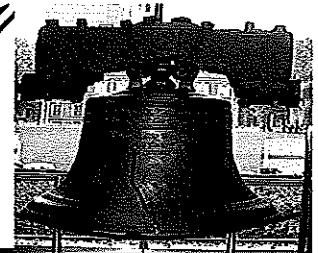


LIBERTY



SPRING 2008

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ACLU of North Carolina Forms Advocacy Coalition to Address the Need for TASER Regulation; So-Called “Less Than Lethal” Devices Have Been Involved in Eleven (11) In-Custody Deaths in North Carolina Since Being Introduced to State Law Enforcement

The tragic death of 17-year-old Darryl Wayne Turner on March 20, 2008, marked a grim milestone for law enforcement in North Carolina. Turner’s death in Charlotte was the 10th TASER-related fatality in the state since 2006 and part of a disturbing nationwide trend in which hundreds of citizens have died within moments of being struck with police TASERS.

The TASER (an acronym for Thomas A. Smith’s Electric Rifle), marketed to law enforcement as a “less than lethal” weapon capable of defusing situations that might otherwise require deadly force, fires two probes at its subjects and transfers 50,000 volts of electricity capable of rendering its target immobile in the moments after it is deployed. It can also be set to “drive stun mode” and applied directly to the skin.

Between January 2006 and January 2007, half a dozen people were killed in arrests involving TASERS in North Carolina—the third most ever recorded in a single state in a year’s time, after California and New York. To understand why this was happening, and at the urging of the families of numerous NC TASER victims, the ACLU-NC launched the TASER Safety Project in the Summer of

2007. The first objective of the Project was to gain a comprehensive understanding of the state of TASER regulation and deployment in North Carolina. To that end, public record requests were filed with all 100 North Carolina sheriffs’ offices, requesting information as to whether or not they employ TASERS, and if so, to get information about the rate of deployment within the department, the training required of officers armed with the device, and most importantly, the department policy in place governing use of the device. The results were discouraging but not altogether surprising. In every category measured, North Carolina lagged significantly behind the national averages with respect to restrictions placed on TASER deployment.

Standard policies typically restrict or prohibit the use of the device against certain populations deemed to be particularly vulnerable to the effects of the TASER. These populations include pregnant women, children, the elderly, people with disabilities, passive resisters, people in handcuffs or shackles, and people standing in elevated areas (i.e. at the top of a staircase), in the presence of flammable materials or operating

a motor vehicle. In addition, many policies wisely place restrictions on the number of times a TASER may be fired at a suspect, as multiple tasings appear to be a common denominator in a large portion of TASER-proximate deaths.

The law enforcement community in North Carolina has a great deal of room for improvement with respect to its TASER policies. Only 44% of counties in North Carolina reported restricting or prohibiting the tasing of pregnant females, compared with 83% of counties nationwide. Only 58% reported prohibiting use of the device in the presence of flammables, while nationwide, more than 91% of sheriffs prohibit their deputies from deploying TASERS in similar circumstances. Similarly, only 19%

(Continued on page 2)

**Special Election
Issue! Vote for
Candidates for ACLU-
NC and ACLU-NC
Legal Foundation
Boards of Directors.
Ballots and
Candidate Statements
Inside this Edition.**

TASER Safety Project

(Continued from page 1)

of North Carolina sheriffs disallow use of the device on handcuffed or shackled suspects, whereas nationally, nearly 70% of sheriffs explicitly prohibit this practice.

These policies, or the lack thereof, have very real consequences. A 52-year-old man named Richard McKinnon burned to death in Cumberland County in April 2006 after being hit by a police TASER while standing in the presence of flammable materials. In November 2007, Stefan McMinn died in the custody of Henderson County deputies who tased him after he had already been placed in handcuffs. Numerous other North Carolina residents have died after being tased multiple times in the course of their arrest.

