ID, Permit for People Wanting to Panhandle

he ACLU-NCLF sent letters on Jan. 3 to officials in Wake County, Johnston County, and the City of Raleigh, expressing concern that recently enacted or proposed panhandling ordinances may violate the U.S. Constitution's First Amendment.

In the letters, ACLU-NCLF Legal Director Katy Parker objected to policies that would require panhandlers to complete a background check and show a photo ID in order acquire a permit to panhandle. Johnston County required a \$20 fee. Parker called the requirements unconstitutional restrictions on free speech, and in media interviews urged anyone arrested under the ordinances to contact the ACLU for legal advice.

"There's an argument that the least among us, those who have been hit hardest and are really down on their luck, need the most protec-

tion under the Constitution," Parker told the *Raleigh News & Observer*. "What's happening here is, the city of Raleigh, Wake County and Johnston County want to deny panhandlers the ability to do what they have a constitutional right to do."

Parker also pointed out equal protection concerns because the laws are targeted at individuals asking for money for themselves but not money for charities.

Civil Liberties Advocates Honored at 43rd Annual Frank Porter Graham Awards

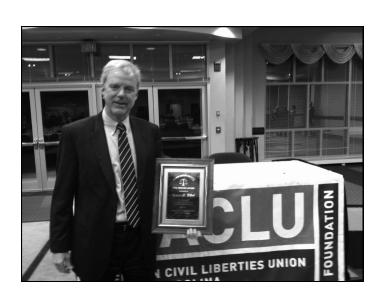
More than 250 supporters of the ACLU-NCLF came together for our 43rd annual Frank Porter Graham Awards Ceremony on Saturday, Feb. 11, at the William and Ida Friday Center in Chapel Hill. In addition to enjoying great food and conversation, ACLU-NC members and supporters celebrated the achievements of Robert "Hoppy" Elliot, Rep. Marcus Brandon (D-Greensboro), Kris Parks, Ian Palmquist, and Jackie Azis.

The evening's keynote speaker was Steven Shapiro, Legal Director of the national ACLU.

The ACLU-NCLF wishes to thank all of our friends at Replacements, Ltd., for their extraordinary generosity in supporting this event as Title Sponsors for the ninth year in a row.



Former ACLU-NC Board President Robert "Hoppy" Elliot addressed the crowd after being honored with the Frank Porter Graham Award for his work as a civil rights attorney, including providing representation to detainees at Guantánamo Bay prison.



Robert "Hoppy" Elliot received the Frank Porter Graham Award in part for his work as a cooperating attorney on ACLU-NC cases involving free speech, ballot access, due process, and equal protection. "What is offensive to me as a civil libertarian," Elliot told the crowd, "is an attempt to use the Constitution as a sword to cut civil rights."



Keynote speaker Steven Shapiro, Legal Director of the national ACLU, commended the North Carolina affiliate for being a leader on human rights issues, and gave the audience an overview of the ACLU's successes and challenges regarding LGBT rights, voting rights, and ending the death penalty in the United States.

UNC law student Jackie Azis, one of the ACLU-NC's most dedicated volunteers, was honored by the ACLU-NC Board with the Norman Smith Award. Azis has served as a law clerk, intern, and anonymous plaintiff for the ACLU, in addition to organizing lobbying and protest events for UNC law students.





Outgoing ACLU-NCLF Legal Director Katy Parker was recognized for her years of extraordinary service to the affiliate. Parker's last day at the ACLU-NCLF will be May 31, but she will continue to volunteer her services as a member of our Legal Committee.



Left: ACLU-NC Executive Director Jennifer Rudinger (right) presented Kris Parks with the Paul Green Award for her tireless work combatting the death penalty in North Carolina. Parks has represented death-row inmates in conviction appeals and lobbied to prevent the execution of people with severe mental illness.



More than 250 ACLU-NC members and supporters attended the event.



