



Standing Up for Liberty

2014 Annual Report





Founded in 1965, the ACLU of North Carolina is a nonprofit, nonpartisan organization dedicated to preserving and expanding the guarantees of individual liberty found in the United States and North Carolina Constitutions and related federal and state civil rights laws. With more than 12,000 members and supporters throughout the state and an office located in Raleigh, we achieve our mission through advocacy, public education, community outreach, and when necessary, litigation.

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ACLU-NC Legal Director Chris Brook speaks at an April 9 press conference at the International Civil Rights Center and Museum in Greensboro to announce the ACLU's second lawsuit challenging North Carolina's discriminatory ban on marriage for same-sex couples.

We'll never stop fighting.

ACLU founder Roger Baldwin famously said, "No fight for civil liberties ever stays won." This past year, in North Carolina, we were reminded of how true that is.

From legislation that makes it harder to vote, erodes women's access to reproductive health care, and chips away at religious liberty to efforts to ban books from classrooms and use new technologies to invade your privacy, North Carolina this past year witnessed an unprecedented surge of efforts to roll back and dismantle so many of the civil liberties that we have fought so long and so hard to secure.

We are working every day in courts, the legislature, local governments, schools, and the media to make sure these advances are not lost.

We've gone to court to protect voting rights, reproductive justice, free speech, and to secure the freedom to marry. We've lobbied in the legislature to protect your privacy against new surveillance technologies and to protect First Amendment rights, due process, and equal protection. And we've worked in schools and communities across our state to ensure that liberty is protected for all North Carolinians — not simply those who are popular or in power. Our opposition is determined to turn back the clock on the liberties we cherish, but with your support, we have been able to prevent many dangerous proposals from taking effect.

With your continued support, we will never stop fighting to protect our fundamental American values: liberty, freedom, equality, and justice for all.



A handwritten signature in black ink that reads "Holning Lau".

Holning Lau
President



A handwritten signature in black ink that reads "Jennifer Rudinger".

Jennifer Rudinger
Executive Director

YEAR IN REVIEW

SEPTEMBER 28, 2013

ACLU-NC Executive Director Jennifer Rudinger rallies the crowd at NC Pride in Durham.

OCTOBER 30, 2013

ACLU-NC Legal Director Chris Brook argues against North Carolina's one-sided "Choose Life" license plate law at the Fourth Circuit Court of Appeals.



JANUARY 3, 2014

The Brunswick County Board of Education votes against banning Alice Walker's "The Color Purple" following advocacy from the ACLU-NC and others.

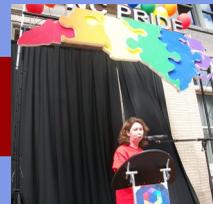
FEBRUARY 11, 2014

The Fourth Circuit Court of Appeals unanimously rules in favor of the ACLU-NC against North Carolina's one-sided "Choose Life" license plate scheme.



JANUARY 23, 2014

The ACLU-NC and coalition partners file a federal complaint on behalf of several students over excessive use of force by Wake County school resource officers.



OCTOBER 29, 2013

After an ACLU-NC investigation revealed widespread racial profiling, the Jackson County Sheriff's Office agrees to reform its checkpoint policy.

DECEMBER 3, 2013

ACLU-NC co-hosts a panel discussion in Raleigh about how state laws hurt same-sex couples and their children.

FEBRUARY 5, 2014

Asheville-Buncombe Technical Community College allows students to use preferred names on school documents as a result of advocacy by the ACLU-NC on behalf of male transgender student Basil Soper.

SEPTEMBER 25, 2013

Under pressure from the ACLU-NC and others, Randolph County Board of Education votes to keep Ralph Ellison's "Invisible Man" in schools.

JANUARY 17, 2014

In response to a lawsuit filed by the ACLU-NC and others, a federal court strikes down a law requiring abortion providers to show a woman an ultrasound and describe the images in detail four hours before performing an abortion, even if the woman objects.

FEBRUARY 15, 2014

Equal Justice Initiative Founder and Executive Director Bryan Stevenson inspires our members at the ACLU-NC's 45th Annual Frank Porter Graham Awards Ceremony.



APRIL 9, 2014

The ACLU-NC files a new lawsuit asking a federal court to take swift action on behalf of three married, same-sex couples seeking state recognition of their marriages.

JULY 7–10, 2014

Attorneys from the ACLU and ACLU-NC present arguments in federal court to put North Carolina's voter suppression law on hold for the 2014 elections.

