

SUMMER 2016

FAMILY

north carolina

HB2

Special Edition

Setting the Record Straight



Opposition Orchestration

A Flagrant Case of Media Bias

Communicating From an Abundance of Joy

ISBN 0-9785025-1-5



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Equipping North Carolina families to be voices of persuasion for family values in their communities.



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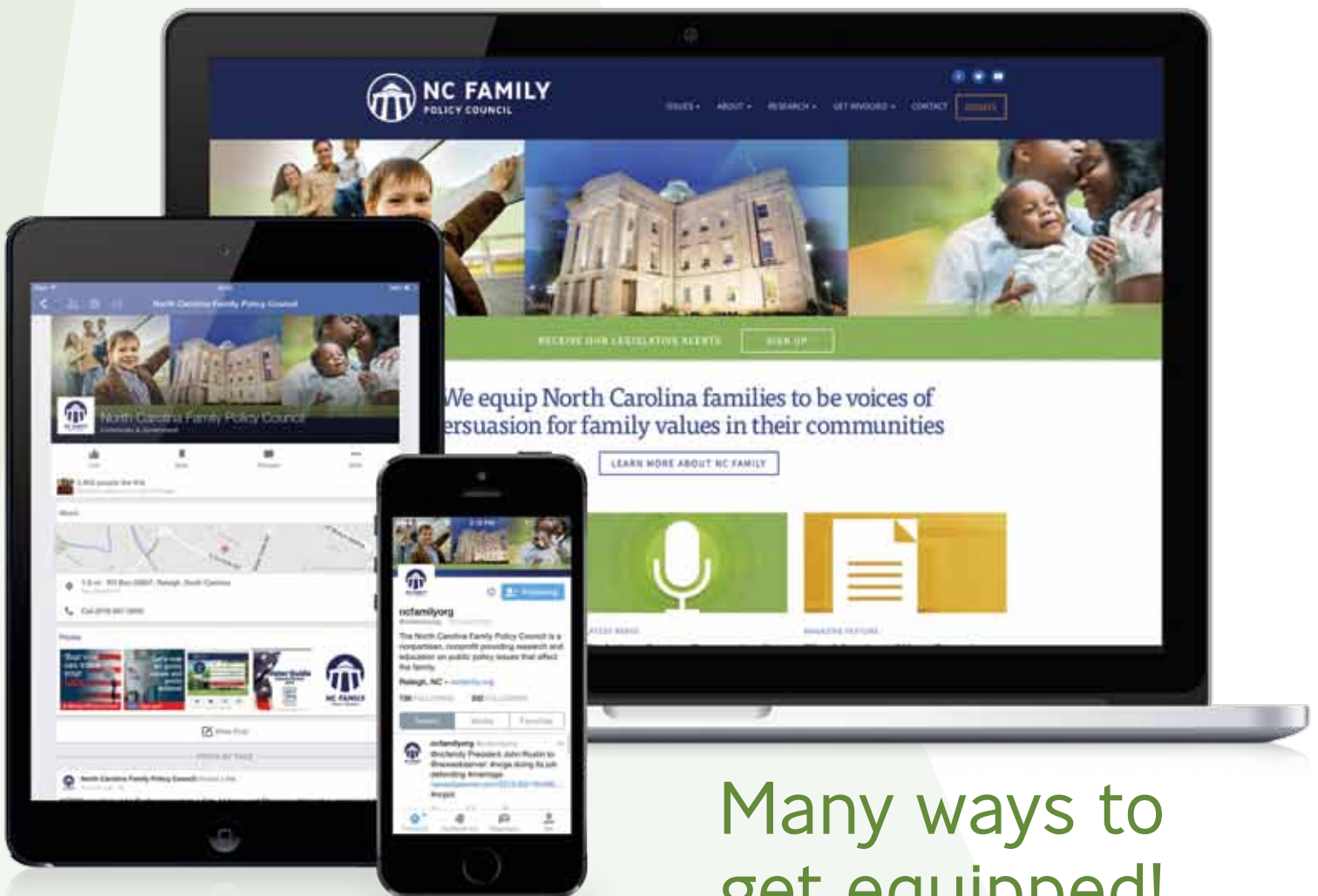
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While LGBT activist groups would like for us all to believe that corporate opposition to HB2 was a spontaneous uprising, a closer examination reveals that it is actually part of a carefully orchestrated national campaign.

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Preaching the joy of the gospel to ourselves each morning is essential to maintaining a stream of communication that makes a strong case for a righteous government but also honors our God and King.



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A Startling End Game

The furor over House Bill 2 in North Carolina has crystalized, as never before, the fact that our freedom to live as Christians in America is eroding at an alarming rate. Most of us have been astounded by the aggressive and venomous response to a common sense desire to see that public restrooms remain segregated by biological sex.

For those who might have thought HB2 was unnecessary and don't see the harm in writing legal protections based on subjective criteria into local, state, and federal law, a "guidance" letter from the Obama Administration to every public school in the United States put down on paper the startling "end game" for those who are behind the opposition to HB2. The "guidance" document read, in part:


"...[W]hen a student or the student's parent or guardian, as appropriate, notifies the school administration that the student will assert a gender identity that differs from previous representations or records, the school will begin treating the student consistent with the student's gender identity. Under Title IX, there is no medical diagnosis or treatment requirement that students must meet as a prerequisite to being treated consistent with their gender identity."

This means that any male student who walks into the principal's office in any high school in the nation and declares he is a girl can use the girls' restrooms and locker rooms and play on girls' sports teams. What happens to the Title IX protections of women's sports if this outrageous rule becomes the law of the land? Seem too crazy to be true? Read the letter for yourself and you be the judge.

This Special HB2 Edition of *Family North Carolina* magazine seeks to bring clarity to what has occurred in the months since the Charlotte City Council first tried to force a radical bathroom agenda on every business and organization within Charlotte city limits and on any who would seek to do business with the City of Charlotte. In this edition:

- We work to separate fact from fiction in our article, "Setting the Record Straight."
- We take a fascinating look at the inner workings of the wealthy, national LGBT activist group Human Rights Campaign in the article entitled, "Opposition Orchestration."
- We utilize an in depth content analysis in the story, "A Flagrant Case of Media Bias," to illustrate the rampant media bias that has contributed to the massive mischaracterization of HB2 and its supporters.

We understand that this debate is not yet resolved and by the time you receive your copy, things may have changed. So make sure you stay connected with us on Facebook and/or Twitter (see page 2), sign up to receive email updates, and check in at our website frequently.

We hope this Special HB2 Edition of *Family North Carolina* magazine will provide a good foundation of knowledge for you and your family to build on in the months to come, as you all seek to be voices of persuasion for family values in your own communities. 

