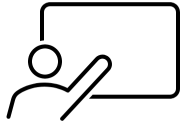




# Ordinances and Laws Affecting Prides

This presentation will explore the legal issues commonly faced by Pride events, focusing on key areas such as freedom of speech, assembly rights, and anti-discrimination protections. We will delve into significant case law that has shaped the legal landscape for LGBTQ+ gatherings, highlighting landmark rulings on public protest, government restrictions, and protections against hate speech. The session will also address the tension between free expression and public safety concerns, offering a nuanced look at how courts have balanced these rights in different jurisdictions. Examples of recent cases from the Federal, Circuit Courts, and the many states will be provided to illustrate how legal systems have both supported and challenged the organization of Pride events.

# Speaker Credentials



## **CRISTAL ROBINSON, JD/MBA (THEY/THEM/SHE)**



Union County Pride, Inc. – Union Co, NC

- President & Co-Founder

Panhandle Pride, Inc. – Amarillo, TX

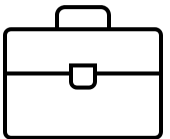
- Attorney, Volunteer, & Sponsor

Charlotte Pride, Inc. – Charlotte, NC

- VIP Team Chair – Not Completed 2020

Lansing Pride – Lansing, MI

- Volunteer



Robinson Law

- Licensed in TX, NC, & DC
- 17+ Years of Law
- 25+ Years of Business

# Agenda

## **Supreme Law of the Land 25 Minutes**

- Constitution and Bill of Rights
- Court System – State and Federal
- Historic Cases and Constitutional Concepts

## **Current Events in Federal & States 20 Minutes**

- Role of Branches
- Some Past Executive Orders
- Legislative Reaction
- Judicial Review
- Some Current Executive Orders

## **Research and Documentation 15 Minutes**

- Events Permit Steps
  - State and Local Ordinances, Regulations, & Rules
- CYA Documentation Techniques to Help your Legal Counsel

## **Question and Answer 10 Minutes**



# Supreme Law of the Land

## 25 Minutes

- Constitution and Bill of Rights (5 minutes)
- Court System – State and Federal (5 minutes)
- Historic Cases and Constitutional Concepts (15 minutes)
- Current Cases on Executive Orders



# 1<sup>st</sup> Amendment (1791)

## Congress shall make no law:

- Respecting an Establishment of **Religion**
  - Prohibit the Free Exercise thereof
- Abridging the Freedom of **Speech** or
- Or of the **Press**
- Right of the people peaceably to **Assemble**
- To Petition the Government for a **Redress** of Grievances



# 14<sup>th</sup> Amendment (1868)

No State shall make or enforce any law which

- shall abridge the **privileges or immunities** of **citizens** of the United States;

nor shall any State

- deprive any person of life, liberty, or property, without **due process** of law;
- nor deny to any person within its jurisdiction the **equal protection** of the laws.

# The Court System – Article III Federal Courts

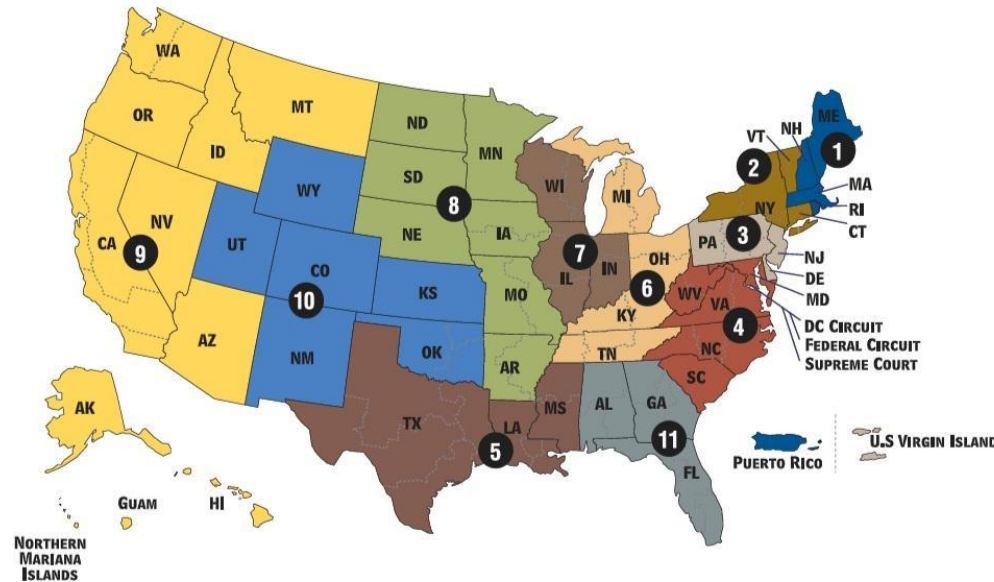
## US Supreme Court



Court of Last Resort

- Judicial Review under Marbury v. Madison (1803)