Ian Palmquist, former Executive Director of Equality NC, was honored with the ACLU of NC Award for his work advancing LGBT rights, advocating on behalf of people with HIV/AIDS, and helping to rebuild NARAL Pro-Choice North Carolina.



North Carolina State Representative Marcus Brandon (D-Greensboro), received the inaugural Sharon Thompson Award for his work fighting for LGBT rights in the state legislature.

2012 ACLU-NC/LF Board Elections

t is time once again to act on nominations for our two Boards of Directors. Elected Directors run two corporate entities: the ACLU of North Carolina (ACLU-NC) and the ACLU of North Carolina Legal Foundation (ACLU-NCLF). The ACLU-NC is engaged in legislative work and membership recruitment and therefore is a separate organization, while the ACLU-NCLF is our charitable 501(c)(3) entity that runs our legal program and most of our educational activities.

Our Board members serve three-year terms and may be elected for no more than two consecutive terms. Four incumbents who are eligible for nomination this year have said that they would like to remain on the Board: Dan Blau, Vernon Cloud, Molly Leight and Jennifer Lorenz.

In addition, four new voices

are seeking to be added to the Board: Malik Edwards, Robert "Hoppy" Elliot, Keith Howard, and Melody Ray-Welborn. All eight of these nominees are recommended by our Nominating Committee, and this slate has been approved for your consideration by the current ACLU-NC Board of Directors.

Please read the candidates' statements inside this election pamphlet and mail in your ballot today.

Ballots must be <u>received</u> by (not postmarked by) Wednesday, May 16th at 12:00 p.m.

The ballot is located on Page 19 of this newsletter. Please remove the ballot, vote for the candidate(s) of your choice, and return it to the ACLU-NC office so that the ballot is received no later than 12:00 p.m. on May 16, 2012. Please both print and sign your name on the back of your envelope (on or near the flap of the envelope).

To maintain voter confidentiality, please do not place any identifying marks on the ballot itself, and please fold the ballot as indicated in the instructions on Page 20.

Board elections will take place at the ACLU-NC's Annual Membership Meeting on Thursday, May 17, from 7:00 to 8:30 p.m. at the United Church of Chapel Hill's Fellowship Hall, 1321 Martin Luther King Jr. Boulevard, Chapel Hill, NC, 27514. All ACLU members are welcome to attend.

Members who have not voted by mail may vote in person at this meeting. For more information, call the ACLU-NC at (919) 834-3466.

MEET THE BOARD CANDIDATES

Dan Blau



Thank you for considering me for the Board of Directors of the ACLU of North Carolina.

I am a criminal-defense attorney at Robert H. Hale, Jr. & Associ-

ates in Raleigh, North Carolina. As a defense attorney, I encounter civil rights and civil liberties issues on a daily basis, including fair-trial protections, invasions of privacy rights, and racial profiling. No matter the case, I always strive to protect my clients' rights to a fundamentally fair criminal-justice system.

I first became involved with the ACLU of North Carolina when I served as a legislative clerk in the Raleigh office during the summer of 2005. For the past three years, I have had the honor and privilege of serving on your Board of Directors. I have served as chair of our development committee, served as

Treasurer of both the ACLU-NC and ACLU-NC Legal Foundation Boards, and was recently elected to serve as Vice-President of the ACLU-NC. I am so proud of the important and courageous work that the ACLU of North Carolina does in the areas of LGBT and reproductive rights, racial justice, and the First Amendment, and our staff's dedication and devotion to their work is a constant inspiration to me.

In my second term on the Board, I will continue to bring to the Board my energy, enthusiasm, and the knowledge and perspective I have gained as a daily advocate in our courts. I would appreciate your vote.

Vernon Cloud



It has been an honor and a privilege to have served on the Board of Directors for the ACLU of North Carolina for the past three years.

I have had the wonderful opportunity of working with so many brilliant, hard-working, passionate individuals. I recognize the important work that the ACLU has ahead, and I want to continue to be a part of it. I am requesting your vote to serve an additional term on the Board.