JUNE 9, 2014

ACLU-NC Policy Director Sarah Preston testifies before a North Carolina House committee about the need to regulate the use of drones by law enforcement.

FEBRUARY 27, 2014

Hours after an ACLUNC press conference, the Watauga County Board of Education votes against banning Isabel Allende's "The House of the Spirits" from classrooms.



FEBRUARY 18, 2014

Pisgah High School in Haywood County allows nonreligious students to form a club after the ACLU-NC sent officials a letter explaining how denial of the club would violate federal law.

MARCH 27, 2014

A federal court orders N.C. lawmakers to release communications related to passage of the state's voter suppression law in response to a motion by the ACLU-NC and its allies.

JUNE 4, 2014

The ACLU-NC is the only organization to criticize passage of a problematic religion-in-schools bill that could serve to ostracize students of different beliefs.

JULY 29, 2014

The ACLU-NC announces plans to move quickly to invalidate North Carolina's ban on marriage for same-sex couples after the Fourth Circuit Court of Appeals rules Virginia's similar ban unconstitutional.



The ACLU and its allies presented arguments in federal court in Winston-Salem from July 7–10, 2014, asking that North Carolina's voter suppression law be placed on hold for the 2014 midterm elections.

Pictured, from left: ACLU-NC Legal Director Chris Brook, ACLU Voting Rights Project Staff Attorney Julie Ebenstein, ACLU-NC Executive Director Jennifer Rudinger, and ACLU Voting Rights Project Director Dale Ho.



*DEFENDING
THE RIGHT TO*

VOTE

"The state can't play games with the most fundamental right in our democracy."

-Dale Ho, Director of the ACLU's Voting Rights Project, during arguments in federal court in Winston-Salem.

Voting is the cornerstone of democracy. It is the fundamental right upon which all of our civil liberties rest. So when North Carolina last year passed what many have called the worst voter suppression law in the nation, the ACLU and its allies immediately challenged the law's reduction of early voting, elimination of same-day registration, and prohibition of "out-of-precinct" voting in federal court. Hundreds of thousands of North Carolinians, and particularly African Americans, use these voting methods, and the cuts will make it harder for all to cast a ballot.

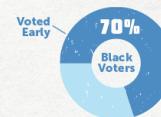
In May, the court delivered the ACLU an important victory when it ordered state lawmakers to disclose their emails and other communications related to the law's passage. The ACLU had sought that information after lawmakers refused to disclose it by claiming "legislative privilege."

Then in July, the ACLU and its allies returned to court to ask that the cuts to ballot access be placed on hold during the 2014 midterm elections. Judge Thomas Schroeder unfortunately ruled that the law can remain in effect until a full trial in summer 2015, but he also rejected North Carolina's request to avoid a full trial. That means the fight is far from over, and the ACLU will return to court next year, determined to have these discriminatory cuts struck down.



The North Carolina A. Phillip Randolph Institute (APRI) is one of several groups the ACLU is representing in its challenge to N.C.'s voter suppression law. Above: A team of APRI canvassers prepare to knock on doors in Raleigh to register voters for the 2012 election.

CUTTING EARLY VOTING IS VOTER SUPPRESSION



70% OF BLACK VOTERS
in North Carolina voted early
in 2008 and 2012.⁷



Cuts to early voting lead to

LONGER LINES & FEWER VOTERS



229,947 PEOPLE might have left in frustration over long lines if North Carolina's early voting cuts had been in effect in 2012.⁶

FIGHTING FOR THE FREEDOM TO **MARRY**



Jane & Lyn

Jane Blackburn (left) and Lyn McCoy of Greensboro are plaintiffs in one of two ACLU lawsuits seeking the freedom to marry in N.C. They have been together more than 20 years, are legally married in the District of Columbia, and urgently want their marriage recognized in N.C. Jane is battling stage IV breast cancer. “If Jane dies without the state recognizing our marriage, we’ll never be able to have the dignity of other married couples,” Lyn says.

When the Fourth Circuit Court of Appeals struck down Virginia’s ban on marriage for same-sex couples as unconstitutional on July 28, 2014, setting a legal precedent for North Carolina and four other states, it became clear that our state’s similar marriage ban is living on borrowed time. But for countless couples, the freedom to marry can’t come soon enough. The day after the ACLU’s victory in Virginia, ACLU-NC Legal Director Chris Brook spoke alongside ACLU plaintiffs at the LGBT Center of Raleigh (*pictured right*), announcing our plans to press federal courts to quickly overturn North Carolina’s ban in light of the Fourth Circuit ruling.