The ACLU-NC recruited a number of organizations to join the TASER Safety Project in the Fall of 2007. Project members include: the North Carolina Justice Center, Advocates for Children's Services/Legal Aid of NC, Disability Rights NC, El Pueblo, the NC-NAACP, the NC Chapter of the National Association of Social Workers, National Alliance on Mental Illness, Common Sense Foundation, Covenant with North Carolina's Children, and the Arc of North Carolina, among others.

After obtaining a copy of every sheriff's policy in the state (as well as those from the 25 largest city police departments), the TASER Safety Project sent letters to every sheriff in North Carolina that uses the devices, commending them, when appropriate, for the positive aspects of their respective policies and pointing out their (sometimes abundant) deficiencies. The letters requested that the sheriffs reply to the coalition with notification of which, if any, provisions in their policies they would be willing to modify in accordance with the Project's

recommendations. Various coalition members also met with a representative of the North Carolina Sheriffs' Association (NCSA) to seek their endorsement of our proposed statewide standards for TASER deployment. Regrettably, the NCSA has declined to take a position on the issue.

Nevertheless, even without the cooperation of the NCSA, the results of our campaign have thus far been encouraging. As of late March 2008, twelve (12) counties had made significant changes to their policies, adopting many of the Project's safety recommendations, while another ten (10) expressed their intentions to take another look at the issue in the coming months. In addition, numerous sheriffs have been in touch with our office, making inquiries,

requesting model policies, and requesting conference calls with coalition members.

Meanwhile, as we solicit responses from the remaining sheriffs, the coalition is preparing a report on TASER use in North Carolina that will be released to the public in the coming weeks. The report, which will reveal in detail the findings of our 100-county survey, will make the case for the coalition's proposed policy reforms, providing real world examples—many from right here in North Carolina—of the danger TASERs can pose to human life if used improperly. For more information about TASER policies in your county and how you can assist with these efforts, call us at (919) 834-3466.

SAMPLE Letter to the Editor: Time to Beef Up TASER Policies

<Date>

<Name>

<Media Organization>

<Address>

To the Editor:

Recently, Darryl Wayne Turner became the 10th person in North Carolina since 2006 to die after being stunned with a TASER by law enforcement. As TASERs are used more and more by officers across the state and the nation, it should be noted that North Carolina's sheriffs' departmental policies on TASER use lag behind other departments across the nation. The lack of adequate TASER and stun-gun guidelines for officers puts both the public and law enforcement at risk.

At the very least, the Sheriff's office must develop a clear guide to officers on TASER safety when dealing with particularly vulnerable groups such as children, obviously pregnant women, the elderly, and people with disabilities.

How many more must die before our law enforcement officers are given adequate guidelines on how to use this weapon safely? Some things spelled out in guidelines may seem like common sense, but that's all the more reason for the Sheriff's office to clearly define limits for TASER use. It will make the department more trustworthy in the community's eyes and will make us all safer.

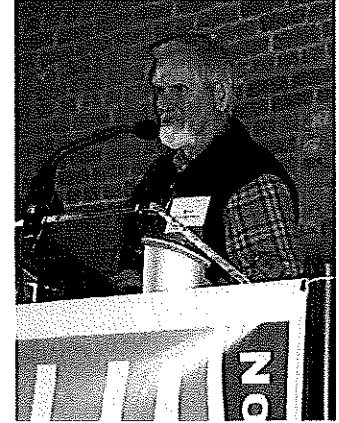
ACLU-NC Legal Foundation Honors Civil Liberties Activists In Front of Sold-Out Crowd at 39th Annual Frank Porter Graham Awards Ceremony

A sold-out audience of more than 400 people attended the ACLU-NCLF's 39th Annual Frank Porter Graham Awards Ceremony on Wednesday, February 13th, at the American Tobacco Campus in Durham. Members and supporters of the ACLU-NC came together to enjoy each other's company as well as the delicious hors d'oeuvres provided by Paula Poe and her staff at Kitchen 14 in Hillsborough, NC. Honorees **Gerda Stein, Maitri "Mike" Klinkosum, Kelley DeAngelus, Bert Borngesser** and **Rev. Robert Seymour** made stirring and powerful remarks about what civil liberties and the work of the ACLU mean to them, and then the crowd was entertained with a hilarious keynote speech by Grammy Award-winning comedian **Lewis Black**.