I am currently an attorney at Cloud & Williams, PLLC. I became an attorney for the sole reason of helping others. The fight to protect the civil rights and liberties of all people is more important today than at any other time in our nation's history.

Each year the legislature takes steps to enact laws that infringe upon our rights. Many of us do not realize these infringements until it affects us personally. That is why it is extremely important that organizations like the ACLU-NC remain a constant force in defending the civil rights and liberties of all.

If elected, I will continue to dedicate my time, energy and experience. It would be an honor to be elected to another term.

Malik Edwards



I would be honored to serve on the Board of the ACLU of North Carolina.

Thank you in advance for your consideration of my candidacy. My parents taught me about the intersection of civil rights and civil liberties from a young age. The foundation laid by my parents was strengthened during my time at Oberlin College and New York University School of Law. I worked with student organizations committed to equality, whether it be around race, gender, sexuality or class. During law school I served on the National Board for the Black Law Students Association and participated in NYU's Criminal Defense Clinic.

But it was actually an ACLU project that changed my life. As a summer associate at Skadden Arps law firm in New York, I was part of a team working with the ACLU on Alabama's school finance litigation. Although I came to the litigation during the remedy stage, the experience changed my life. This project let me see that I wanted to put my energies into educational equity. I returned to school to pursue my doctorate in Educational Policy at the University of Pennsylvania graduate School of Education.

Upon graduation, I came to North Carolina to teach at Charlotte School of Law. I have closely followed the ACLU's role in supporting educational equity in particular and civil liberties more generally. I would be thrilled to work with the organization to further its mission.

Robert "Hoppy" Elliot



In our representation of five Guantánamo detainees, we drew upon the courageous efforts of Pakistani lawyers in support of an independent judiciary in that conflicted country. Our reason for doing so was to emphasize that, as our Pakistani counterparts were demonstrating in their country, we had reason in our country to raise the same concerns in our treatment of the detainees, who had been detained for years, without charge or conviction, and in deprivation of fundamental process. While we are justly proud of our Constitution, there are constant reminders that our vigilance is required to enforce it.

I became a member of the ACLU during my law school years for that reason. The ACLU of North Carolina, like its national organization, exists to provide that eternal vigilance which makes our Constitution responsive and to support those who need its protection.

Over the years, I served on the Board of the ACLU of North Carolina, ultimately as President during the Reagan era. When my term ended, I served as General Counsel for several years. But my most

(Continued on page 16)

fulfilling work for the ACLU has been through my efforts as cooperating attorney in which I have been able to support the Constitution in our courts. Given my respect for the organization, the honor which I received this year as the Frank Porter Graham Award recipient is the highest honor I can imagine.

I would welcome the opportunity to serve on the state board once again or to serve in other ways.

Keith Howard



I am honored and excited about the possibility of becoming a member of the ACLU-NC's Board of Directors. I first learned about the ACLU during law school and joined it. After graduation and during the first six years of my legal career, I worked for Legal Aid of N.C. Inc. ("LANC"). At LANC, I represented indigent students deprived of their constitutional rights to education. Many of my clients were illegally suspended from school for trivial misbehavior. These children were invisible to the world. Despite their invisibility, my goal was to let the world know these young people were human and worthy of receiving an education. In pursuit of that goal, I spent countless hours representing children at disciplinary hearings and conducting legal workshops and trainings for community members and advocates.

In August 2011, I resigned from

LANC and took a position as an assistant professor at the Charlotte School of Law. As a professor, I am committed to training law students to become agents of social change. Most recently, I supervised two law students representing a child sent to a low-performing alternative school for making a hand gesture. The law students successfully advocated for the child and the school reversed its disciplinary decision.

As reflected above, I am dedicated to eradicating injustice. I will bring my experience, passion, and dedication to the Board. If selected, I vow to competently fundraise, seek new members, and execute my duties.