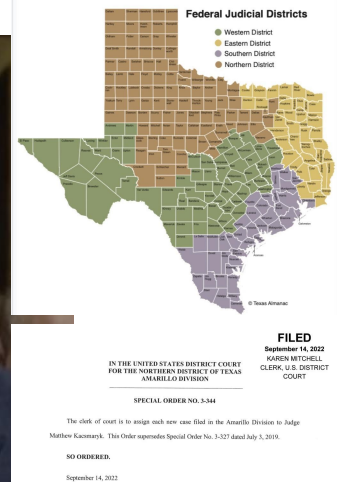
## US Court of Appeals



13 Circuits and Specialty Courts

- Created by Congress in 1891

## US Districts Courts



94 Courts in all states and 3 territories

- US Specialty Courts – Created by Congress under Article I – Tax, Armed Services, Federal Claims

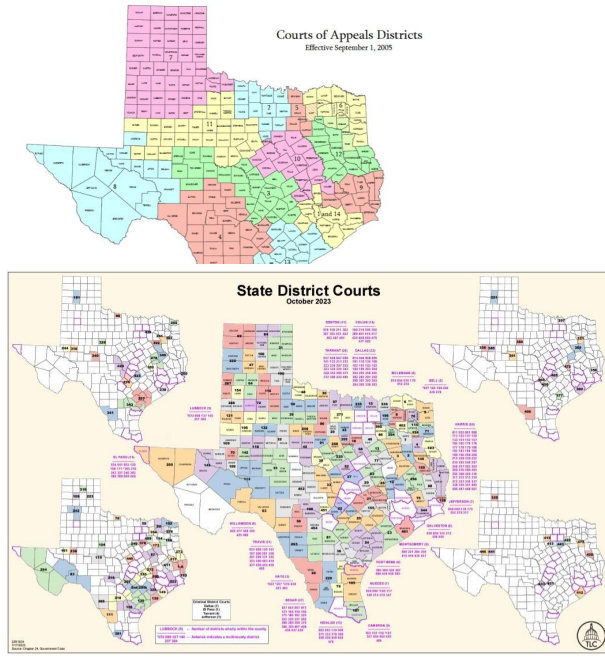


# The Court System – State Court to Supreme

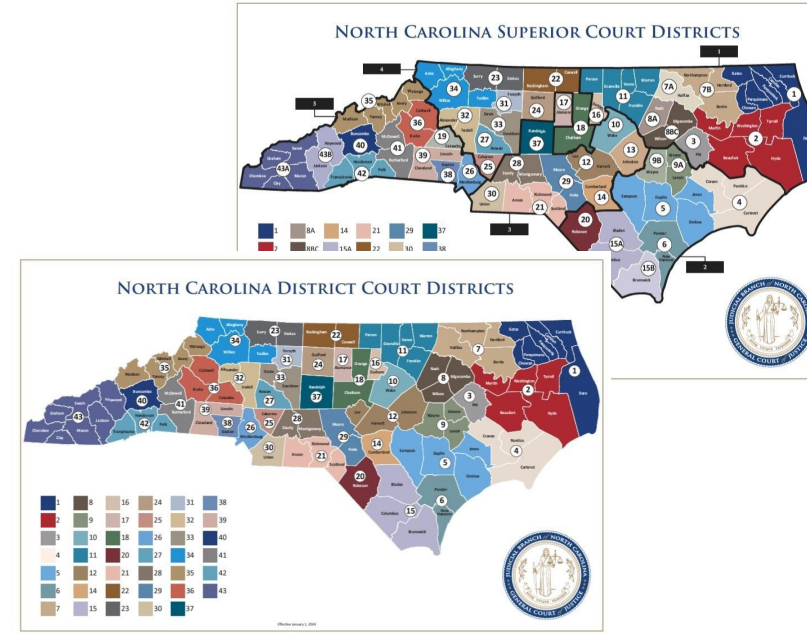
Texas – 5<sup>th</sup> Fed Circuit

North Carolina – 4<sup>th</sup> Fed Circuit

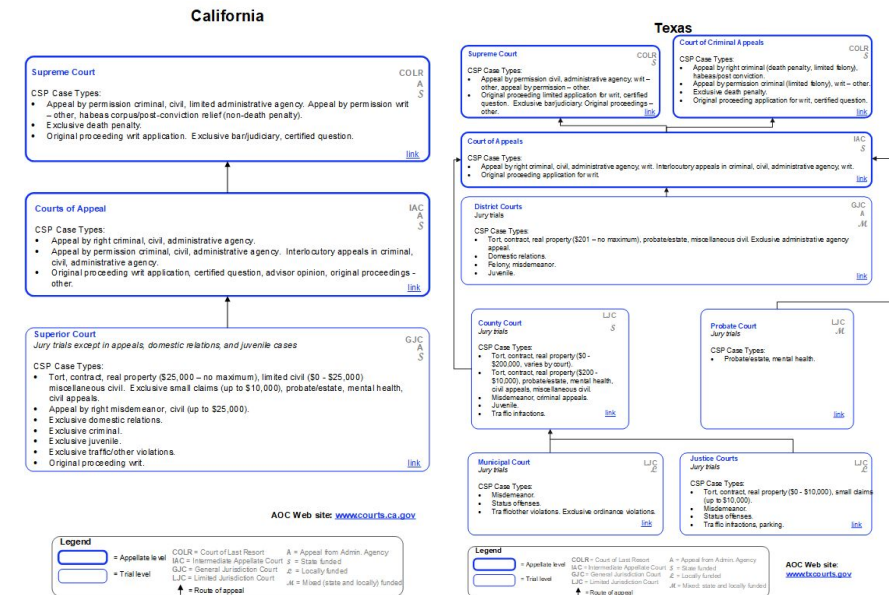
Every State is Different



2 Supreme Courts  
14 Court of Appeals  
488 District Courts +



Supreme Court  
15 Judges - Appellate Statewide  
43 District & 48 Superior Courts



50 State Courts Systems  
All Different



# Incorporation to the States

Fundamental rights that are NOT specifically enumerated elsewhere in the Constitution

Only Federal	14th Amend	1st Amend	2nd Amend	Selective