The ACLU-NCLF wishes to thank **Replacements, Ltd.** for once again supporting the event as Title Sponsors, and we also want to thank **Kitchen 14** for providing such great food and **All About Beer** for donating a variety of wonderful brews to help make this event such a success.



ACLU National Board Member John Boddie presented the 2008 Frank Porter Graham Award to Rev. Robert E. Seymour in recognition of a lifetime of fighting for civil liberties and equal rights for all North Carolinians.



Bert Borngesser received the Norman Smith Award for his many years of volunteer work for the ACLU of North Carolina.



Kelley DeAngelus and Mike Klinkosum accepted the ACLU-NC Award for their heroic efforts on behalf of Floyd Brown, an innocent man.



Gerda Stein accepted the Paul Green Award from ACLU-NC Vice-President Mark Kleinschmidt for her tireless efforts to raise public awareness of the unfairness and inhumanity of capital punishment.



Special thanks to our devoted friends at Replacements, Ltd. in McLeansville, NC for once again sponsoring the Frank Porter Graham Awards Ceremony.



Donating his time free of charge, actor/author/award-winning comedian and UNC alumnus Lewis Black amused the crowd with his sharp observations about religion, politics, and the state of the world we live in. After the event, Black paused for photos with fans and then joined the ACLU-NC staff and ACLU members Ray and Gerri Larson, longtime friends of his, for dinner.

For all of you who enjoyed the beer at the Frank Porter Graham Awards, or for those who just heard about the delicious brews for days afterward, make sure you visit the upcoming World Beer Festival in Raleigh on April 26th in Moore Square where you can taste hundreds of beers from around the world. Huge thanks to the team at All About Beer for making sure our event was a great success!

2008 ACLU-NC/LF Board Elections

It is time to act on nominations for (two!) Boards of Directors. Elected Directors run two corporate entities: the ACLU of North Carolina (ACLU-NC) and the ACLU of North Carolina Legal Foundation (ACLU-NCLF). The Union is engaged in legislative work and membership recruitment and therefore is a separate organization, while the Legal Foundation is our charitable 501(c)(3) entity which runs our legal program and our educational activities.

Our Board members serve three-year terms and may be elected for no more than two consecutive terms. No petitions were received from any individual ACLU members seeking to be placed on the ballot. Two incumbents who are eligible for nomination this year have said that they would like to remain on the Board. They are **Anjail Rashida Ahmad** and **Jamie**

Whitlock.

In addition, five new voices are seeking to be added to the Board: **Judith Blau, Rebecca Cerese, Julia Leggett, Molly Leight** and **Dave Shumannfang**. All seven nominees are recommended by our Nominating Committee, and this slate has been approved for your consideration by the current ACLU-NC/LF Boards of Directors.

Please read the candidates' statements inside this election pamphlet and mail in your ballot today.

Ballots must be received by (not postmarked by) Friday, May 2, 2008, at 5:00 p.m.

The ballot is located on Pages 7-8 of this newsletter. Please remove the ballot, vote for the candidate(s) of your choice, and return it to the ACLU-NC office so that the ballot is received no later than 5:00 p.m. on

May 2, 2008. **Please both print and sign your name on the back of your envelope (on or near the flap of the envelope).**

To maintain voter confidentiality, please do not place any identifying marks on the ballot itself, and fold the ballot as indicated in the instructions on Page 8.

Board elections will take place at the ACLU-NC's Annual Membership Meeting on Saturday, May 3, 2008, from 11:00 a.m. - 1:00 p.m. at Replacements, Ltd.'s conference room. Replacements, Ltd. is located at 1089 Knox Road in McLeansville, NC (conveniently located between Greensboro and Burlington at exit 132 off of Interstate 85/40). For directions, go to <http://www.replacements.com/direction.htm>.