"Nothing should delay loving and committed couples from having the security and recognition that comes with marriage."

-ACLU-NC Executive Director Jennifer Rudinger, quoted in the *Greensboro News & Record* on April 9, the day the ACLU filed its second challenge to N.C.'s ban on marriage for same-sex couples.

Few liberties are more basic and cherished than the freedom to build a life together with the person you love. Yet North Carolina's discriminatory ban on marriage for same-sex couples has created an endless sea of hardships for countless loving couples and their children by denying them the ability to have their relationships legally recognized in the state they call home.

The ACLU has long been on the front lines of the fight for marriage equality. Following the Supreme Court's decision in *Windsor v. U.S.* – a case in which the ACLU represented Edie Windsor in her successful challenge to the discriminatory "Defense of Marriage Act" – the ACLU has brought lawsuits challenging marriage bans across the country, including two in North Carolina. The most recent, *Gerber and Berlin, et al. v. Cooper*, was filed in April on behalf of three married, same-sex couples seeking state recognition of their marriages. Because of the serious medical condition of one member of each couple, as well as that of the six-year-old son of a couple from the first lawsuit, the ACLU has been urging the court to take swift action. Though the U.S. Supreme Court will likely ultimately decide the issue, the ACLU-NC is determined to overturn North Carolina's ban as soon as possible so that, in the event of a positive Supreme Court ruling, same-sex couples can be recognized in our state without delay.

