



Angaza Laughinghouse, ACLU of North Carolina's field manager, calls on Gov. Cooper to veto HB 805, an anti-Black Lives Matter bill approved by the state legislature this summer.

Unrelenting Resistance

It is easy to frame the legislative attacks on civil liberties we have witnessed in the past months as retaliation against the public demands for racial justice in 2020. In some cases, powerful decision-makers have made clear their intention to punish North Carolinians for exercising their constitutional rights to participate in a healthy democracy. We might cite N.C. House Speaker Moore's justification for HB 805 here. This bill would have imposed harsh criminal penalties on protesters; Moore expressed his support for the bill with a searing declaration

of "disgust" for the Black Lives Matter protests in Raleigh. However, our staff, coalition partners, and community members recognize that our most recent fights on the streets, in the courts, and at the legislature are efforts to resist the continuation of white supremacy and other practices that exclude and delegitimize members of our communities from the full benefits of constitutional protections. Contemporary efforts to suppress and silence communities of color and other marginalized people, by challenging their—our—constitutional rights are old

hat. It is sadly predictable that harsher legislation and efforts at suppression have been the choice response, rather than addressing the demands for police accountability and transparency, the important lessons presented through community protest, and the need to educate all generations on the legacies of exclusion, dispossession, and violence. Ranging from disincentivizing protest through harsh punishment with HB 805 to silencing lessons about racism in the classroom with HB 324 to chipping away at constitutionally protected access to abortion, it is imperative to

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From the Executive Director



My fellow ACLU members,
When we use “systemic white supremacy,” we acknowledge that we are always defending ourselves against the most powerful stakeholders in the state and across the nation. Daily, we challenge toxic actors who hold positions that authorize their attacks against our communities, our rights to protest, and recently, our rights to learn. We are often responding rather than enacting progressive change. We frankly find ourselves having to spend too

much time and too many resources putting out fires threatening direct harm to our communities, which limits the time we can spend building practices, infrastructures, and policies that protect and expand on constitutional protections. But we know this work is necessary for our collective future.

We have a vision to help fulfill our ambitious goal of building a more perfect union. It includes engaging and mobilizing people, while also working in coalitions to collaboratively and definitively eradicate systems that threaten our civil liberties. This year, we have learned that defying systems and challenging harmful actors necessitates community, persistence, flexibility, and adaptability — we are striving for all of the above with Renegade Advocacy and The People’s University. You’ll learn more about these initiatives in the following pages, along with our legal victories that helped protect the right to protest, the rights of farmworkers, and upheld LGBTQIA+ employee protections.

As we continue to defend, and to build, we thank you, as always, for your support.

In solidarity,

A handwritten signature in blue ink, which appears to be "Chantal Stevens". The signature is fluid and cursive, with a long, sweeping underline.

Chantal Stevens
Executive Director
ACLU of North Carolina

Renegades for Justice

This year, we clarified how we do what we do to present an uncompromising approach to achieving racial justice, and build capacity among our communities, resulting in Renegade Advocacy and The People's University.

Renegade Advocacy

Renegade Advocacy is a series of tactics and strategies that further our objectives of securing legal protections, progressive policies, and shifts in social norms across our issue areas including criminal legal reform, reproductive justice, LGBTQIA+ justice, and more. This work includes striving to abolish the carceral state by learning with and from our communities, collaborating with partners, and directly confronting policymakers and law enforcement actors who are upholding the ideals and practices of a carceral state. Renegade Advocacy emerges from our Policy and Advocacy team, charged with affecting change by stopping harmful policy, refining policy with attention to vulnerable communities, and enacting progressive change through direct advocacy led by and centering directly impacted people.