Members who have not voted by mail may vote in person at this meeting. For more information, call the ACLU-NC at (919) 834-3466.

MEET THE BOARD CANDIDATES:

Anjail Rashida Ahmad, Greensboro:

My first interaction with the ACLU-NC occurred when I was involved in a transit dispute with the City of Greensboro and the Greensboro Transit Authority. Although there was no legal violation by the City, having the ACLU speaking out for us transformed the face of that experience by causing folks to really stand up and take notice. We were successful in gaining a lower fare rate for persons with disabilities, too. In early February, I was appointed to the Greensboro Transit Authority, and hopefully, we'll be able to resolve issues before they escalate into protracted disputes.

Since becoming blind in 2001 and since moving to Greensboro, I have been required to take a stand when it comes to disability rights, seeing firsthand how much discrimination and marginalization still exists in so many areas of life for persons in our community. I look forward to supporting the ACLU-NC in the work it performs here in North Carolina.

Judith Blau, Chapel Hill:

I cannot help but be a sociologist, and I will bring that perspective to the ACLU-NC Board were I to be elected to serve. I contend, in the tradition of Martin Luther King,¹ Eleanor Roosevelt,² and Franklin Delano Roosevelt³ that human

freedoms and human security are inseparable. I also recognize that the ACLU is many voices and if elected I will be respectful of the other voices at the ACLU.

My students, a Citizens Steering Committee and I, with the support of the two mayors, are launching a Human Rights Cities Process, bringing international human rights to the Chapel Hill and Carrboro communities. The easy part is identifying gaps between international standards and empirical reality, and the difficult part will be to engage citizens in the deep democratic processes required. Cities around the world have embarked on this process, and in North America, the city of Edmonton has.

From the vantage point of a sociologist, freedoms are indistinguishable from a robust society. When it became clear that neoliberal globalization was having devastating effects on the societies and peoples in the Third World, I worked with colleagues to define the new field of Sociology of Human Rights, and I am an active scholar in it, including as president of the US Chapter of Sociologists without Borders.

1. *Where Do We Go From Here?* 1967.
2. Chaired the committee that drafted the UDHR.
3. See his 1941 and 1944 State of the Union addresses.

Rebecca Cerese, Durham:

I am Rebecca Cerese, a Durham-based documentary filmmaker and political activist. I believe that a healthy and effective democracy requires an informed and active citizenry. To this end, I have produced documentaries that tell stories of ordinary citizens, who with courage and moral fortitude have confronted the establishment to demand social and racial justice. In fact, I have been so stirred by these stories from the past that they have inspired my present day political activism. At the core of that activism is the belief that we, the people, must participate in our democracy by knowing and demanding the rights given to us in the Constitution. We must also speak out when our government is participating in unlawful acts like endless war, torture and an unprecedented encroachment on our civil liberties. When Christian Stalberg asked if I wanted to be considered for the Board of the ACLU-NC I jumped at the chance. The ACLU has been at the center of almost every important Constitutional fight in this country, defending all people, regardless of race, religion, gender, philosophy, sexual orientation or socio-economic

status. Today, we face a Constitutional crisis on almost every front and organizations like the ACLU are needed more than ever. If elected, I look forward to working with current and new Board members to continue the essential work that has been the hallmark of this organization on both a national and local level, and that is creating a more equal and just society for all.

Julia Leggett, Garner:

In the past twelve years, I have advocated for the equitable treatment of people with disabilities in areas such as education, the arts, employment and social justice. Most recently I have advocated with the ACLU on standardized TASER policy, on protecting children in our schools from bullying by creating a statewide comprehensive School Violence Prevention policy, and on creating full and equitable access to our university campuses and schools for people with disabilities.