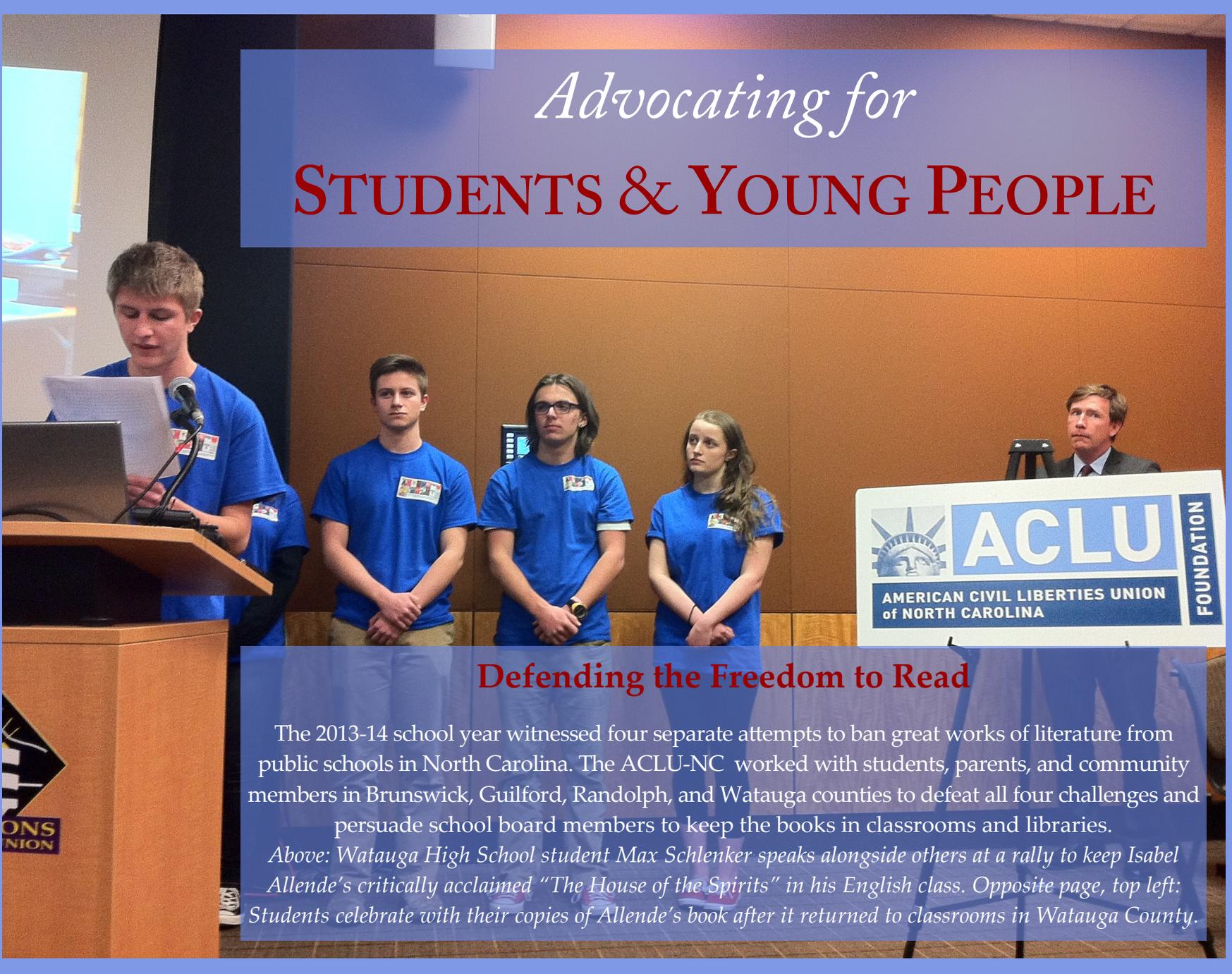


Lennie & Pearl

Ellen "Lennie" Gerber (left) and Pearl Berlin of High Point, the lead plaintiffs in Gerber and Berlin, et al. v. Cooper, have been together for 48 years. Thanks to lawsuits filed by the ACLU-NC, they hope to finally have their relationship recognized in their home state.



ACLU plaintiffs Chantelle (middle) and Marcie (right) Fisher-Borne speak at NC Pride in Durham Sept. 28, 2013, with their children, Miley and Eli. Pictured left: ACLU-NC Executive Director Jennifer Rudinger.



Advocating for
STUDENTS & YOUNG PEOPLE

Defending the Freedom to Read

The 2013-14 school year witnessed four separate attempts to ban great works of literature from public schools in North Carolina. The ACLU-NC worked with students, parents, and community members in Brunswick, Guilford, Randolph, and Watauga counties to defeat all four challenges and persuade school board members to keep the books in classrooms and libraries.

Above: Watauga High School student Max Schlenker speaks alongside others at a rally to keep Isabel Allende's critically acclaimed "The House of the Spirits" in his English class. Opposite page, top left: Students celebrate with their copies of Allende's book after it returned to classrooms in Watauga County.



“Your name is everything: You carry it around with you everywhere you go. It can change people’s perceptions of you instantly.”

-Basil Soper, a male transgender student at Asheville-Buncombe Technical Community College, whom the ACLU-NC helped to persuade his school to allow transgender students to use their preferred name on public documents.



Students may not lose their constitutional rights at the schoolhouse door, but young people are particularly vulnerable to attacks on their civil liberties. The ACLU-NC has worked across the state to defend the rights of students and to teach the importance of civil liberties to our next generation. This year, ACLU-NC staff spoke about civil liberties to students at high schools and colleges across N.C. and took action to stop schools from violating students’ rights.

The ACLU-NC defended the religious liberty of high school students in Randolph County who felt excluded by a school official’s use of sectarian prayer at football games and successfully pressured the school to end the unconstitutional practice. The ACLU-NC also successfully defended the rights of students in Rowan County to form Gay-Straight Alliances and the right of a Haywood County student to form a nonreligious club.

And in an attempt to combat the “school-to-prison pipeline,” a disturbing national trend wherein children are funneled out of public schools and into the criminal justice system, the ACLU-NC and its coalition allies filed a complaint with the U.S. Justice Department over Wake County’s excessive and racially biased use of school resource officers.

ACLU-NC Student Chapters

The ACLU-NC has active student campus chapters at Charlotte School of Law, Duke University School of Law, the University of North Carolina-Asheville, and the University of North Carolina School of Law.



Above: Brittany Weston and Sally Santiago of the ACLU’s Charlotte Law chapter received their school’s “Synergy Event of the Year” award for co-hosting a discussion about the rights of criminal defendants with the school’s chapters of the American Constitution Society and the Criminal Law Society.



In the Legislature

The ACLU-NC's policy staff tracked more than 60 pieces of legislation in the North Carolina General Assembly this year, ranging from criminal justice and privacy issues to proposals affecting the rights of students, immigrants, and citizens wishing to petition their lawmakers in Raleigh.

Pictured: ACLU-NC Public Policy Fellow Terrence Wilson (left) and ACLU-NC Policy Director Sarah Preston.