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Internet

Visit us on the Internet at ncfamily.org, where you can read selected stories from this issue, including endnotes. Publication of website addresses of other organizations featured in our stories does not constitute endorsement by the North Carolina Family Policy Council of those groups or the contents of those sites.

Subscriptions

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“Separate places to disrobe, sleep, perform personal bodily functions are permitted, in some situations required, by regard for individual privacy.”

—U.S. Supreme Court Justice Ruth Bader Ginsburg writing in *The Washington Post* on April 7, 1975 on the idea that a ban on sex discrimination would “require unisex restrooms in public places.”

“If the White House can dictate the bathroom policies of America, what could possibly be beyond their reach?”

—Tony Perkins, President of the Family Research Council, reacts via Twitter to the Obama Administration’s lawsuit against North Carolina on May 9, 2016. The lawsuit makes the claim that North Carolina’s House Bill 2 violates multiple federal laws.

“The last time I checked, the United States is not ruled by a king who can bypass Congress and the courts, and force school-aged boys and girls to share the same bathrooms and locker rooms.”

—NC Senate President Pro Tempore Phil Berger (R-Rockingham) in a statement on May 13, 2016, blasting the Obama Administration’s “guidance” to every public school in the U.S. to allow transgender students to use bathrooms, locker rooms, showers, and housing facilities matching their gender identity.

“North Carolina will never put a price tag on the value of our children.”

—NC Lt. Governor Dan Forest responding on April 5, 2016 to the news that PayPal was suspending its plans to open a new Charlotte operations center reportedly in response to the passage of HB2.

“This is no longer a North Carolina issue, this is a national issue.”

—NC Speaker of the House Tim Moore (R-Cleveland) acknowledging in a press release on May 13, 2016 that the Obama Administration’s “bathroom decree” made the transgender bathroom debate a national one.

Do not be so open-minded that your brains fall out.

– G.K.Chesterton



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Charlotte votes down LGBT ordinance after the bathroom provision was removed.

March 2, 2015

A Flagrant Case of Media Bias A Case Study

written by:
NC Family Staff



Breaking News

For over a month, stories about House Bill 2 dominated *The News & Observer* in Raleigh. According to our analysis, the newspaper published 161 stories and nearly 94,000 words during the first 35 days after HB2 was passed into law on March 23, 2016. That's an average of more than 4 stories and 2,400 words per day! This amount of coverage for a single action by the NC General Assembly in itself is astonishing, but more astounding was the amount of bias we discovered.

To those of us who support the law, it appeared that most of the coverage in *The News & Observer (N&O)* portrayed the law as hateful, radical and unpopular. But was that simply our perception, or the truth? We decided to take a closer look. We examined all of the stories posted on the *N&O* website during that time period in an attempt to quantify whether this bias actually existed. When we looked at the results, we were amazed at the extent of the bias and the obvious lack of any attempt to portray both sides of this complex and emotional issue.

Our Findings

Our simple content analysis found that 79% of all *N&O* coverage during the first month following passage of HB2 illustrated a strong anti-HB2 sentiment. A meager 21% portrayed pro-HB2 sentiment.

- NONE show a majority of North Carolinians opposing HB2.
- Five out of the seven show that at least a strong percentage, if not an outright majority, approves of the bathroom and locker room provision in HB2.

These numbers clearly illustrate that North Carolina remains divided, with widespread opinions on both sides.

A Tale of Two Rallies

This slanted reporting was most clearly present on Monday, April 25. The General Assembly had just convened for the 2016 Short Session of the Legislature. That day featured two rallies: one in support of HB2 and one in opposition. HB2 supporters numbered in the 2,000-3,000 range as illustrated by aerial photography. Anti-HB2 protestors totaled fewer than 1,000. This was not fairly or accurately reported by the *N&O*. On the contrary, *N&O* stories promoted—even celebrated—the outcry to repeal HB2, featuring

videos, pictures, and stories about the rally and related activity in opposition to HB2, with very little attempt to provide stories about pro-HB2 attendees or activities.

The *N&O* only had one story that featured the thousands of citizens from all across the state who came to Raleigh on a workday to show their support and thankfulness for the measure. The *N&O* headline read, “Hundreds rally near NC Legislative Building to support HB2.” The picture that accompanied the story clearly shows thousands. Another story that day featured an extensive description of all the activities of those opposed to HB2 and included only one sentence about support, which said, “A rally earlier in the day on the opposite side of the building, on Halifax Mall, drew a large crowd of HB2 supporters.” This pattern is repeated in most of the *N&O* coverage of HB2; it was quite common to have nothing or simply one line that mentioned supporters within a long, descriptive article on anti-HB2 activities.

But of course, fairness is not all about word count. So, we identified and searched for three key facts or clarifications that *N&O* reporters could have included to more fully explain why people support HB2. **Out of a total of 93,960 words, only 1.7% (1,613 words) were devoted to these important facts!** (*Please see explanation in the sidebar on page 9.*)

This is more astounding when you consider that there is widespread support of HB2 in North Carolina, particularly regarding the bathroom provision. Since the passage of HB2, there have been seven reputable polls released to the public. These all illustrated a North Carolina that is deeply divided on the issue. Of these seven polls:

N&O Numbers



LGBT activist groups pour money into Charlotte City Council elections, and a mayor and council members who are more amenable to the bathroom provision are elected.

A real low point on the *N&O*'s coverage of HB2 was the story, "Raleigh's Lake Boone Chicken blasts HB2," featuring a stuffed chicken that sits on a rock outside a home in Raleigh. This 400-word story, complete with two pictures, demonstrates the lengths to which the *N&O* staff went to find new, creative ways to blast HB2. If only they had put a little bit of their creative juices to work to find and interview just a few of the reasonable and respectable people who support HB2.

On a related note, NC Family has been receiving quite a few requests from foreign journalists hoping to find and interview people who support HB2. "It's easy to find the ones who oppose it," we were recently told. We tell these reporters that the HB2 supporters are out there; the polls clearly show they are. However, they have been so vilified and mocked by the

anti-HB2 forces and the media, that most have taken to quietly contacting their representatives and the governor, encouraging them to stay the course. The news media, as illustrated by this case study of the *N&O*, has been complicit in the silencing of people who hold a view that differs from their own.

Exploring Possible Motivations

If support/opposition is evenly divided on HB2, why has the *N&O* refused to report it that way? Let's explore a few possibilities.

- The *N&O* has morphed into a partisan political blog competing against independent journalists/bloggers in a crowded market. It has abandoned even the façade of being a trustworthy community newspaper,

designed to educate citizens and serve as a platform to discuss tough issues.