Barron v. Baltimore (1833) – MD (4 <sup>th</sup> Cir) Slaughter-House Cases (1873) – LA (5 <sup>th</sup> Cir)	Chicago... Railroad v. City of Chicago (1897) – 7 <sup>th</sup> in IL  Due Process	Gitlow v. New York (1925) – NY (2nd Circ)  Speech	DC v. Heller (2008) - DC McDonald v. City of Chicago (2010) – 7 <sup>th</sup> in IL  Arms	<b>Some do NOT</b> <ul style="list-style-type: none"><li>• All of 3<sup>rd</sup> and 7<sup>th</sup>,</li><li>• 8<sup>th</sup> - Excessive Bail, and</li><li>• 5<sup>th</sup> - Grand Jury</li></ul>

# Procedural Due Process

Procedural protections before the government must follow before it deprives an individual of **LIFE, LIBERTY, or PROPERTY**.



**Notice;**



Opportunity to be **Heard**; and



**Impartial Tribunal.**

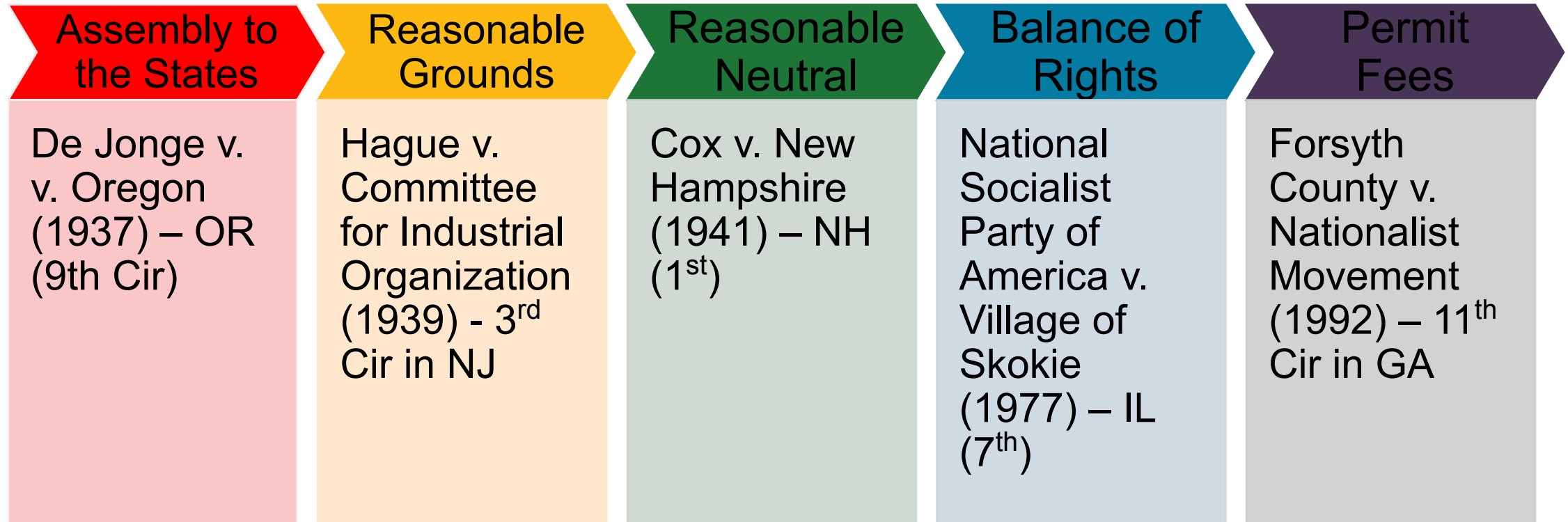
# Substantial Due Process

Fundamental rights that are NOT specifically enumerated elsewhere in the Constitution