“The legislature should act now to protect the privacy of North Carolinians.”

-From ACLU-NC Policy Director Sarah Preston’s June 9 testimony before House subcommittee on a bill to regulate the use of surveillance drones in North Carolina.

Faced with a state legislature that has been openly hostile to many of the core civil liberties the ACLU-NC supports, the ACLU-NC policy staff whose job it is to lobby legislators and work day and night at the General Assembly in Raleigh have no easy task.

In an environment where positive, proactive civil liberties legislation is seldom likely to advance, the ACLU-NC has to navigate complicated relationships with many different lawmakers, and we often need to commit more time to defeating bad proposals than to helping pass good ones.

Regardless, the ACLU-NC has made tremendous progress in building a bipartisan coalition of Republicans and Democrats who are committed to protecting privacy rights in N.C. by regulating various forms of police surveillance technology. The ACLU-NC also played a key role in advancing legislation to raise the age of juvenile jurisdiction in N.C., one of only two states to still charge 16 and 17 year olds arrested for any offense as adults.

This session, the ACLU-NC was also the only organization in the state to publicly oppose passage of S.B. 719 and S.B. 730, two bills that could open the door to discrimination against students of different beliefs.



ACLU-NC Policy Director Sarah Preston talks with Rep. Paul Luebke about a problematic piece of legislation before a committee hearing. Also pictured: Rep. Susan Fisher.

Killing Bad Bills

The ACLU-NC helped defeat several bad bills this session, including:

- ⇒ H.B. 348, which would have allowed the placement of automatic license plate readers on state-owned highways without measures to safeguard the information collected from abuse by law enforcement.
- ⇒ H.B. 369, which would have denied workers’ compensation to undocumented immigrants who were injured on the job.

In the Courts

When the N.C. General Assembly passes unconstitutional laws, the ACLU-NC's legal staff challenges them in court. Time and again, it has been ACLU-NC lawsuits that stopped bad laws from going into effect. This year, ACLU attorneys helped block N.C. laws curbing free speech and reproductive rights. ACLU-NC legal staff also petitioned courts to block cuts to voting rights and move quickly to overturn N.C.'s ban on marriage for same-sex couples.



The ACLU and its allies delivered arguments against N.C.'s demeaning ultrasound law in U.S. District Court in Greensboro Aug. 21, 2013. From left: ACLU-NC Legal Director Chris Brook, Julie Rikelman of the Center for Reproductive Rights, and ACLU Staff Attorney Andrew Beck.

“Today’s ruling protects the right of North Carolinians of all political beliefs to have equal access to avenues for free speech.”

-ACLU-NC Legal Director Chris Brook, reacting to the Fourth Circuit Court of Appeals’ unanimous ruling in favor of the ACLU-NC’s challenge to North Carolina’s discriminatory one-sided “Choose Life” license plate law.

VICTORIES FOR CHOICE AND SPEECH

After years of litigation, the ACLU of North Carolina in 2014 won two major federal lawsuits that were filed to protect the free speech rights of pro-choice motorists and doctors who perform abortions.

On January 17, the U.S. District Court for the Middle District of North Carolina struck down a demeaning 2011 law requiring abortion providers to show a woman an ultrasound and describe the images in detail four hours before performing an abortion, regardless of circumstances, even if the woman objects. The court agreed with the ACLU-NC and its allies that the law violated the free speech rights of doctors.

Then, on February 11, the U.S. Court of Appeals for the Fourth Circuit unanimously ruled that a 2011 law that would have allowed the production of a “Choose Life” license plate, but not an alternative plate with a message supporting reproductive freedom, constituted viewpoint discrimination in violation of the First Amendment. The case was filed by the ACLU-NC on behalf of pro-choice motorists and argued by ACLU-NC Legal Director Chris Brook. North Carolina is now appealing the ruling to the U.S. Supreme Court.



League of Women Voters of North Carolina, et al. v. North Carolina—Challenge to N.C.’s voter suppression law.



American Civil Liberties Union of North Carolina, et al. v. Conti—Challenge to N.C.’s one-sided “Choose Life” license plate scheme.

PUSHING TO ADVANCE

CRIMINAL JUSTICE REFORM



"These are weapons that are designed for the battlefield, not for everyday policing."

- ACLU-NC Communications Director Mike Meno on WECT in Wilmington, discussing a 2014 ACLU report that details the increased use of military weapons and tactics by North Carolina police and outlines a path to reform.