Thank you for considering me for such a prestigious position.

Molly Leight



It has been a pleasure to be on the Board of the ACLU-NC. I would like to continue next year.

I have admired and learned from the legal minds of my fellow Board members and the staff of the ACLU-NC. To a non-lawyer, they are an amazing crew! The passion with which they tackle civil liberties issues is an inspiration to us all. The other inspirations to me are the brave clients in our court cases. Would that we were all brave enough to stand in front of the world espousing our constitutional rights!

Perhaps my own passion for constitutional issues and individual rights stems from the fact that I grew up in a part of the world where democracy was tenuous and the concept of individual rights and liberties was uncharted. It was an extraordinary dichotomy to study high school American Government in the midst of that world! That surely hardened my resolve about constitutional and individual rights.

My long career in medical research kept me personally isolated from the hands-on ACLU-NC efforts, although I was always an advocate and patron; so imagine the satisfaction, after I retired, when I could actually have a role in ACLU work and in social issues! I am now in my second term as a Winston-Salem City Council Member and an advocate for neighborhood rights. I have been caught in the middle (City vs. ACLU) and had to recuse myself, only once. I expect you know where my heart was!

Jennifer Lorenz



For the past year, I have been serving as the President of the ACLU-NC Board of Directors. For the next year, I have been elected to serve as Secretary of the ACLU-NC Board. I have been a member of the ACLU for 20 years and, in that time, my enthusiasm for and engagement in the very im-

portant work of the ACLU has never waned.

I am a retired molecular biologist, so I bring a scientific mind to the Board, which I believe is beneficial.

My particular areas of interest are abuse of power; the death penalty, which I have been working to abolish; and defeating Amendment One. I believe that it is the role of ACLU members and Board members to educate the public on issues of civil liberties, and I have been a strong proponent of educating the public about the dangers of codifying in the NC Constitution the hateful persecution of both gay and heterosexual, unmarried couples. I would like to remain on the Board and lend my expertise to the important work this Board does.

in our state.

I graduated from Duke University with a degree in Economics and completed the Markets and Management Studies Program there. After receiving my law degree from Emory University School of Law, I worked as an attorney at Womble Carlyle Sandridge & Rice, PLLC in Raleigh for seven years and then became one of the founding members of the law firm Graebe Hanna & Welborn, PLLC almost four years ago, continuing my practice in the field of civil litigation. I witnessed the impact of the ACLU-NC's work during a firm colleague's successful representation on behalf of the ACLU-NCLF as a cooperating attorney in a recent First Amendment case.

I would be honored to devote

my time and energy to the ACLU-NC in any capacity needed, but I am particularly interested in making sure that young people are informed about the work that the ACLU is doing right here in our state and changing the sentiment that the work to protect civil liberties has already been done or is being done by someone else. I believe that we need the involvement, commitment and contributions of young people to continue and expand upon the important work of the ACLU-NC.

Melody Ray-Welborn



I grew up in a small community in Western North Carolina and first became interested in and passionate about the treatment and protection of those who were seen as "different" while living in this community. My interest in fairness and equality for all persons developed into a concern about the status of civil liberties

The ACLU-NC is proud to co-sponsor ...

A free statewide conference on

Our Responsibility to Oppose the Abuse of State Power: Moving Together Toward a More Humane Society

Saturday, April 28, from 10 a.m. to 4 p.m. at the

<u>Dynacom Event Center</u>

2100 E. Wendover Ave., Greensboro

What can be done about mass jailing of black youth, locking up immigrants, torture and the general breakdown of the rule of law? Come and let us think and plan together!

Several North Carolina-based grassroots organizations are organizing this free, day-long summit about the abuse of state power in the United States. All are welcome to come and participate in a broad-ranging discussion of issues that threaten to transform our state and nation for the worse. Topics will include racially targeted mass incarceration, increasing attacks and repression against Latinos and Muslims, torture and extraordinary rendition, police misconduct, solitary confinement, repression of dissent, and other related issues.