Interracial Marriage	Contraceptive	Abortion	Sexual Conduct	Same Sex Marriage
<p>Loving v. Virginia (1967) – VA (4th Cir)</p>	<p>Griswold v. Connecticut (1965) – CT (2nd Cir)</p> <p>Eisenstadt v. Baird (1972) – 1st Cir in MA</p>	<p><del>Ree v. Wade</del> <del>(1973) – 5th</del> <del>Cir in TX</del></p> <p><b>Dobbs v Jackson</b> <b>(2022) – 5th</b> <b>Cir in MS</b></p>	<p>Lawrence v. Texas (2003) – TX (5th Cir)</p>	<p>Obergefell v. Hodges (2015) – 6th Cir 4 states</p>

# Right to Assemble – Permits

Court cases related to **assembly** for events often revolve around issues of free speech, public safety, and the right to peaceful assembly.



# Right to Expression – Creative Art Forms

Several court cases have addressed issues related to free expression in the context of creative art forms.

Test for Obscenity	Abortion	Symbolic Speech	Adult Access	Violent Video Games
Miller v. California (1973) – CA (9 <sup>th</sup> Cir)  Lacks serious artistic, literary, political, or scientific value	<del>Roe v. Wade (1973) – 5<sup>th</sup> Cir in TX</del>  <b>Dobbs v Jackson (2022) – 5<sup>th</sup> Cir in MS</b>	Texas v. Johnson (1989) – TX (5 <sup>th</sup> Cir)	Ashcroft v. ACLU (2002) – 3 <sup>rd</sup> Cir  Child Online Protection Act (COPA)	Brown v. Entertainment Merchants Association (2011) – 9 <sup>th</sup> Cir in CA

# Right to Expression – Dancing as Art Form

Several court cases have addressed the question of whether dancing qualifies as a form of art protected by the First Amendment.







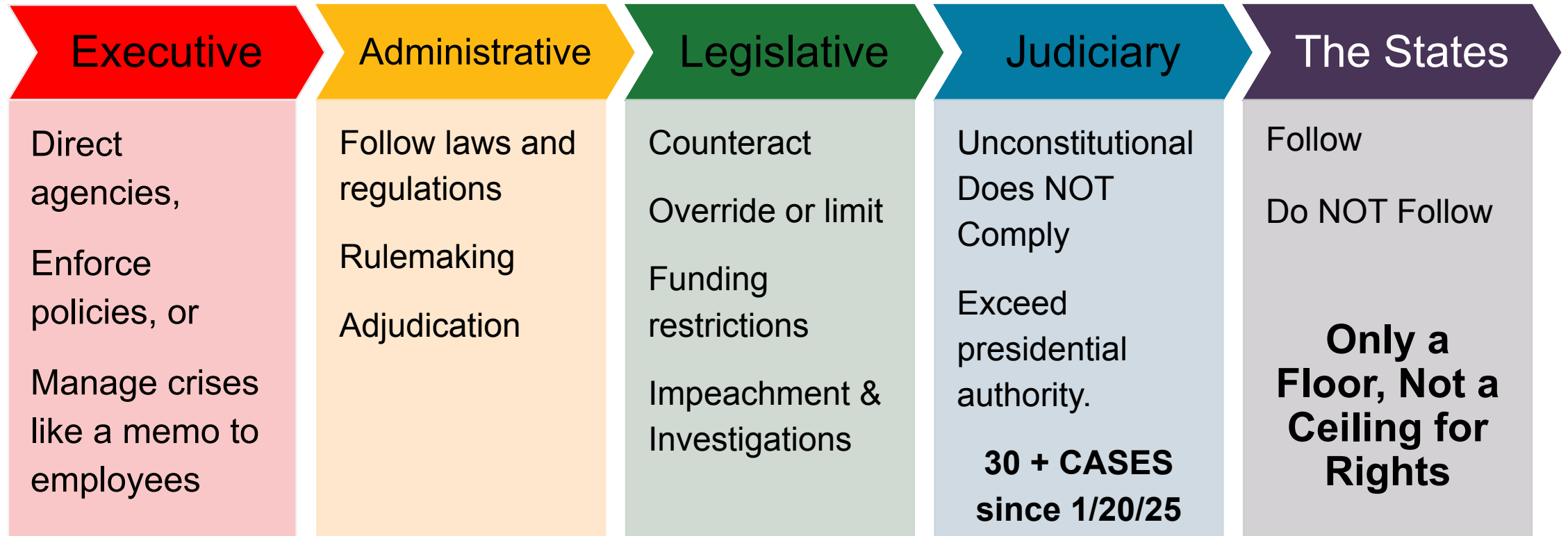
# Current Events in Federal and State

## 20 minutes

- Role of Branches & States with Executive Orders
- Some Past Executive Orders
- Legislative Reactions to Executive Orders
- Judicial Review of Executive Orders
- Current Executive Orders Concerning LGBTQ