However, our entire organization is made up of renegades. Our legal team employs Renegade Advocacy when seeking protections for people that the U.S. Constitution either dehumanizes and devalues, or excludes altogether. Our legal team members act as renegades when they directly challenge policies that aim to control people without filing a lawsuit. Much of our Renegade Advocacy legal work has an enormous impact that is often unnoticed by the public, including working with schools to protect gender non-conforming students and creating and maintaining media and public access to court proceedings for people arrested while protesting. Renegade Advocacy emphasizes how our strategies and tactics must continuously further our objective of abolishing the carceral state in fulfillment of racial justice.

The People's University

The People's University informs and shares resources about how the violence and poverty that our communities experience is strategically created by the law, policy, and poor allocation of resources; it doesn't have to be this way. This educational series aims to build power and relationships among our constituents, which will be instrumental in challenging and eventually abolishing the carceral state and advancing goals across our issue areas.

This learning initiative makes potentially life-saving information accessible and palatable. Our shared vision is for a community that is thriving and safe for all its members that is also engaged in local, state, and national elections. So far, we've organized the curriculum into four units:

- Not Yo Mama's Civics 101 and Policy 101
- Manufactured Scarcity via Budgets 101: City/County and State
- The People's Budget: The Dream for Our Local Communities
- Abolition 101

Renegade Advocacy and The People's University are essential tools that will advance a range of our policy campaigns, including the Campaign for Smart Justice, which commences its second annual Vigil for Freedom and Racial Justice on December 1, 2021. This year's Vigil will maintain a constant presence outside of the Governor's mansion, demanding Roy Cooper use his clemency power to decarcerate North Carolina's prisons immediately. Resources for The People's University are available on our website at acluofnc.org/peoplesuniversity.

What is the Carceral State, anyway?

For both Renegade Advocacy and The People's University, we are using the frame of the carceral state to guide our goals and methodology. The carceral state is the series of systems that exercise control over

people's bodies and resources to punish, restrict, detain, and even kill. The carceral state is at work when we limit bodily autonomy through restricted access to abortion care and when we use police and prisons as catch-all fixes, rather than providing what people need to heal and thrive. The scope of the carceral state is

broad and constituted by various interconnected systems; Renegade Advocacy and The People's University help us increase public awareness about the harm of the carceral state and allows staff and volunteers to stay nimble, adjusting tactics and strategies accordingly. ■

Victory in the Courts



NAACP vs. Charlotte-Mecklenburg Police Department

On June 2, 2020, the fifth day of consecutive protests against police brutality, protesters were “kettled,” or surrounded by police and made to choose between a line of advancing police officers and tear gas. People screamed and gasped for air. As Kristie Puckett Williams, the ACLU of NC’s Campaign for Smart Justice Manager described in the Charlotte Observer, “It was like a scene from a war movie except we weren’t actors. It was real and we were — and are — part of this city and country.” Police had also set up in nearby buildings and were shooting rubber bullets at protesters beneath them, striking people in the head. They did not give clear and audible dispersal orders, or sufficient time for people to disperse.

In an important win for police transparency and accountability, the ACLU of North Carolina, the Charlotte Chapter of the NAACP, the Lawyers’ Committee for Civil Rights Under Law, and several Charlotte-based civil rights attorneys reached an agreement with the City of Charlotte and Charlotte-Mecklenburg Police Department (CMPD) in the wake of these violent, and premeditated attacks against peaceful protesters. The terms of the agreement include extensive revisions to CMPD policies, including restricting the use of kettling, a practice of crowd control that prohibits people from leaving a particular area.

The agreement now bans the CMPD from using CS teargas during protests and officers are prohibited from directing pepper balls at protesters’ heads and necks. If law enforcement are dispersing a crowd, they must now, as a result of the agreement, create and protect egress routes that allow people to disperse if they are being ordered to do so. If police are ordering people to disperse, they must now issue these dispersal orders in English and Spanish, and allow adequate time for participants to leave a protest.

