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In an open letter to Governor Roy Cooper and local governments across the state, the North Carolina Institute for Constitutional Law ("NCICL") offered its assistance to Governor Cooper and local governments in rescinding or revising orders unconstitutionally restricting the rights of the people to free speech and to assembly.

"We understand the seriousness of the situation, not just in terms of COVID-19 itself but also in terms of how government is violating the constitution during the crisis," said Jeanette Doran, NCICL president and general counsel.

The First Amendment and the North Carolina Constitution protect the people's right to free speech and to assemble to petition the government for a redress of grievances. These rights may be limited if government has a compelling interest and uses narrowly tailored means to achieve that interest. NCICL recently posted an explanation of the test, called "strict scrutiny," used by courts to decide whether this tough burden has been satisfied when a government limits fundamental rights like the right to free speech. That explanation and other resources are available at www.ncicl.org

"First Amendment rights aren't absolute, but neither is government power," said Doran. "If Governor Cooper or local governments want help, NCICL is more than willing to help them revise or rescind their orders to ensure that constitutional rights are respected."

NCICL is a nonpartisan 501(c)(3) nonprofit which serves as a nonpartisan resource for North Carolina Constitutional issues. NCICL envisions a North Carolina of individual liberty and a thriving, innovative economy, with state and local governments committed to following the state and federal constitutions. It is funded by donations from individuals and private foundations, and receives no funding from federal, state, or local government.

Media inquiries may be directed to Jeanette Doran at jeanette.doran@ncicl.org or 984-242-4733

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