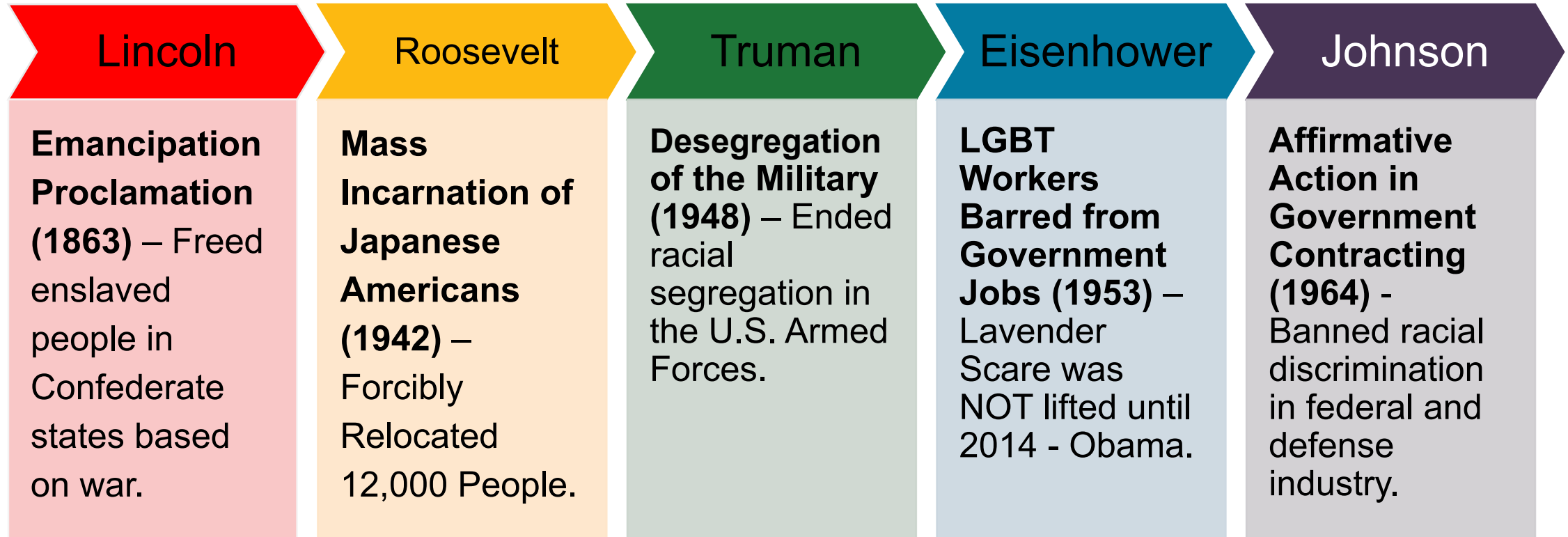
# Role of Branches & States with Executive Orders