- It values ratings and profit over the concern and interests of our local community. Despite what many people think, the *N&O* is not a locally owned newspaper and hasn't been since 1995. It is owned by the California-based McClatchy Company, which also owns The Charlotte Observer and 10 "community" newspapers in and around the Capital city, including Cary, Chapel Hill, Durham, Garner, and Clayton. As with all newspapers these days, times are tough. The *N&O* has reduced its professional staff by more than 50% over the past 8 years and recently sold its valuable downtown Raleigh property and moved operations to Garner.
- It's politically motivated. That the *N&O* "leans left" has been a common complaint by conservative lawmakers and citizens for years. This could simply be yet another example of the *N&O* advocating for a left-leaning agenda.
- The *N&O* is caught up in the rush of the national media to condemn HB2 and to advocate for a "powerless" minority. Ironically, they have instead sided with powerful multinational corporations and the influential entertainment industry. This is not the first time the *N&O* has jumped on the national media bandwagon and ignored their responsibility to thoroughly investigate both

HB2 supporters are out there; the polls clearly show they are. However, they have been so vilified and mocked by the anti-HB2 forces, that most have taken to quietly contacting their representatives and the governor, encouraging them to stay the course. The news media, as illustrated by this case study of the *N&O*, has been complicit in the silencing of people who hold a view that differs from their own.

sides and bring a voice of reason. “They start to quiver with a thrill when something like this happens,” said *New York Times* Public Editor Dan Okrent in reference to a similar situation with the Duke Lacrosse case in Durham ten years ago.

- They don’t really understand the pro-HB2 perspective. Many of the writers might not know anyone who vocally supports HB2. They might truly believe that segregating bathrooms based solely on biological sex is morally wrong. This would lead to the characterization of those who support HB2 as morally corrupt and ignorant people.

According to the polling results, unless North Carolina is made up of a majority of ignorant and hateful people, there are actually quite a few intelligent and compassionate people who support HB2. Those people deserve to have their voices and opinions presented. It is the job of our community journalists to find and present those stories—particularly if their point of view is being underrepresented. The *N&O* failed in their responsibility to fairly present both sides of this contentious issue, and our state’s reputation is the poorer for it. 🏠

For a footnoted version of this article, please visit www.ncfamily.org.

Our Methods & Findings

We analyzed 161 articles listed under the heading “*N&O* Coverage of North Carolina’s House Bill 2” on the *N&O* website from March 23, 2016, which is the date HB2 was passed into law, through Tuesday, April 26, which was the first news day after the 2016 North Carolina General Assembly Short Session convened. *

Our methods involved a simple word count. According to our analysis, these articles contained 93,960 words of which, 56,357 were used to present either positive or negative sentiment or reaction to HB2. Of those 56,357 words, 44,219 (or 79%) illustrated a negative opinion or reaction in regard to HB2 and 12,138 (or 21%) featured a positive representation. Words deemed “neutral” were disregarded in the counts and percentages for this comparison..

In addition, we searched all of these stories for three key facts that would have helped present HB2 in a more truthful light. For this analysis, we used the total 93,960 word count. These three facts are:

1. Statements indicating that North Carolina is among a majority of states (and the federal government) that do not include “sexual orientation” and/or “gender identity” as protected classes in employment and public accommodation laws. (438 words)

0.47 percent

2. Statements indicating that HB2 did not substantively change North Carolina’s nondiscrimination policies, but instead clarified these policies and emphasized that local governments may not exceed the established statewide law. (652 words)

0.69 percent

3. Statements indicating that local governments and businesses may continue to establish internal employment policies regarding their own personnel, but that cities and counties may not impose employment or public accommodation policies on local businesses that exceed the state law. (523 words)

0.55 percent

Of the 93,960 words in the stories reviewed, only 1.71% (1,613 words) were devoted to illustrating these facts, which could have been used to paint a more even-handed picture.

* This link is no longer available on the *N&O* website. However, for those who might want to verify our analysis, we have copies in our files and will make those available upon request.

Charlotte passes ordinance including bathroom and LGBT anti-discrimination provisions. With this action, it exceeded their authority under state law.

February 22, 2016

On Air With ... Matt Sharp



Matt Sharp, Legal Counsel with Alliance Defending Freedom, discusses a lawsuit making its way through the courts and its potential impact on the debate over HB2. In the case, *G.G. v. Gloucester County School Board*, a Virginia high school student who identifies as transgender sued the school board over bathroom access. The public high school's policy assigned students to restrooms and locker rooms based on biological sex, and provided for "single-stall unisex restrooms, which the school created to accommodate transgender students." In April 2016, the U.S. Court of Appeals for the Fourth Circuit suspended the school district's policy and remanded the case to the federal district court in Virginia for further litigation.

John Rustin: Matt, for the benefit of our listeners, tell us about this case, which is *G.G. vs. Gloucester County School Board*, and the Virginia school district whose bathroom policy is being challenged by not only the ACLU but also the Obama administration.

Matt Sharp: This is the scenario that we're seeing pop up in school districts across the country. G.G. is a female student in the Gloucester school district in Virginia, and was starting to identify as a male, dressed like a male, go by a male's name, and eventually started demanding to be allowed to use the male restrooms and locker rooms. Initially, the school district said, "Yes," and the Superintendent said, "Yes, we're going to allow you to do that." And this happened for about six to seven weeks. Well, a lot of parents started learning about this, and students started learning about this and were concerned that their right to privacy was being violated. There hadn't been any consultations, [no] information had been given to parents that this girl was now going to be in the boys' restroom and sharing the facilities with their boys. And so a lot of the parents became concerned and went to the school board, and said, "Look, we're not comfortable with all of this. We're not here to attack G.G. or anything like that, but you've got to take into account the privacy rights of our children, and to make sure that those are being respected." We were contacted by parents at ADF, and we sent a letter to the school

"Family Policy Matters" is a 15-minute weekly radio program featuring interviews with national, state, and local experts on a wide range of policy issues important to North Carolina families. "Family Policy Matters" airs each week on 22 radio stations across North Carolina. You can listen and access a full transcript on the NC Family website at ncfamily.org.

explaining why the law protects a student's right to privacy, and why a better course of action is to allow this transgender student to use a single stall restroom, a place where her privacy can be protected, but protecting the rights of everyone else by maintaining specific and distinct facilities for boys and girls. Fortunately, the school district agreed, and the board reversed course, adopted a good policy, and that's what ultimately led to this student suing the school district with the assistance of the ACLU, saying you're violating Title IX and my constitutional right by not allowing me, a girl, to use the guys' bathroom.

John Rustin: And my full assumption would be that if this case went in the other direction, not only would female students who identify as male be able to use the male bathrooms, but male students who identify as female, or suggest that they do, would be able to use female bathrooms. And so the implications are enormous, and ... really is subjecting the school to a subjective self-evaluation by any student at any given time.

