

WILS 08/20/95 \*\*CHILL  
WILSON LIBRARY  
N C COLLECTION - UNC-CH  
P O BOX 8890  
CHAPEL HILL NC 27515-8890

# The Carolina Times

THE TRUTH UNBRIDED

VOLUME 95 - NUMBER 20 DURHAM, NORTH CAROLINA - SATURDAY, MAY 21, 2016 TELEPHONE (919) 682-2913 PRICE: 50 CENTS

## Bills addressing college costs, HBCUs could be hurt

RALEIGH (AP) - North Carolina lawmakers offered bills before a self-imposed deadline May 10 addressing the cost of college education, penalties for "sanctuary cities," economic incentives and worker pay.

House and Senate members filed close to 120 pieces of legislation before this year's cutoff for bills that would affect next year's budget or that study commissions recommended.

Sen. Tom Apodaca, R-Henderson, filed legislation that would prevent in-state tuition at University of North Carolina campuses from rising for a student seeking a bachelor's degree, either for eight or 10 semesters. Senate Democrats filed a separate "fixed tuition" bill.

But Apodaca's bill also would drastically reduce tuition starting in fall 2018 to no more than \$500 per semester for in-state students and \$2,500 for out-of-state students at five UNC campuses: the historically black Elizabeth City State University, Fayetteville State and Winston-Salem State, along with UNC-Pembroke and Western Carolina.

The change would be designed to attract new students to some campuses with lower enrollment or to stimulate regional economies. University leaders also would be directed in fall 2018 to reduce student fees at nearly all campuses by 10 percent to 25 percent compared with this fall. Apodaca also wants to create a scholarship program giving full rides to students attending the historically black North Carolina A&T and N.C. Central.

Another bill by Sens. Norman Sanderson, R-Pamlico, and Buck Newton, R-Wilson, would deny local governments money for public school capital or city street improvements if they don't comply with federal and state immigration laws. The legislature told cities and counties last fall they could not enforce their own policies preventing a person from being asked their immigration status.

The bill also creates a process whereby the public could file complaints alleging local governments weren't complying with immigration laws with the attorney general. Newton is the Republican nominee for attorney general this year.

"Hopefully this bill will provide some extra incentive for local officials to do the right thing," Newton and Sanderson said in a release.

Several House Republicans, including Majority Leader Mike Hager of Rutherford County, filed legislation May 10 that would allow local governments to request a moratorium on resettling refugees in their area that would ultimately be sent to the U.S. Department of State. Local government bodies also would be required to hold public hearings before notifying North Carolina officials they wanted to resettle refugees.

Refugee issues received attention late last year after the Paris attacks, based on worries that terrorists would pose as refugees to gain access to the U.S.

House and Senate GOP lawmakers filed 28-page bills offering or extending a host of tax breaks and credits to those investing in North Carolina business, as well as using certain funds held by the state treasurer for venture capital targeting businesses with North Carolina connections.

House Democrats filed their own bills May 10, two of which would repeal or replace the law approved in March limiting anti-discrimination protections for LGBT people and the use of public restrooms by transgender people to the one aligned with their biological sex.

Democrats also filed several bills to raise the minimum wage to \$12 or \$15 per hour and mandate equal pay for men and women performing the same work.



Former NCCU Board of Trustees member, Dr. Dwight D. Perry was honored for his dedicated service to the university. He was awarded the designation of Trustee Emeriti. Here he receives the plaque from Chancellor Debra Saunders-White at NCCU undergraduate ceremony on May 14. NCCU Photo..

### Kingstree honors MLK voting rights speech's 50th anniversary

KINGSTREE, S.C. (AP) - The South Carolina community of Kingstree is celebrating the 50th anniversary of the Rev. Martin Luther King Jr.'s historic speech urging black voters to cast their ballots without fear.

Sunday's celebrations began and included a reenactment of King's "March on the Ballot Boxes" address. King's visit came several months after President Lyndon Johnson signed the Voting Rights Act into law. It was part of King's crusade to help black citizens exercise their right to vote.

U.S. Rep. James Clyburn was present at the 1966 speech and is speaking at the event.

A historical marker is being unveiled at the site of the original speech at Tomlinson High School's athletic field.

## North Carolina's transgender law creates tangle of lawsuits

By Jonathan Drew

RALEIGH, N.C. (AP) - The dueling lawsuits over North Carolina's law on bathroom use by transgender people have landed in the hands of three federal judges appointed by Republican presidents, with both sides trying to maneuver into the most favorable courtroom possible.

Legal experts expect some or all of the five cases to be combined. But it remains to be seen whether they will be decided in the court picked by the law's opponents for its moderate reputation, or in the more conservative court chosen by the measure's GOP supporters.

"This is definitely a strategic decision by the plaintiffs to file in the district they like best," said Tom Metzloff, a Duke University law professor and expert on civil procedure.

Either way, the dispute could ultimately be headed for the U.S. Supreme Court for a ruling once and for all on whether federal laws including the Civil Rights Act of 1964 protect transgender people from discrimination.

At issue is a state law that says transgender people must use public bathrooms, showers and changing rooms that correspond to the sex on their birth certificate. Supporters say the law is needed to safeguard people's privacy and protect women and children from molesters. Opponents, including the Obama administration, say the danger is imaginary and the law discriminatory.