Each Branch and the States have roles in the Government



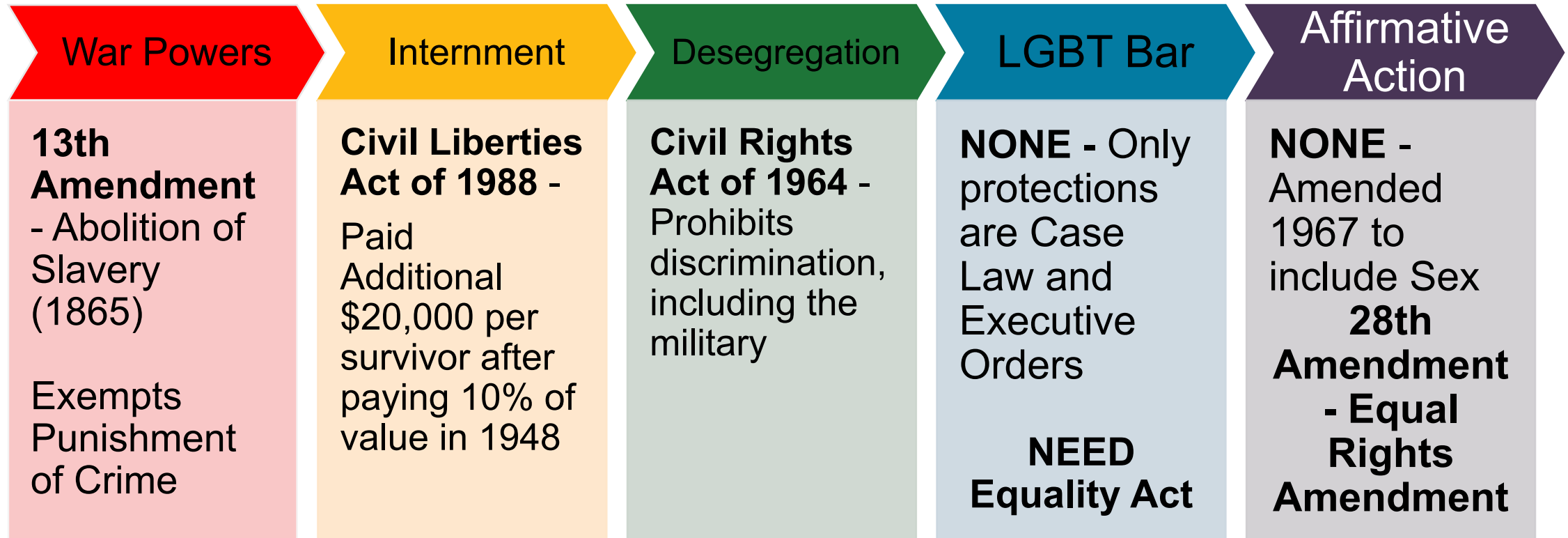
# Some Past Executive Orders

13,790 Executive Orders issued by all Presidents as of 02/07/2025



# Congress's Reaction to Executive Orders

Checks and Balances of the Legislative Branch of the Government



# Judicial Review of Executive Orders

Checks and Balances of the Judicial Branch of the Government

War Powers	Internment	Desegregation	LGBT Bar	Affirmative Action
Youngstown Sheet & Tube Co. v. Sawyer (1952) - Executive order struck down seizing steel mills for war.	Korematsu v United States, 323 US 214 (1944) - Found Constitutional  Ex Parte Mitsuye, 323 US 283 (1944) - No Indefinite Containment	<b>NONE</b>	Bostock v. Clayton County (2020) - 11th Circuit - Title VII of Civil Rights Act of 1964 covers sexual orientation and gender identity	Students for Fair Admissions, Inc v. Harvard (2024) - Restricts Admissions using Race for Diversity

# Current Executive Orders concerning LGBTQ

There are many bills being filed and some have been filed into law at the local and state level. There are several actual lawsuits in the 5<sup>th</sup> (Roe, Johnson, Lawrence, etc), 6<sup>th</sup> (Obergefell), and 11<sup>th</sup> Federal Circuits.

## **Passports**

Restrict  
change or X  
Gender  
Markers

## **Military**

Ban of  
Transgender  
Service-  
members

## **Health Care**

Prevent  
Gender-  
Affirming  
Care  
Coverage

## **Education**

Criminal  
Prosecution  
for Affirming  
Teachers



# Current Cases concerning Executive Orders

There are many bills being filed and some have been filed into law at the local and state level. There are several actual lawsuits in the 5<sup>th</sup> (Roe, Johnson, Lawrence, etc), 6<sup>th</sup> (Obergefell), and 11<sup>th</sup> Federal Circuits.

## **Passports**

Orr v Trump

2/7/2025

## **Military**

Shilling v  
Trump

2/6/2025

## **Health Care**

PFLAG v  
Trump

2/4/2025

US v Skrmetti  
SC 12/2025

## **Education**

Nat. Ass. of  
Diversity  
Officers v  
Trump

2/3/2025



# Research and Documentation

## 15 Minutes

- Events Permit Steps (10 Minutes)
  - State and Local Ordinances, Regulations, & Rules
- CYA Documentation Techniques to Help your Legal Counsel (5 Minutes)

# Event Permit Steps

Some legal issues can arise from local regulations or licensing requirements for entertainment venues. Pride Events may need to comply with specific rules, and disputes can occur if these regulations are perceived as overly restrictive.

## Research Local Regulations

Look on the City's and County's Website

### Websites for Municipal and County

[codelibrary.amlegal.com](http://codelibrary.amlegal.com)  
[library.municode.com](http://library.municode.com)

## Identify Permit Types

Look on the Department's

**Departments**  
Parks & Rec, Fire, Health, Food, Environmental, Police

## Obtain Application Forms

Look on the City's Website or Call

Online Forms  
PDF Forms

## Complete Application Forms

Save Everything

Folder for EACH Event and then Subfolders for each Department for Permits

## Provide Supporting Documents:

Label and Check Off

Name Electronic Documents as the Item on the Application

## Submit Application Forms

Save & Document Everything

Start a Document for all Communication

# State & Local Ordinances, Regulations, & Rules

## Monroe, NC

Small Towns rarely have Ordinances and may have Forms and Policies usually to prevent events.

## Amarillo, TX

Medium-sized Cities start to have Ordinances and Forms with Policies and Procedures that make it easier yet flexible.