Matt Sharp: Absolutely it is. We can just imagine ... the scenarios where this pops up: one day ... a guy shows up at school, throws on a wig and a dress and says, "I'm now a girl, and I want to use the girls' restrooms and the girls' locker rooms." This actually happened in Hillsboro, Missouri.... [Y]ou can imagine other situations where a guy wins a coveted spot on a girls' softball team, and some girl now is denied a scholarship, all because some guy now claims he's a girl. You have situations with older students, 16, 17-year-olds, going to elementary schools and tutoring there and having the same bathrooms that they're going to be using. And all of these would be required, if you adopt the government's position on all of this, which is to say that a transgender person can use whatever bathroom, locker room facility they want to based upon their gender identity. It is a dangerous world that we're opening up and one that we haven't fully thought out the consequences.... And again, we're not labeling transgender students or people as sexual predators, not at all. But when you mix boys and girls in private situations, you're creating a recipe for unfortunate things to happen. And that's all we're saying is let's take a step back, and consider [these problems] before we adopt these policies.

Pro-family citizens mount campaign to encourage General Assembly to call a Special Session to address the Charlotte ordinance, scheduled to take effect on April 1.

March, 2016

... Kellie Fiedorek



Kellie Fiedorek, Legal Counsel with Alliance Defending Freedom, discussing the vital importance of North Carolina's new law, HB 2 – Public Facilities and Security Act.

John Rustin: The ACLU (and others) have said that HB2 violates Title IX. First of all, what is Title IX and what does it have to do with HB2?

Kellie Fiedorek: Title IX is a federal law that was enacted back in the early 1970s, and it was meant to remedy a long history of denying women equal opportunities for education. And so essentially what the ACLU is trying to do is to take a law that was meant to protect women, and now they've hijacked it in attempting to redefine sex.

John Rustin: [W]hat encouragement would you offer to our listeners, and especially our state leaders, who may feel overwhelmed by the vicious attacks against HB2 and its supporters. Why is it so critical that we all hold the line, so to speak, and stand up for this law and for North Carolina's right to enact it?

Kellie Fiedorek: I would just thank them first of all for their boldness, for their courage. They are on the right side of history, and they're on the right side of this issue, and there may be a lot of polarizing issues in our country right now, but there's nothing polarizing about protecting the safety and security of our children and their future. Because that's what's really at stake here is ensuring that they can go to a bathroom and feel safe and secure when they go through those doors. So, I would just encourage everyone to continue to pray for the leaders, pray for those who filed this lawsuit, and continue to advance what is the most important thing, which is the safety, the privacy, and security of our young girls.



John L. Rustin, NC Family President and host of "Family Policy Matters"

Radio Stations Airing "Family Policy Matters"

| | | |
|------------------------------|---|---|
| Belmont/Gastonia | WCGC 1270 AM | Sunday, 11:30 PM |
| Bennett/Asheboro | WYTR 88.1 FM | Saturday, 2:00 PM |
| Charlotte | WHVN 1240 AM WOGF 88.3 FM | Sunday, 11:30 AM Saturday, 3:45 PM |
| Charlotte/Harrisburg | WGAS 1420 AM | Saturday, 3:45 PM |
| Fayetteville | WCLN 107.3 FM | Saturday, 7:00 AM |
| Forest City | WWOL 780 AM | Wednesday, 8:45 AM |
| Greensboro/ Winston-Salem | WKEW 1400 AM WTRU 830 AM | Sunday, 9:30 AM Saturday, 6:00 AM |
| New Bern | WSTK 104.5 FM | Saturday, 3:15 PM |
| Newland | WECR 1130 AM | Saturday, 9:06 AM |
| Pisgah Forest | WGCR 720 AM | Saturday, 9:00 AM |
| Raleigh | WTRU 1030 AM | Saturday, 6:30 AM |
| Rocky Mount | WLQC 103.1 FM | Sunday, 11:00 PM |
| Salisbury | WOGF 93.3 FM | Saturday, 12:15 PM |
| Sanford | WLHC 103.1 FM | Sunday, 11:00 PM |
| Shallotte | WVCB 1410 AM | Wednesday, 10:05 AM Saturday, 4:30 PM |
| Taylorsville | WACB 860 AM | Wednesday, 5:00 PM |
| Troy | WJRM 1390 AM | Sunday, 7:30 AM |
| Wilmington | WZDG 88.5 FM | Sunday, 5:30 AM Sunday, 6:00 PM |
| Winston-Salem | WBFJ 1550 AM WPOL 1340 AM WPIP 880 AM | Sunday, 4:10 PM Sunday, 9:30 AM Sunday, 5:00 PM |

You may also stream "Family Policy Matters" online at www.ncfamily.org



It all started with the Charlotte City Council

Despite warnings from Governor Pat McCrory and key lawmakers that it did not have the authority to pass a controversial bathroom issue, the Charlotte City Council pushed ahead. The passage of these ordinance changes on February 22, 2016, set off a chain of events that grew into a national firestorm. NC Family was there speaking out prior to the vote.

Rallying For Religious Liberty

NC Family helped to organize and participated in rallies to show support for HB2 and the leaders who passed it. On Monday, April 25, thousands gathered on Halifax Mall near the Legislative Building in Raleigh just prior to the beginning of the new Legislative Short Session. NC Family President John L. Rustin was one of the featured speakers, joining lawmakers and other likeminded faith-leaders.



Providing Clarity In Muddied Waters

NC Family President, John L. Rustin, responded to the hypocrisy of anti-HB2 activists and weeks of biased reporting with two guest editorials in Raleigh's *News & Observer*. On March 31, Rustin called out North Carolina's attorney general in his article, "Cooper shirks duty to defend state law" and on April 23, Rustin worked to bring some clarity to a sea of misinformation in his article, "Cutting through the liberal propaganda of HB2."



General Assembly convenes Special Session and passes HB2;
Governor Pat McCrory signs provision into law.

March 23, 2016

HB2 *timeline*



Calling For Action

NC Family President John L. Rustin formally requested that Governor Pat McCrory, Lt. Governor Dan Forest, NC Senate Leader Phil Berger, and NC House Speaker Tim Moore call a Special Session of the NC General Assembly to overturn the dangerous ordinance changes adopted by the City of Charlotte. A special session was scheduled for March 23, 2016.



Special Session

On March 23, 2016, the North Carolina General Assembly held a Special Session to block the Charlotte ordinance that would have allowed men to go into women's bathrooms. NC

Family President John L. Rustin testified in front of the Senate and House Committees, urging them to block the dangerous ordinance.



African American Pastors: HB2 NOT About Civil Rights

NC Family staff, including NC Family Action Pastor Outreach Coordinator Thomas Graham (top left), joined a group of African American pastors on May 24 as they declared that HB2 was about morals, not civil rights.

ACLU and Lambda Legal Defense Fund file lawsuit to overturn HB2.

March 28, 2016

Setting The Record Straight

Governor McCrory issues an executive order amending the employment policy for state agencies to cover sexual orientation and gender identity. The order also affirmed the bathroom policy in HB2.