Our constitution is meant to safeguard against government abuses of power. But all too often, the rights of those involved in the criminal justice system are compromised or ignored. From the halls of the General Assembly, to local police and sheriff's departments across the state, the ACLU of North Carolina is pushing to advance critical criminal justice reforms to ensure that all people are treated fairly by the law.

- ⇒ **Prison Rape Elimination Act:** The ACLU-NC has been pressuring N.C. jails and prisons to comply with new federal standards to combat the epidemic of sexual assault in detention centers by requiring inmates under the age of 18 be housed separately from adults – a chief concern in North Carolina, where 16 and 17 year olds are treated as adults by the criminal justice system.
- ⇒ **Combatting Racial Profiling:** After a year-long ACLU-NC investigation into complaints of profiling of Latino drivers at vehicle checkpoints, the Jackson County Sheriff's Office agreed to stop working with federal immigration officers, implement additional officer training, and adopt better practices to document traffic stops and comply with state laws. The ACLU-NC continues to investigate similar claims across the state.



STINGRAYS

ACLU-NC public records requests in 2014 revealed that at least four N.C. cities — Charlotte, Durham, Raleigh, and Wilmington — are using secretive surveillance tools called Stingrays, which mimic cell phone towers, trick nearby cell phones into transmitting their data, and can capture sensitive information from countless innocent bystanders.



PRESERVING OUR

PRIVACY

The ACLU is at the forefront of the struggle to rein in government surveillance, which strikes at the core of our rights of privacy, free speech, and association.

A constant stream of new technology — from cell phone tracking and automatic license plate readers to drones and Internet surveillance — is dissolving existing privacy protections, greatly expanding government power to peer into our lives without due process or meaningful oversight.

When the National Security Agency's mass tracking of Americans' phone calls was revealed, it confirmed our worst fears about the government's abuse of surveillance powers, and the ACLU immediately sued the NSA in federal court.

In North Carolina, the ACLU-NC has worked to introduce privacy legislation in the General Assembly and submitted public records requests to police departments to learn about their processes for capturing and storing data and to educate the public about the realities of government spying.

With your support, we will continue to hold the government accountable.



The ACLU-NC has been working with a bipartisan group of N.C. legislators to place limits on automatic license plate readers, which police use across the state to track motorists without oversight or limits on how they can use or share the data.



IN THE MEDIA

120+ Number of print, broadcast, and online news outlets that quoted or interviewed ACLU-NC staff members or clients this year.

64 Number of press releases and media advisories the ACLU-NC issued this year.

60+ Number of civil liberties issues the ACLU-NC discussed in the media this year.



ACLU plaintiffs Lennie Gerber (left) and Pearl Berlin appeared on MSNBC's "The Last Word with Lawrence O'Donnell" on April 17 to explain why they are asking North Carolina to recognize their marriage.





OUR 2014 STAFF & BOARD OF DIRECTORS

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The American Civil Liberties Union of North Carolina is comprised of two organizations, the 501(c)(4) American Civil Liberties Union of North Carolina, which conducts our legislative and lobbying efforts, and the 501(c)(3) ACLU of North Carolina Legal Foundation, which conducts our litigation, legal, and educational work. The two organizations are collectively referred to as the ACLU of North Carolina throughout this report.

WAYS TO GIVE

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

JOIN AND BECOME A CARD-CARRYING MEMBER

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

MAKE A TAX-DEDUCTIBLE GIFT

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

HOST AN ACLU-NC EVENT

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

QUESTIONS?

The ACLU-NC and ACLU-NC Legal Foundation are audited annually by the firm Perkins, Lund, Collar & Associates in Raleigh. We are very careful stewards of our supporters' dues and contributions, and we are happy to provide financial documents, including 990's and annual financial statements, to anyone upon request.

For details and additional options on giving or events, contact:

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LEAVE A LEGACY OF LIBERTY

The civil liberties landscape can change in unexpected ways.

Ten years ago, for example, we never thought we would need to defend the right to vote for millions of Americans. What civil liberties threats will we face in 20, 30, or 40 years?

Whatever they are, your future gift can help ensure that the ACLU will be there — proud, principled, unflinching, and effective.

When you name the ACLU to receive a bequest or other gift through your estate plans, you play a personal role in protecting freedom's future.

Visit www.aclu.org/legacy
or call toll-free: 877-867-1025 to learn more.



Because Freedom Can't Protect Itself

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