The event is free, but donations are welcome. For more information, contact Lewis Pitts at 336-275-0840.

North Carolina Courts Discriminate Against Non-English Speakers, According to Federal Probe

he U.S. Justice Department released findings of an investigation on March 8 showing that North Carolina's court system routinely discriminates against people who are not proficient in English, in violation of Title VI of the federal Civil Rights Act. Title VI prohibits discrimination on the basis of race, color, or national origin by state courts.

In a letter to the North Carolina Administrative Office of the Courts (AOC), the Justice Department wrote that it had "determined after a comprehensive investigation that the AOC's policies and practices discriminate on the basis of national origin, in violation of federal law, by failing to provide limited English proficient

"A person's right to due process and equal access to our legal system should not depend on their national origin or ability to speak English." - Katy Parker, ACLU-NCLF

(LEP) individuals with meaningful access to state court proceedings and operations." The report found that this discrepancy results in harsher penalties and longer jail sentences for non-English speakers. Nearly 10 percent of North Carolina's population speak a primary language other than English.

Katy Parker, Legal Director of the ACLU-NCLF, said the findings were a step in the right direction.

"We thank the Justice Depart-

ment for its thorough investigation and urge the Administrative Office of the Courts to take any and all actions necessary to comply with the law by providing limited-English speakers with the proper resources to access state court proceedings," Parker said. "A person's right to due process and equal access to our legal system should not depend on their national origin or ability to speak English."

Updates from Around the State

University of North Carolina School of Law Chapter

he ACLU-NC chapter at the University of North Carolina School of Law held its first-ever voting rights and registration pro bono project on March 21 at East Chapel Hill High School. Conducted by Prof. Gene Nichol,

the project informed high school students who are eligible to vote this year about voter registration, the history of voting rights, the importance of voting, laws protecting the right to vote, and issues that will be on the ballot this year. This pro bono project was created by the ACLU pro bono committee, headed by Charlotte Stewart, a first-year member of the ACLU-UNC School of Law Chapter.

Duke University School of Law Chapter

n March, the Duke Law ACLU chapter sponsored a discussion about Occupy Wall Street and cosponsored a discussion on Arizona's "racial profiling" law. Of particular note, Lucas Guttentag, founding

director of the ACLU Immigrants' Rights Project and Professor of Law at Yale Law and Stanford Law, was one of the panel members. Additionally, the chapter is coordinating with Duke Together Against Constitutional Discrimination to help campaign against Amendment One. The chapter is recruiting members to assist with phone banking efforts.



Election Ballot for the American Civil Liberties Union of North Carolina



IMPORTANT VOTING INSTRUCTIONS: For Individual Memberships: Vote for a maximum of seven (7) candidates under the column marked 'Individual.' An individual member may not vote for the same candidate twice. For Joint Memberships (two members with the same mailing address voting on the same ballot): Vote for a maximum of 14 candidates, one member voting for up to seven candidates under the column marked 'Individual' and the second member voting for a maximum of seven candidates under the column marked 'Joint.' If you have a joint membership with the ACLU, you will have two names on the mailing label of this Election-edition newsletter. To vote, simply place an 'X' in the box before the name you select.

Individual	Joint	
		Dan Blau
		Vernon Cloud
		Malik Edwards
		Robert "Hoppy" Elliot
		Keith Howard
		Molly Leight
		Jennifer Lorenz
		Melody Ray-Welborn

Each member may vote for up to seven (7) candidates. Voting for more than seven (7) candidates, or voting for a candidate twice in the case of an Individual member, will result in the disqualification of the ballot.

IMPORTANT: To maintain vote confidentiality, please see the reverse of this ballot for folding instructions.