● April 12, 2016

HB2 *timeline*

The Truth about House Bill 2

written by: John L. Rustin



The propaganda campaign by the Left about HB2 stayed at a fevered pitch for months after the law's passage on March 23, 2016, and the media has been complicit in heightening the rhetoric and spreading misinformation and outright lies about the bill (see Media Bias on HB2 case study on page 6). In this article, NC Family is helping to set the record straight about this common sense legislation that seeks to protect the privacy, safety, dignity and liberty of North Carolina citizens.

HISTORY

It is important to recognize that the issues addressed by HB2 are not new to North Carolina. Democrat- and Republican-led legislatures have considered and rejected adding legal protections on the basis of "sexual orientation," "gender identity," and "gender expression" numerous times over the past 15 years.

The U.S. Department of Justice issues a letter threatening action regarding HB2's bathroom provision to Governor McCrory and the UNC System. They require a response by Monday, May 9, 2016.

May 4, 2016

In March 2015, the Charlotte City Council made an effort to circumvent state law and expand a number of city ordinances to include LGBT (Lesbian, Gay, Bisexual, and Transgender) protections, including a dangerous bathroom ordinance. While that initial attempt failed, those in favor of the radical social re-engineering that these ordinances would bring spent the next 11 months strategizing and spending thousands of dollars to elect like-minded Charlotte City Council members to ensure their next attempt would succeed. Nearly one year later, on February 22, 2016, Charlotte passed a similar non-discrimination ordinance,

which would have meant that as of April 1, men could enter women’s public restrooms, locker rooms, and changing rooms if they self-identified as a woman or vice versa.

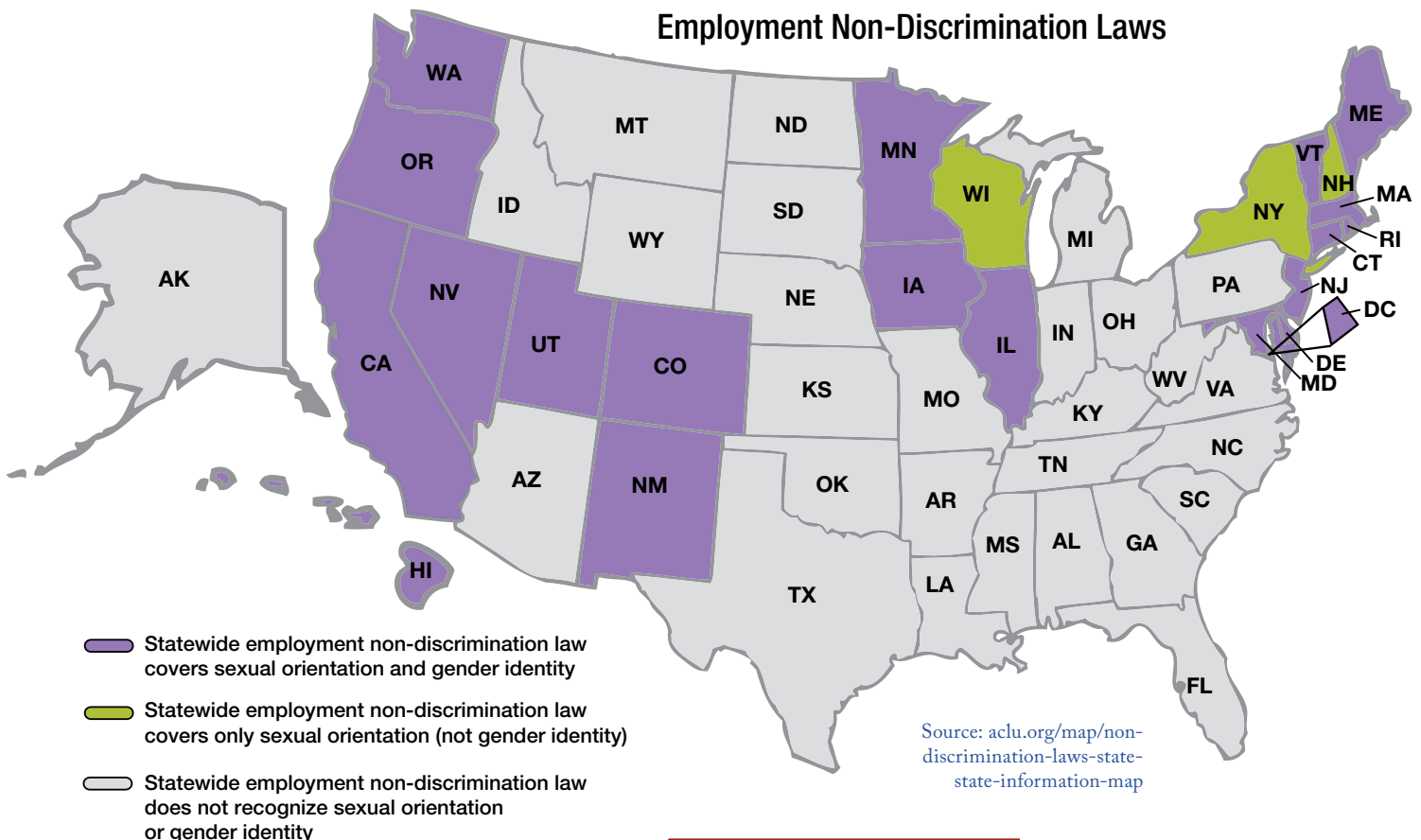
The General Assembly took swift and decisive action to protect the safety and privacy rights of North Carolinians by passing HB2 in a Special Session on March 23. The law served to counteract Charlotte’s ordinance and prevent other localities from over-stepping their authority with similar proposals. Governor Pat McCrory signed HB2 into law that same day and polls showed it had the support of a majority of North Carolinians.

For specific dates regarding HB2, follow the timeline along the bottom of this magazine’s pages.

**FACT #1:
HB2 did not
substantively change
anti-discrimination laws
in NC.**

The truth is that HB2 made very few changes to North Carolina law. In fact, the policy of the state with respect to bathrooms, employment, and most other matters did not change one iota when the bill was passed. In most cases, the law simply codified, or placed into state statute, existing state policy. If

Employment Non-Discrimination Laws



Governor McCrory files a lawsuit against the U.S. Department of Justice in response to their threats.

May 9, 2016 morning

the Charlotte City Council had not exceeded its legal authority and passed a set of radical policy changes in February, the bill never would have been necessary.