I believe in the full Constitutional protection of each person regardless of their disabilities. During the past several years, I have seen an erosion of the Americans with Disabilities Act, the landmark civil rights law that protects people with disabilities from discrimination. I am also concerned by the erosion of Constitutional protections under the current Administration. On issues such as free speech, Presidential signing statements that significantly adjust legislation passed by Congress, and the use of fear to justify unwarranted wiretapping, I have tracked and supported the positions of the ACLU. It is imperative that our Constitutional protections are preserved, and it would be my honor to assist in the work of the ACLU.

Molly Leight, Winston-Salem:

It has been my fervent belief, since I can recall, that a person's civil liberties are his/her most precious possession. I am not

certain how I came to be such an early and passionate advocate for civil liberties, but I suspect that I was influenced by spending my childhood and teens in Turkey, in a part of the world where personal rights were not guaranteed or well protected. Even as a child I heard and saw horrific treatment of people; no matter that it might have been a burglar that broke into our house, the horror of his beating and abuse by the police have stayed with me for fifty years.

I suspect that another influence was that I returned to the United States to enter college in the midst of the civil rights upheavals. Until then I had been totally unaware that the color of a person's skin could make him a second class citizen. I had attended an American military dependents school where racial prejudice was not evident. Innocent and naïve I was!

Perhaps naïve I still am. I cannot accept that a person, group, or administration can deprive anyone of their rights that our constitution and our humanity demands. If I can be part of assuring that, I will be satisfied that I have accomplished something good in my life.

Dave Shumannfang, Durham:

My name is Dave Shumannfang, and I am interested in serving on the Board of Directors of the ACLU-NC.

I am general counsel with Self-Help, a nonprofit organization that creates and protects economic opportunities for low-income persons and communities. Formed after the legal gains of the civil rights movement, Self-Help uses creative finance techniques to provide economic means for people to fulfill their potential.

The ACLU also works to ensure that all persons have opportunity. Whether ensuring that the state does not discriminate on the basis of race, or being a watchdog to maintain

(Continued on page 6)

(Continued from page 5)

state neutrality with respect to religion, or protecting reproductive freedoms, the ACLU ensures that we all have the chance to fulfill our hopes and dreams.

I would like to help the organization serve that purpose. I believe my background and skills as a transactional lawyer for organizations that pursue a mission of social justice can help the ACLU be more effective and sustainable. The renewed public awareness of the importance of civil liberties in recent years presents a window for the ACLU to strengthen itself in North Carolina. The organization has made terrific strides recently. Continued growth and increased strength will help ensure that all residents of North Carolina have opportunities for better lives for generations to come. I would like to work with the staff, the other members of the Board, and the membership to make it happen.

Thank you for considering my candidacy.

Jamie Whitlock, Hot Springs:

I am an associate attorney with the law firm of Gary A. Davis & Associates, located in Hot Springs, N.C. Our firm's law practice is 100% devoted to Plaintiffs' environmental work, with a focus on state and federal litigation on behalf of clients who have suffered negative environmental impacts due to the intentional and/or negligent acts of others. My commitment to making positive change for our natural environment is equaled only by my commitment to civil liberties.

I was appointed to serve on the Board of Directors for the ACLU of North Carolina and the ACLU of North Carolina's Legal Foundation in the Spring of 2006. I presently serve as the Boards' Affirmative Action Officer, and also as a member of the Legal, Legislative and Diversity Committees. If elected to another term on the Board(s), I would welcome the opportunity to continue to serve in these capacities to help promote diversity on our Board(s) and also advance our legal and legislative agendas. I have also served as a cooperating attorney on cases undertaken by the ACLU of North Carolina Legal Foundation.

I sincerely hope to have the opportunity to continue serving on both Boards because of my commitment to civil liberties in North Carolina and beyond. Due to the sharp erosion of our civil liberties over the past years, I strongly believe it is my duty to work to curb this erosion, and moreover to re-establish the protections we used to take for granted. To that end, I would be honored to be elected to another term on the Board of Directors for the Union and Legal Foundation.