REMEMBER: Your ballot must be received in our office by (not postmarked by) 12:00 p.m. on Wednesday, May 16, or you may cast your vote in person at the Annual Membership Meeting on Thursday, May 17, from 7:00 to 8:30 p.m. at the United Church of Chapel Hill, 1321 Martin Luther King Jr. Blvd, Chapel Hill.



C

PLEASE READ THESE IMPORTANT INSTRUCTIONS FOR BALLOT FOLDING AND MAILING!!!

- 1. Before starting, read through these instructions.
- 2. Please note the four capital letter A's in the corners on the front side of the ballot and the capital letter B's and C's located on this (the reverse) side of the ballot.
- 3. After reading these instructions, turn the ballot back over, so the ballot is face up.
- 4. Fold the ballot in half, from the bottom up, matching (touching) the A's in the four corners.
- 5. Fold the remaining half in thirds, first matching the B's and then matching the C's.
- 6. If you folded the ballot correctly, you should be looking at the words "ACLU-NC Election Ballot" on top.
- 7. Seal the ballot, as indicated, with some tape or a staple.
- 8. Mail the ballot to:

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

- 9. BOTH SIGN AND PRINT your name on the back of your envelope on or near the flap (two names for a joint membership) and be sure to include your return address on the envelope (legibly) in order for us to verify your membership status. We must be able to verify that you are/were an ACLU-NC member in good standing as of December 31, 2011, before counting your vote.
- 10. Put a stamp on your envelope and mail to the ACLU-NC as soon as possible. It must be received in our office by Wednesday, May 16, at 12:00 noon.

Members may also vote in person at the ACLU-NC's Annual Membership Meeting, which will be held on Thursday, May 17, from 7:00 to 8:30 p.m. at the United Church of Chapel Hill, 1321 Martin Luther King Jr. Blvd, Chapel Hill.







Updates from Around the State, Cont.

ast November, the ACLU-NC's Western North Carolina (WNC) chapter hosted a presentation on the state's death penalty by ACLU-NC Board member and Appalachian State University Sociology and Criminal Justice Professor Matthew Robinson. The event was well-attended and cosponsored by the UNC-Asheville ACLU-NC chapter. The WNC chap-

ter has also been instrumental in

establishing and staffing the Ashe-

ville office of the Coalition to Pro-

tect All NC Families.

The chapter is also joining Prof. Mark Gibney, faculty advisor to the UNC-Asheville chapter, and the WNC Coalition on Death Penalty Repeal to sponsor a presentation of the acclaimed film, "The Trials of Darryl Hunt." The film's subject, death-row exoneree Daryl Hunt

Western North Carolina

will be in attendance to participate in a question-and-answer session. Hunt, an African-American man from Winston-Salem, was imprisoned on death row for 19 years before being exonerated by DNA evidence. This event will take place in April, most likely on the UNCA campus at a date t/b/a.

The WNC Chapter's Annual Membership Meeting will be held on Sunday, May 20 at 2 p.m. at WNC Community Health Services' old campus, 264 Haywood Road, near Ridgelawn in West Asheville, 28806. Our chapter will propose new Board members for election by the regional ACLU members present and will present the annual Evan Mahaney Champion of Civil Liberties Award to the Hispanic social activist and immigrant policy reform group, Defensa Comunitaria. The Annual Meeting will also

include a forum on immigration that will include national, local, and personal perspectives on implementation of U.S. immigration policy, with a focus on Western North Carolina

The chapter wishes to express our great appreciation to recent past chapter Board members Monika Wengler and Leilani Pascale for their valued service on our Board. Monika served effectively and selflessly as our chapter secretary, while Leilani was only getting established as a new Board member when her husband's career change caused them to move to Boston. Working with separate subcommittees, our chapter has developed new policy statements on both Board membership diversity and a revised set of chapter bylaws.