In announcing the settlement, Chantal Stevens, executive director of the ACLU of North Carolina, stated, “There hasn’t been nearly enough reckoning from the police’s actions in response to last year’s protests. We must not forget that people were protesting police violence and the police brutally proved the point of the protesters with their violent actions. We will continue to support protesters in their demands for justice and police accountability.”

This agreement works to stop the horrific events of June 2, 2020 from happening again and protects free speech and the right to protest without fear of police retaliation. However, the terms of the agreement are a reminder of the violence community members endured on that night at the hands of the police. We will keep working to check police power to protect our communities.

Billard v. Charlotte Catholic High School

Engagement announcements are usually joyous moments, characterized by celebration, anticipation, and love. For Lonnie Billard, his joyous moment was dampened when the engagement announcement resulted in termination from his position at the Charlotte Catholic High School. After a drawn out legal battle, a federal court ruled in September that Charlotte Catholic High School had violated Title VII when it fired Billard.

In its decision, the court pointed to the June 2020 U.S. Supreme Court decision *Bostock v. Clayton County* that established that Title VII of the Civil Rights Act of 1964 protects gay or transgender employees from

discrimination. The court determined that the high school could not claim a religious exception to Title VII to discriminate against a teacher who taught secular subjects; Billard taught English and Drama classes. Billard was represented by the ACLU's LGBTQ Project, the ACLU of North Carolina, and the law firm Tin Fulton Walker & Owen.

When the decision was announced, Lonnie Billard stated, "After all this time, I have a sense of relief and a sense of vindication. I wish I could have remained teaching all this time. Today's decision validates that I did nothing wrong by being a gay man."



Lonnie Billard (pictured above) was fired from his teaching position for being gay. The victory in his case will help prevent future acts of discrimination against LGBTQIA+ employees.

FLOC v. Stein

Represented by the ACLU of NC's attorneys, North Carolina farmworkers won a substantial victory when a federal court struck down part of a state law that would have stripped farmworkers and their sole union of their rights to bargain for voluntary union recognition in settling legal claims—rights enjoyed by every other private sector worker in North Carolina. The decision was a partial victory that left in place a ban for farmworkers to have union dues deducted from their paychecks.

In announcing our intent to appeal that portion of the decision, ACLU of North Carolina's Legal Director Kristi Graunke stated:

"We continue to believe the Farm Act's anti-union provisions are a targeted, racist attack on the state's overwhelmingly Latino farmworker community. We appreciate the court's refusal to allow powerful politicians and the state's agribusiness leaders, who are overwhelmingly white, to trample upon the First Amendment rights of farmworkers to free association and expression. We are confident that the Fourth Circuit will determine that farmworkers are entitled to the same rights as other North Carolina workers to freely choose for themselves whether to have union dues deducted from their paychecks." ■



Baldemar Velasquez, President and Founder of FLOC, speaks at a press conference announcing the lawsuit in 2017.

We Will See You in Court Ongoing Cases



Hundreds of people demonstrated in Graham, N.C., on Election Day in 2020, days after people marching to the polls were assaulted by police on the last day of early voting

Justice 4 the Next Generation et al. v. Johnson, et al.

On the last day of early voting and same-day voter registration for the 2020 election, police planned and orchestrated a violent dispersal of a peaceful and nonpartisan march to a polling place in Graham, NC. Justice 4 the Next Generation (J4tNG) and Alamance Alliance 4 Justice organized the “I am Change March to the Polls,” and police officers used pepper spray on participants, including children, elderly people, and people with disabilities. Several people in attendance, including J4tNG’s lead organizer Rev. Gregory Drumwright, were arrested while attempting to exercise their right to peaceably assemble and contribute to the democratic process. As a result of this calculated effort by law enforcement, many were unable to proceed to the polls that day, costing them their ability to vote.