**FACT #2:
The Charlotte City Council exceeded its authority.**

North Carolina is known as a “Dillon’s Rule” state, meaning city and county governments derive their legal authority from the North Carolina Constitution and acts passed by the State Legislature. This policy has the effect of preventing a patchwork of conflicting ordinances and making North Carolina more of a business-friendly state. On February 22, the Charlotte City Council approved a set of ordinance changes that would have expanded several sections of the Charlotte City Code to include “sexual orientation” and “gender identity” as legally protected classifications. The N.C. General Assembly has never authorized these classifications for use by the state or by local governments, and these terms do not currently exist in the State Constitution or state nondiscrimination laws. HB2 reined in the Charlotte City Council for its attempted overreach, established a consistent statewide policy in several areas described below, and preempted other local governments from violating the Dillon’s rule principle as Charlotte tried to do.

**FACT #3:
HB2 establishes a statewide policy for public facilities.**

HB2 establishes a statewide policy that “single-sex multiple occupancy bathroom and changing facilities” are to be “designated for and only used by persons based on their biological sex,” which is the “sex” stated on the person’s birth certificate. This applies to all such facilities under the authority of state government, local government, the public school system, the university and community college systems, and any other political subdivisions of the state. HB2 clarifies that the bill does not prevent the government from “providing accommodations such as single occupancy bathroom or changing facilities upon a person’s request due to special circumstances.” Furthermore, existing state law allows an individual to change the “sex” designation on their birth certificate if they have undergone sex reassignment surgery and the surgery is verified in a notarized statement from a physician.

HB2 Bill Excerpts

Biological sex. – The physical condition of being male or female, which is stated on a person's birth certificate.

Multiple occupancy bathroom or changing facility. – A facility designed or designated to be used by more than one person at a time where students may be in various states of undress in the presence of other persons. A multiple occupancy bathroom or changing facility may include, but is not limited to, a school restroom, locker room, changing room, or shower room.

Local boards of education shall require every multiple occupancy bathroom or changing facility that is designated for student use to be designated for and used only by students based on their biological sex.

Nothing in this section shall prohibit local boards of education from providing accommodations such as single occupancy bathroom or changing facilities or controlled use of faculty facilities upon a request due to special circumstances.

The General Assembly declares that the regulation of discriminatory practices in employment is properly an issue of general, statewide concern, such that this Article and other applicable provisions of the General Statutes supersede and preempt any ordinance, regulation, resolution, or policy adopted or imposed by a unit of local government or other political subdivision of the State that regulates or imposes any requirement upon an employer pertaining to the regulation of discriminatory practices in employment, except such regulations applicable to personnel employed by that body that are not otherwise in conflict with State law.

It is the public policy of this State to protect and safeguard the right and opportunity of all individuals within the State to enjoy fully and equally the goods, services, facilities, privileges, advantages, and accommodations of places of public accommodation free of discrimination because of race, religion, color, national origin, or biological sex.

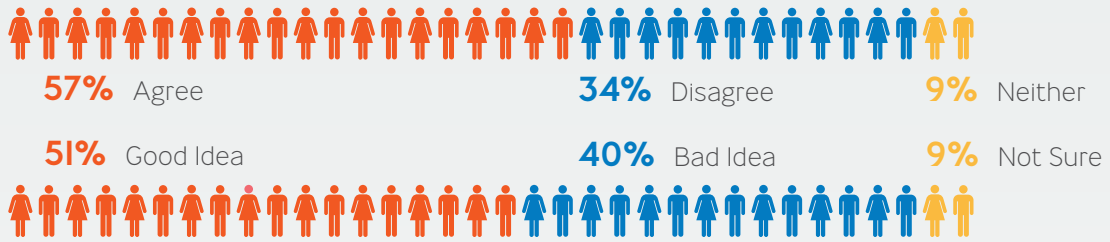
The provisions of this Article supersede and preempt any ordinance, regulation, resolution, or policy adopted or imposed by a unit of local government or other political subdivision of the State that regulates or imposes any requirement upon an employer pertaining to compensation of employees, such as the wage levels of employees, hours of labor, payment of earned wages, benefits, leave, or well being of minors in the workforce.

The U.S. Department of Justice files suit against North Carolina asking the court to declare that complying with and implementing the bathroom provision in HB2 violates federal laws.

May 9, 2016 afternoon

North Carolinians support keeping men out of women's bathrooms

How do you feel about HB2 requiring people to follow their Birth Certificate in using a restroom?



A new state law in North Carolina bans local governments from passing anti-discrimination rules, and overturns the Charlotte ordinance that would have allowed transgender people to use the bathroom corresponding to their gender identity. Was overturning the Charlotte ordinance a good idea or bad idea?

Top Source: <http://www.wral.com/wral-news-poll-nc-voters-conflicted-over-hb2/15637430/>

Bottom Source: <http://www.twcnews.com/nc/triangle-sandhills/politics/exclusive-time-warner-cable-news-poll-hb2.html>

\$100,000

Amount of concert proceeds the musical group Dead & Company pledged to the Human Rights Campaign and Equality NC in support of efforts to repeal HB2. The band is comprised of former members of the Grateful Dead and held a concert in Charlotte on June 10.

\$75,000

Amount San Francisco 49ers CEO Jed York pledged to give Equality NC to fight HB2. York released a statement condemning HB2 while attending an NFL meeting in Charlotte recently.

These are just a few examples of the *deep pockets* we are facing in this incredibly important battle, and *we need your help!*

Please make a donation to assist NC Family in our efforts to stand for safety, privacy, dignity and the **TRUTH!**

Make a generous **online donation** at www.ncfamily.org.

Send a generous **gift by check** to:

NC Family
P.O. Box 20607
Raleigh, NC 27619

Opposition Orchestration

Business opposition
not spontaneous

written by:
John L. Rustin



While LGBT activist groups would like for us all to believe that the opposition to HB2 was a spontaneous uprising of indignation among the state and national business community, a closer examination reveals that it is actually part of a carefully orchestrated campaign by a national LGBT activist group, the Human Rights Campaign.

The Human Rights Campaign (HRC) is a national organization based in Washington, D.C. that self-identifies as “America’s largest civil rights organization working to achieve LGBT equality.” In conjunction with its partner foundation, HRC reported total combined revenue of \$53.7 million in 2015. They employ the expertise of 10 core executives who receive annual compensation exceeding \$200,000 each and provide grants to local LGBT organizations all over the country.

In fact, after the Charlotte City Council failed in 2015 to pass ordinance changes containing the much-publicized bathroom provision, HRC and other LGBT groups reportedly spent more than \$10,000 in the 2015 Charlotte City Council and mayoral races to elect LGBT allies. (As with many local elections, voter turnout was low: 8.8% for the primary and 14.76% for the general election.) A newly aligned Charlotte City Council pushed through the ordinance changes that prompted HB2, proving local elections do matter!

Each year since 2002, the Human Rights Campaign has produced what it calls a “Corporate Equality Index” to track and report efforts within corporate America to promote acceptance of the LGBT agenda. A review of this document for 2016 sheds quite a bit of light on the matter.

A group of students and parents at NC public schools and universities file their own suit against the U.S. Department of Justice.