## Charlotte, NC

Large Cities have Ordinances for everything with Forms, etc. that may actually harm Creativity and Expansion.

## Hidden – Read Policies and FORMS

4. Parks and Recreation facilities are available for private rentals only. Rentals or events that are advertised or open to the public are not allowed.
5. No admission fees may be charged at the door or entry; no concessions may be sold; no admission fees shall be used for personal financial gain. Fundraising events permitted only for approved non-profit (501c3) organizations. Any fundraising event must be a private event and invitation only.
6. Individuals listed on rental forms are responsible for the facility during the rental period. Please provide adequate supervision of guests.



# CYA Documentation Techniques to Help your Legal Counsel, & Rules


Plan and Organize ALL steps and all parts of the organization like you KNOW you will die suddenly. Spreadsheets and Reports are your friends. NOT a Waste of Time.

Read	Make	Request	Save	Delegate
Read all the policies and forms to find hidden requirements.	Make forms for everything from permit requirements, volunteer jobs, to signed and required agreements for vendors, suppliers, and volunteers.	Request documents under FOIA or state law for evidence as it happens, if it is needed.	Save documents in a way that is easily accessible to everyone and able to be retrieved if anyone disappears.	Delegate to Attorney to deal with all permit filings with contact information and even correspondence coming from the Attorney.

# Make Forms and Checklist for Everything


ORGANIZATIONAL TIMELINE - PRESIDENT			
Program	Team	Due Date	Task/Event Notes
Events	Adult KO	3/30/2022	Start Liquor Licence Process
Organizational	Board	1/30/2023	Reconcile Bank Statement and Financial Report
Organizational	Board	2/28/2023	Reconcile Bank Statement and Financial Report
Events	Legal	2/28/2023	Complete Permit Documents for Park
Organizational	Board	3/15/2023	Finalize Annual Report with Financials
Organizational	Board	3/15/2023	Make Agenda for Annual Meeting
Events	Legal	3/15/2023	Submit Permit Documents for Park
Events	Legal	3/15/2023	Get Insurance for Festival
Organizational	Board	3/30/2023	Reconcile Bank Statement and Financial Report
Organizational	Board	3/30/2023	Make Agenda for Board Meeting
Organizational			
Organizational			
Organizational			
Organizational			
Organizational			
Organizational			
Organizational			
Events			
Safety			
Safety			

Upload Menu to be offered that day or Shop of item to be sold, if Food Truck or Retail Booth:



**Browse Files**  
Drag and drop files here

Insurance



**Browse Files**  
Drag and drop files here

Also we need proof of insurance either a general liability that covers off-site events, umbrella insurance, or the one-time policy that costs \$65 showing Union County Pride, Inc as additional insured and a minimum limit of \$1M per occurrence/\$2M aggregate and rated A-XII or better. Please upload here or go to [www.unioncountypride.com](#)

**Liquor Permit**

- ☐ Have your Application # and PIN to sign back in
  - ☐ Email:
  - ☐ Application #:
  - ☐ PIN:
- ☐ Upload a copy of the signed and notarized application
  - ☐ The permittee shall notify local law enforcement and have the notification signed by law enforcement
- ☐ Upload a copy of any lease/rental agreement (or) have completed the Lease Information on the application
- ☐ Upload a certified copy of the applicant's criminal record which can be obtained from the Clerk of Court in the county where the applicant resides
- ☐ Upload a diagram of the actual premises showing all entrances, exits, bar areas, and where consumption and/or sale will take place
- ☐ Upload documentation to show that the organization is exempt from taxation under the appropriate subsection of Section 501(c) of the Internal Revenue Code or is exempt under similar provisions of Chapter 105 of the North Carolina General Statutes
- ☐ Upload the purpose of fund-raiser and recipient of funds raised

N/A Upload third party management agreement

N/A Upload documentation to show the political party as defined in NC General Statute 163-96(a)(1) or (2) or a campaign organization which has properly filed and has had a person certified as a candidate. Statute 163-1

- ☐ Pay the application fee of \$50.00 by credit card
- ☐ Make sure the complete application is submitted at least 14 days prior to the event occurrence - DEADLINE - \_\_\_\_\_



# Request their Documents for Evidence if needed

3/4/23, 11:19 AM

1467 total Rentals  
1/1/2021 - 10/1/23

Run On 10/04/2023 11:19 AM  
Run By Ryan Jones  
From 01/01/2021 12:00 AM  
To 10/04/2023 11:59 PM  
Facilities Multiple (57)  
Reservation Type Customer Reservation

Facility Reservations by Facility

Bazemore Active Adult Center BAAC Multipurpose Room

Rental Date/Time	Rental Time	Rental Start	Rental End	Start Date	Start Time	End Date	End Time	Description	Type	Permit #	User
1. 06/05/2023 09:00 AM - 01:00 PM	09:00 AM - 01:00 PM	06/05/2023 09:00 AM	06/05/2023 01:00 PM	08/05/2023	09:00 AM	08/05/2023	01:00 PM	Transaction 5823487	Customer Reservation	5402	Arvella Suttler
Note: Rental											