The ACLU of North Carolina and the Lawyers’ Committee for Civil Rights

Under Law immediately filed suit in federal court to protect the freedom of speech and assembly under the First, Fourth, and Fourteenth Amendments to the U.S. Constitution and the Voting Rights Act. The lawsuit also asserts that the police violence was a violation of the Ku Klux Klan Act of 1871, initially enacted to protect the suffrage rights of formerly enslaved people and protect them and their supporters from violence, intimidation, and harassment. The case has survived procedural hurdles and continues as part of our ongoing effort to protect North Carolinians’ right to vote.

Planned Parenthood South Atlantic v. Moore

Decades of attacks on North Carolinians’ reproductive rights have resulted in discriminatory policies, robbing people seeking abortion care of the ability to control their bodies. These policies have a disproportionate impact on Black,

Brown, and/or rural communities.

The ACLU of North Carolina partnered with Planned Parenthood Federation of America, the Center for Reproductive Rights, and the national ACLU to challenge several medically unnecessary abortion restrictions that have pushed abortion out of reach in the state and stigmatized essential health care.

These restrictions include, but are not limited to a licensing scheme that singles out abortion providers with onerous requirements, a ban on advanced practice clinicians (including physician assistants, certified nurse midwives, and nurse practitioners) from providing abortions, a ban on telehealth for medication abortion, and a mandatory 72-hour delay for patients seeking an abortion. With growing concerns that the U.S. Supreme Court could eventually erode the fundamental right to abortion, state cases like this one will be instrumental in protecting this constitutional right. ■

Unrelenting Resistance

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understand our work fighting these varied challenges to our civil liberties in a broader context of U.S. history. Knowing this context will help us continue the fight.

Despite the widespread legislative efforts to avoid police accountability, silence dissent, and implement authoritarian bills that threaten body autonomy, the ACLU of North Carolina has earned difficult, important, though incomplete victories in defense of our constituents.

In the wake of the events of June 2, 2020, in Charlotte, where protesters were violently brutalized by the Charlotte-Mecklenburg Police Department (CMPD), we filed suit against the department. In July 2021, we advanced several protections of protesters with a settlement agreement that includes changes to police policies and practices, hopefully preventing future violence against

people exercising their right to protest. Read more about this settlement on page 4.

With our coalition partners, we further worked to defend the right to protest by challenging HB 805 at every step in the legislative process. Our coalitional efforts resulted in a gubernatorial veto of the legislation - a veto that we are working hard to defend from being overridden by lawmakers.

Similarly, we learned with and from community members about the dangers of HB 324, North Carolina's iteration of restrictive legislation that sought to shut down discourse about racism, sexism, white supremacy, and diversity in the classroom. Joining an alarming wave of legislation sweeping the country, these efforts outline a broader attempt to silence concerns about racial justice by inhibiting the teaching of U.S. history. Our staff,

members, and supporters played a strong role in securing a veto for HB 324 and are working hard to defend that veto as well.

The range of attacks on our constitutional rights outline the multi-pronged and ongoing efforts to inhibit racial justice, reconciliation, and equity in our nation. Given the nature of these extremist attacks on our personhood, the ACLU of North Carolina has launched several initiatives including Renegade Advocacy and The People's University to put a new frame on tried-and-true efforts of speaking truth to power and pulling on all available resources by learning with and from our communities. We know we need to expand capacity as there is always more work to be done to defend ourselves against attacks that threaten our individual and collective dignity. ■

At the Legislature

During an exceptionally long legislative session, the N.C. General Assembly has taken up numerous bills related to issues important to ACLU members. Thanks to advocates like you, we have been successful in stopping many bad proposals, and we have a few bills we can celebrate becoming law. Here's a condensed overview of some of the key issues we've worked on this session. Scan the QR code or visit acluofnc.org/2021 for more information about our lobbying efforts on these and other issues, including voting rights.

LEGEND	RACIAL JUSTICE	IMMIGRANTS' RIGHTS	Scan with your camera to learn more about these bills and other legislation on important issues.
	CRIMINAL JUSTICE	REPRODUCTIVE JUSTICE	



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