May 11, 2016

HB2 *timeline*

Targeting and rating companies

In its report, the HRC discusses how it targets and rates Fortune 1,000 companies and the nation's 200 largest grossing law firms on their friendliness to LGBT interests, and how it will penalize these entities for "a large-scale official or public anti-LGBT blemish on their recent records." It also highlights how businesses that supply or contract with these corporations and firms are pressured to adopt pro-LGBT policies, and how the HRC seeks to deny corporate philanthropic funding to nonprofits that don't share its view.

For a group that purports to support "tolerance," these ratings and pressure tactics seem far from accepting of other viewpoints.

Since 2002, the HRC's criteria for corporate ratings (on a scale of 0-100) have continued to become increasingly aggressive and stringent and now are based on three main criteria — a company's:

1. "global workplace non-discrimination policy and/or global code of conduct";
2. "requirements for contractors, vendors and suppliers (U.S.); and
3. "corporate giving guidelines."

(Please be sure to see the more detailed summary of the HRC's corporate rating criteria on page 22.)

Well before the invention of the Corporate Equality Index, HRC began working to organize LGBT employees within the nation's largest companies, establish "affinity groups" within these corporations, and identify well-placed "executive champions" to push the LGBT agenda within the corporate structure. As we have seen in other states—and

now in North Carolina—when things happen that the HRC doesn't like, this network is activated, and allied corporations and executives are unleashed to do the HRC's bidding.

While I am sure a handful of Fortune 1,000 corporate executives are personally supportive of HRC's agenda, I fully expect others feel pressured and compelled to act in order to avoid getting a black mark beside their company's name in the Corporate Equality Index and being targeted for boycotts and other forms of retaliation. As you can see in the summary of the HRC's corporate rating criteria below, it is not only the omission of internal pro-LGBT corporate policies, benefits and culture that can result in retribution against a business, but it is also a failure by corporate executives and others

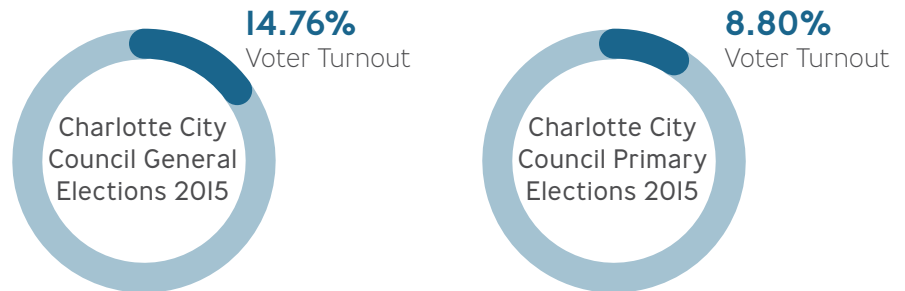
to demonstrate "public support for LGBT equality under the law through local, state or federal legislation and initiatives."

This is exactly why we have been hearing some business representatives and others, who have clearly not read HB2 and who have no idea what the bill actually says, parroting the HRC's talking points over and over again. This is also why the delivery of a letter by the president of HRC to Governor McCrory bearing the signatures of a handful of well-positioned corporate executives decrying the passage of a pro-business bill doesn't pass the smell test.

How HRC rates companies

Far from an "organic" outrage by the business community, you have to hand it to the Human Rights Campaign for orchestrating a masterful PR and lobbying

Local Elections Matter!



Above Source: http://er.ncsbe.gov/?election_dt=09/15/2015&county_id=60&office=ALL&contest=0
Below Source: : http://apps.meckboe.org/Upload/724/01_05_2016-2015%20Year%20End%20Semi-Annual%20Report.pdf

\$10,000+

The national Human Rights Campaign and other LGBT groups reportedly spent more than \$10,000 in the 2015 Charlotte City Council and mayoral races to elect LGBT allies.

The Obama Administration issues a statement saying it would not withhold money from NC while HB2's bathroom provision is being addressed in the courts.

May 12, 2016

CORPORATE EQUALITY INDEX 2016

Rating American Workplaces on Lesbian, Gay, Bisexual and Transgender Equality

2 Letter from HRC Foundation President

3 Executive Summary

4 Going Global

6 Equality at the Fortune-Ranked Companies

8 Rating System and Methodology

10 The Evolution of Criteria

11 Criteria



HUMAN
RIGHTS
CAMPAIGN
FOUNDATION

Appendix A

Employers With Ratings of 100 Percent

Corporate Equality Index Rating Criteria

- 1a Prohibits Discrimination Based on Sexual Orientation for All Operations (15 points)
- 1b Prohibits Discrimination Based on Gender Identity or Expression for All Operations (15 points)
- 1c Has Contractor/Vendor Non-Discrimination Standards that Include Sexual Orientation and Gender Identity (5 points)
- 2a Offers Partner Health/Medical Insurance (10 points)
- 2b Has Parity Across Other "Soft" Benefits for Partners (10 points) (half credit for parity across some, but not all benefits)
- 2c Offers Transgender-Inclusive Health Insurance Coverage (10 points)
- 3a Firm-wide Organizational Competency Programs (10 points)
- 3b Has Employer-Supported Employee Resource Group OR Firm-Wide Diversity Training


campaign against HB2. Good spin does not make good policy, however, and despite all the noise, North Carolina should continue to resist the temptation to bow to bully tactics.

The following is a summary of the criteria used in the Human Rights Campaign "Corporate Equality Index 2016." Rating points are deducted if a company does not comply with each of the following:

- Internal corporate employment policies that include "sexual orientation" (15 points) and "gender identity" (15 points) and contractors and/or vendor standards that also include "sexual orientation" and "gender identity" (5 points);
- Equivalent medical benefits must be offered to different-sex spouses and same-sex partners or spouses (10 points); and other "soft" benefits like bereavement leave, supplemental life insurance for a partner, and adoption assistance, etc. (10 points);
- Transgender-inclusive health insurance coverage (10 points) including coverage for: sex reassignment surgery, pharmaceutical coverage for hormone replacement therapies, reconstructive surgical procedures related to sex reassignment, and

"dollar maximums on this area of coverage must meet or exceed \$75,000";

- A "firm-wide, sustained and accountable commitment to diversity and cultural competency" (10 points) including:
 - new hire training that the company's "nondiscrimination policy includes sexual orientation and gender identity";
 - supervisor training on sexual orientation and gender identity;
 - integration of sexual orientation and gender identity in professional development, skills-based or other leadership training;
 - senior management/executive performance measures include LGBT diversity metrics;
 - gender transition guidelines with supportive restroom/facilities, dress code and documentation guidance; etc.
- LGBT employee group or diversity council (10 points);
- LGBT-specific engagement in the following (10 points):
 - LGBT employee recruitment efforts;
 - Supplier diversity program including LGBT suppliers;
- Marketing or advertising to LGBT consumers ("e.g. advertising with LGBT content, advertising in LGBT media or sponsoring LGBT organizations and events";
- "Philanthropic support of at least one LGBT organization or event";
- "Demonstrated public support for LGBT equality under the law through local, state or federal legislation and initiatives."
- Corporate giving guidelines "prohibiting philanthropic giving to non-religious organizations that have a written policy of discrimination on the basis of sexual orientation and gender identity..." (5 points).