Wake County





During its annual Finlator Award Dinner on Nov. 10, the Wake County chapter of the ACLU-NC awarded Rev. Nancy Petty of Pullen Memorial Baptist Church (left) and Planned Parenthood Health Systems, represented by President/CEO Walt Klausmeier and Vice President for Public Policy Melissa Reed (pictured right), with the W.W. Finlator Award and ACLU of Wake County Award, respectively, for their extraordinary contributions to advocacy of civil liberties and social justice.

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Updates from Around the State, Cont.

Elon University School of Law

he Elon University School of Law chapter of the ACLU-NC has been actively involved not only within the law school but also within the greater Greensboro community.

On February 29, the Elon Law ACLU chapter hosted ACLU-NCLF Racial Justice Attorney Raul Pinto, who gave a presentation to law students about recent developments in the Winston-Salem checkinvestigation points the Fayetteville consent searches issue. Pinto also trained Elon Law students on how to effectively give Know Your Rights presentations in the local community. Currently, the Elon law ACLU is arranging to conduct Know Your Rights presentations for the Greensboro Interactive Resource Center's homeless clientele as well as University of North Carolina at Greensboro and Guilford



Members of Elon Law's ACLU-NC chapter make phone calls to potential voters in the Greensboro office of Protect All NC Families on March 27.

College students. These efforts will not only educate local citizens on how to deal with law enforcement respectfully without sacrificing personal liberties; they will also benefit law students by providing opportunities to review criminal procedure principles leading up to final exams.

Additionally, members of the Elon Law chapter of the ACLU-NC have been volunteering in the community to educate citizens on the

dangers of Amendment One to the North Carolina Constitution. The chapter has been actively engaged in organizing student volunteers for the Coalition to Protect All NC Families' Greensboro phone bank. Elon Law ACLU members have also been volunteering during lunch to assist in registering Elon Law students to vote in North Carolina with the aim of defeating Amendment One.

Let's Talk About Voting Rights



ACLU-NC Policy Director Sarah Preston (fourth from left) participated in a "Front Porch Conversation" about voting rights sponsored by the City of High Point's Human Relations Department on March 15.

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

Dianna Wynn

President of both Boards

Dan Blau

ACLU-NC Vice-President

Holning Lau

ACLU-NCLF Vice-President

Jennifer Lorenz

ACLU-NC Secretary

Tish Gay

ACLU-NCLF Secretary

Chris Hill

Treasurer of both Boards

Jon Sasser (LF)

Legal Committee Chair

Carlos Mahoney

National ACLU Board Rep.

Seth Cohen (LF)

General Counsel

Vernon Cloud

Affirmative Action Officer

Tom Burton

Helen Cai (U)

Jim Cavener (U)

Bruce Elmore (LF)

Stephen Feldman

Curry First

Risa Foster

Irene Godinez

Catherine Y. Kim

Julie A. Lapham

Molly Leight

Nikki McDougald

Tin Nguyen

Trevor Presler (U)

Cory Rich (U)

Matthew Robinson

Ben Snyder (U)

Alesia Vick

Angelica Reza Wind

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.

Job Opening at the ACLU-NC Legal Foundation!

Major Gifts Officer

Applications are now being accepted.

For job duties, qualifications, and instructions on how to apply, please see our website at:

www.acluofnc.org

(The ACLU-NCLF is an equal opportunity / affirmative action employer. We encourage applications from all interested persons, including people of color, persons with disabilities, and LGBTQ persons.)

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 Attorney Kevin Eason, Program Associate Emily-Mary Brown, Paralegal Colin Stephans, Campaign Organizer

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Save the date!

The ACLU-NC's Annual Membership Meeting - May 17

The ACLU of North Carolina will host its annual membership meeting Thursday, May 17, from 7:00 - 8:30 p.m. at the United Church of Chapel Hill's Fellowship Hall, 1321 Martin Luther King Jr. Boulevard, Chapel Hill, 27514.

Featuring a panel discussion with same-sex couples harmed by North Carolina's current adoption laws and entertainment by spoken word artist Will McInerney, Executive Director of the Sacrificial Poets.

The event is free and open to the public.