Belk Tonawanda Belk Tonawanda Park

Rental Date/Time	Rental Time	Rental Start	Rental End	Start Date	Start Time	End Date	End Time	Description	Type	Permit #	User
1. 06/19/2021 12:00 PM - 08:00 PM	12:00 PM - 08:00 PM	06/19/2021 12:00 PM	06/19/2021 08:00 PM	06/19/2021	12:00 PM	06/19/2021	08:00 PM	Transaction 25313145	Customer Reservation	2554	Trinity Wellness Community Outreach
Note: Rental											
2. 07/02/2021 12:00 PM - 04:00 PM	12:00 PM - 04:00 PM	07/02/2021 12:00 PM	07/02/2021 04:00 PM	07/02/2021	12:00 PM	07/02/2021	04:00 PM	Transaction 25312806	Customer Reservation	3562	Verlinda Newman
Note: Rental											
3. 09/10/2022 10:30 AM - 11:30 AM	10:30 AM - 11:30 AM	09/10/2022 10:30 AM	09/10/2022 11:30 AM	09/10/2022	10:30 AM	09/10/2022	11:30 AM	Transaction 45412276 (Use of bocce courts on these dates)	Customer Reservation	4728	Special Olympics Union County
Note: Rental											
4. 09/17/2022 10:30 AM - 11:30 AM	10:30 AM - 11:30 AM	09/17/2022 10:30 AM	09/17/2022 11:30 AM	09/17/2022	10:30 AM	09/17/2022	11:30 AM	Transaction 45412276 (Use of bocce courts on these dates)	Customer Reservation	4728	Special Olympics Union County
Note: Rental											
5. 09/18/2022 10:00 AM - 06:00 PM	10:00 AM - 06:00 PM	09/18/2022 10:00 AM	09/18/2022 06:00 PM	09/18/2022	10:00 AM	09/18/2022	06:00 PM	Transaction 39426364	Customer Reservation	4540	Union County Pride Inc.
Note: Rental											
6. 09/24/2022 10:30 AM - 11:30 AM	10:30 AM - 11:30 AM	09/24/2022 10:30 AM	09/24/2022 11:30 AM	09/24/2022	10:30 AM	09/24/2022	11:30 AM	Transaction 45412276 (Use of bocce courts on these dates)	Customer Reservation	4728	Special Olympics Union County
Note: Rental											
7. 10/08/2022 10:30 AM - 11:30 AM	10:30 AM - 11:30 AM	10/08/2022 10:30 AM	10/08/2022 11:30 AM	10/08/2022	10:30 AM	10/08/2022	11:30 AM	Transaction 45412276 (Use of bocce courts on these dates)	Customer Reservation	4728	Special Olympics Union County
Note: Rental											
8. 10/15/2022 10:30 AM - 11:30 AM	10:30 AM - 11:30 AM	10/15/2022 10:30 AM	10/15/2022 11:30 AM	10/15/2022	10:30 AM	10/15/2022	11:30 AM	Transaction 45412276 (Use of bocce courts on these dates)	Customer Reservation	4728	Special Olympics Union County
Note: Rental											
9. 10/29/2022 10:30 AM - 11:30 AM	10:30 AM - 11:30 AM	10/29/2022 10:30 AM	10/29/2022 11:30 AM	10/29/2022	10:30 AM	10/29/2022	11:30 AM	Transaction 45412276 (Use of bocce courts on these dates)	Customer Reservation	4728	Special Olympics Union County

1/104

## DISCRIMINATION SOMETIMES IS SILENT

Out of the 14 rentals of the Entire Park since 2021, 1 was City Police, 6 were Special Olympics in 2022, 4 for events organized for and by people of color like a reunion, 1 for a business, and 2 by Union County Pride.

## Pointers for Records Request

- Look up State Laws and compare to Federal
- Look up the Records Request form or email
- Be precise
- Remember you can always change or add to a new request

# Best CYA & FAFO

Get an ATTORNEY on the Board or as Legal Representation listed on the Organizational Website.

Make sure the attorney knows Constitutional Law AND Transactional Law such as the bureaucracy of event permits ALONG with never saying things like “well I think kids should not be around drag.”





# Question and Answer

## 10 Minutes

**Cristal Robinson, JD/MBA**  
**Pronouns: they/them/she**

**Diversity & Civil Rights Attorney**

**Social Entrepreneur**

**Neuroqueer & Disability Advocate**

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Instagram, YouTube, Pinterest, & Tiktok

**[@CristalRobinson](#)** – Twitter



**[www.UnionCountyPride.com](http://www.UnionCountyPride.com)**



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