With economic pressure on the state mounting, the U.S. Justice Department and North Carolina's governor sued each other over the measure Monday. Lawsuits for and against the law have also been filed by the American Civil Liberties Union, leaders of the Republican-controlled state Legislature, and a conservative legal organization.

As for possible clues to how the judges might rule, one of them has already decided in favor of a transgender plaintiff in a separate case. Another sided with state GOP leaders in a high-profile case on voter ID laws, while the third ruled environmentalists with a ruling on a bridge project in the ecologically fragile Outer Banks.

Still, whatever the judges' backgrounds, opponents have a strong hand because of a recent federal appeals court ruling in favor of a transgender teen who was seeking to use the boys' bathroom at his Virginia high school. The ruling by the 4th U.S. Circuit Court of Appeals, which oversees North Carolina, interpreted the federal discrimination law Title IX in a way that directly affects a key aspect of the North Carolina case.

"It's going to be hard for the judge not to follow the 4th Circuit precedent. And if he does that, the language of Title VII - the '64 Civil Rights Act - is basically the same as the Title IX language. It prohibits discrimination on the basis of sex," said William Yeomans, a legal scholar who spent 26 years at the Justice Department during Democratic and Republican administrations.

The five cases are split between two districts - one in the eastern part of the state that is considered more conservative, the other in the middle section.

Legal scholars agree that opponents of the law chose the middle district because of the more moderate overall reputation of its six judges. That strategy only goes so far, however, because cases are initially assigned at random, Metzloff said.

The two cases challenging the North Carolina law - one filed by the ACLU, the other by the Justice Department - wound up before U.S. District Judge Thomas Schroeder.

In April, Schroeder rejected arguments by the Justice Department and the NAACP in a ruling upholding a voter ID law passed by the Legislature. He wrote that "some segment of the state's African Americans endure socioeconomic disparities that can be linked to state discrimination," but the plaintiffs "failed to show that such disparities will have materially adverse effects on the ability of minority voters to cast a ballot."

He was nominated to the federal bench in 2007 by President George W. Bush. While perceived as more moderate than some of his colleagues, "he is certainly not known for being liberal," said Maxine Eichner, a law professor at the University of North Carolina.

To the east, the case filed by the governor in defense of the law wound up before U.S. District Judge Terrence Boyle, a former aide to archconservative Sen. Jesse Helms who was denied a seat on the 4th Circuit by the Democrats after a 16-year standoff. He was first appointed to the federal bench by President Ronald Reagan in 1984.

Still, observers say his conservative reputation may be overstated. In 2015, he gave a favorable ruling to a transgender job applicant who alleged gender discrimination when she applied for a job as a nurse in High Point.

"In this case, Judge Boyle doesn't exactly decide that transgender is protected by Title VII, but he comes pretty close," said Katharine Bartlett, a Duke University law professor and expert on gender and law.

Two other cases filed this week in support of the law are also in the eastern district, before Judge Louise Wood Flanagan, who was nominated by Bush in 2003 and served as the district's chief judge for seven years. In 2013 she sided with the state transportation department in a lawsuit filed by environmental groups over a bridge on the Outer Banks.

While it's difficult to predict how the North Carolina judges will unknit the tangle of cases, Bartlett said: "Because of the division now among federal courts, ultimately the Supreme Court is going to have to decide if transgender discrimination is sex discrimination. I don't know how soon, or under which of these laws."

Associated Press writers Emery P. Dalesio and Martha Waggoner in Raleigh contributed to this report.

### Poll: Millennials more open to idea of slavery reparations

By Jesse J. Holland

WASHINGTON (AP) - A majority of Americans say there should not be reparations for African-American descendants of slaves, but time may bring about a shift in those numbers. A new poll shows more than half of millennials are willing to at least consider the idea.

The Exclusive Point Taken-Marist Poll was released May 11 in conjunction with the PBS debate series "Point Taken."

Overall, 68 percent of Americans think that reparations should not be paid to descendants of slaves. But when millennials are asked, 49 percent are opposed, 40 percent are in favor and 11 percent are unsure.

Researchers say the increasing diversity of millennials may be one of the factors that explain the difference.

### Sweet Honey in the Rock protesting during NC shows

By Derrick J. Lang

LOS ANGELES (AP) - The a cappella group Sweet Honey in the Rock is protesting North Carolina's law addressing LGBT rights and bathroom use by transgender people during its concerts in the state this weekend.

The group performed as scheduled but protested in song at the Paramount Theatre in Goldsboro, North Carolina, on May 13, and plans to again at the High Point Theatre in High Point, North Carolina, on Saturday night.

"We gave a shout-out to everyone and performed a civil rights medley," said group member Carol Maillard on Saturday morning. "As I always say, you never know when you'll need a good, strong protest song to bring your community together so they can raise their voices."

The long-running African-American female performance group was founded in 1973 and has been nominated for several Grammy Awards.

Bruce Springsteen, Pearl Jam, Blue Man Group, Cirque du Soleil, Nick Jonas and Demi Lovato have all cancelled performances in North Carolina since the law was passed in March. Maillard said the group never considered canceling the shows in North Carolina.

"We realized it would be to our advantage and the community's advantage to come together and let them know we give our spiritual and emotional support for what they're fighting for here," Maillard said. "I'm sure it'll all work out."

Online: <http://www.sweethoneyintherock.org>