Finally, the Criteria Rating System and Methodology states, "Employers will have 25 points deducted from their score for a large-scale official or public anti-LGBT blemish on their recent record." 

John L. Rustin is President of the North Carolina Family Policy Council. For a footnoted version of this article, please visit www.ncfamily.org.

The Obama Administration sends a letter to every public school and university in the nation providing "guidance" on how schools should interpret the word "sex" in federal laws pertaining to bathrooms, restrooms, sports teams, and dormitories.

May 13, 2016

HB2 *timeline*

Communicating From An Abundance of Joy

I was having dinner with some new friends recently and I had just explained what I do for a living when one young man threw out a general question. “What advice would you give to someone who wants to be a better communicator with people they are around every day?” Surprisingly, even to myself, I gave him an immediate answer. Good communication starts with what’s inside you. If you want to speak and communicate respect, it starts with what you think and feel about people. You need to actually have respect for them. Winsome and thoughtful communication begins with what you say in your heart and mind, so start listening to what you say to yourself and to those closest to you. If you don’t like what you hear, change that first.

The concept of self-talk, once discovered, can have a dramatic impact on many areas of our lives as we find that some of our self-admonishments are rooted more in childish quips or Oprah-isms, and really are not helpful. In fact, they may be stealing our joy, which is an essential ingredient to grace-filled communication. John Piper, in his book, *When I Don't Desire God: How To Fight For Joy*, calls it preaching the gospel to ourselves. “Hearing the word of the cross, and preaching it to ourselves, is the central strategy for sinners in the fight for joy.”


In the New Testament, the Bereans had the great advantage of listening to the preaching of the Apostle Paul. But even then, they would go back to Scripture to see if what he said was true (Acts 17:11). How does our self-talk—or what we preach to ourselves—measure up under such an examination? Is our self-talk rooted in biblical principles? Does it contribute to our joy or erode it?

If the Bible tells us often that we are to rejoice in our affliction, then surely it is possible! William Wilberforce persevered for 60 years in the fight to see slavery come to an end in England. He was threatened and insulted and called a traitor to his own country. All this while suffering from health problems that left him nearly blind and reduced to shuffling along while leaning grotesquely to one side. But what many people don’t know is that his life was marked with joy! In 1818, Dorothy Wordsworth wrote, “Though shattered in constitution and feeble

in body, he is as lively and animated as in the days of his youth. His sense of humor and delight in all that was good, was vigorous and unmistakable.”

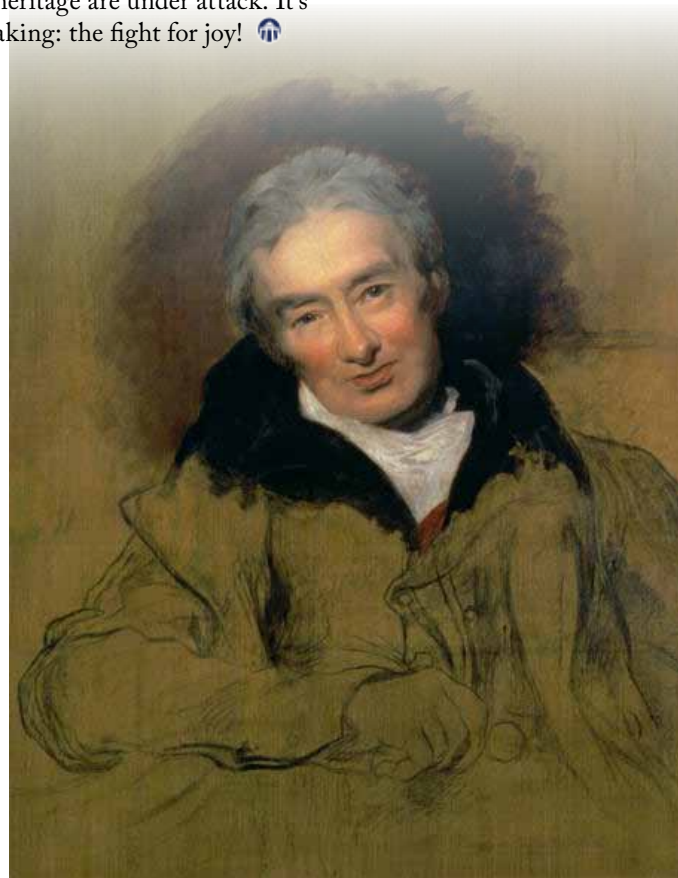
How do you suppose such pervasive joy would affect the way Wilberforce communicated with others? Do you suppose that even his enemies might enjoy his company?

Of course, this is not a giddy joy or one that is commonly found in the world. This is simply an assurance that God is in control, even when our circumstances seem to scream that He is not. It is the understanding that we work for the approval of only One and that even when we are maligned, His opinion of us is all that matters.

It is clearly not enough to be informed and resolute communicators on public policy issues; we need to have a solid base of joy in our lives and communicate from that foundation. If we do, we will acquire an unflappable calm and a winsome manner to our speech and writing, even when the very foundations of our faith and our heritage are under attack. It’s a fight worth undertaking: the fight for joy! 

Traci DeVette Griggs is Director of Communications for the North Carolina Family Policy Council and editor of Family North Carolina magazine.

An unfinished portrait of William Wilberforce near the end of his life by Thomas Lawrence [Public domain], via Wikimedia Commons.



Officials in 11 states file lawsuit against the Obama Administration's "guidance" letter.

May 25, 2016



North Carolina Family Policy Council
PO Box 20607
Raleigh, NC 27619

NC FAMILY
POLICY COUNCIL

TOGETHER WE CAN!

HB2 has brought about a firestorm of furious opposition. This should not surprise us. After all, we know how the story ends. So, join with us and rejoice as we suffer insults and stand strong together on those principles we hold so dear.

WHAT YOU CAN DO:

- **Educate yourself.** This magazine is chock full of information that you will not find in local media sources.
- **Continue the conversation** with your family and friends.
- **Encourage legislators** to stand strong.
- **Stay connected** with NC Family via email, social media and our website. Share posts and stories with family and friends.
- **Donate to NC Family.** We count on your support to work on your behalf.

“FOR GOD HAS NOT GIVEN US A SPIRIT OF FEAR, BUT OF POWER AND OF LOVE AND OF A SOUND MIND.”

2 TIMOTHY 1:7