PLEASE SUPPORT THE ACLU OF NORTH CAROLINA LEGAL FOUNDATION BY MAKING A TAX-DEDUCTIBLE CONTRIBUTION TODAY!

Friends, we need your help! We see many challenges to Americans' fundamental freedoms looming in the courts, in Congress, in the halls of the North Carolina General Assembly, and in city councils and school boards all across the state. As you evaluate your budget and think about your charitable contributions for 2008, please put the ACLU-NCLF at the top of your list. The demand for our services has never been greater. Our legal program now processes anywhere from 200-250 requests for assistance per month!

Yes! I want to help keep the Flame of Liberty burning brightly in North Carolina. Enclosed is a check for my tax-deductible contribution in the amount of:

\$50 \$100 \$250 \$500 Other \$ _____

Name: _____

Address: _____

City: _____ NC Zip: _____

Home Phone: _____

Work Phone: _____

Email: _____

Make check payable to the
ACLU-NC Legal Foundation
and mail to:

ACLU-NCLF
P.O. Box 28004
Raleigh, NC 27611-8004

For more information or to charge your contribution on a credit card, call ACLU-NC/LF Executive Director Jennifer Rudinger at (919) 834-3466 or e-mail Jennifer at aclunced@nc.rr.com. MasterCard and Visa accepted, and we offer monthly, quarterly and semiannual giving options. You can also donate through the ACLU-NC/LF's secure website at https://www.acluofnorthcarolina.org/about_us/donate/.



Election Ballot for the
American Civil Liberties Union of North Carolina



IMPORTANT VOTING INSTRUCTIONS: Individual Memberships: Vote for a maximum of 7 candidates under the column marked 'Individual.' An individual member may not vote for the same candidate twice. Joint Memberships (two members with the same mailing address voting on the same ballot): Vote for a maximum of 14 candidates, one member voting for up to 7 candidates under the column marked 'Individual' and one member voting for a maximum of 7 candidates under the column marked 'Joint.' If you have a joint membership with the ACLU, you will have two names on the mailing label of this Election-edition newsletter. To vote, simply place an 'X' in the box before the name you select.

Individual	Joint	
<input type="checkbox"/>	<input type="checkbox"/>	Anjail Rashida Ahmad
<input type="checkbox"/>	<input type="checkbox"/>	Judith Blau
<input type="checkbox"/>	<input type="checkbox"/>	Rebecca Cerese
<input type="checkbox"/>	<input type="checkbox"/>	Julia Leggett
<input type="checkbox"/>	<input type="checkbox"/>	Molly Leight
<input type="checkbox"/>	<input type="checkbox"/>	Dave Shumannfang
<input type="checkbox"/>	<input type="checkbox"/>	Jamie Whitlock

Each member may vote for up to seven (7) candidates. Voting for more than seven (7) candidates, or voting for a candidate twice in the case of an Individual member, will result in the disqualification of the ballot.

IMPORTANT: To maintain vote confidentiality, please see the reverse of this ballot for folding instructions.

REMEMBER: Your ballot must be received by (not postmarked by) 5:00 p.m. on Friday, May 2, 2008, or you may cast your vote in person at the Annual Membership Meeting on Saturday, May 3, 2008.



SEAL HERE
WITH STAPLE OR TAPE

ACLU-NC ELECTION
BALLOT

C

IMPORTANT INSTRUCTIONS FOR BALLOT FOLDING AND MAILING!!!

1. Before starting, read through these instructions.
2. Please note the four capital letter A's in the corners on front side of the ballot and the capital letter B's and C's located on this (the reverse) side of the ballot.
3. After reading these instructions, turn the ballot back over, so the ballot is face up.
4. Fold the ballot in half, from the bottom up, matching (touching) the A's in the four corners.
5. Fold the remaining half in thirds, first matching the B's and then matching the C's.
6. If you folded the ballot correctly, you should be looking at the words "ACLU-NC Election Ballot" on top.
7. Seal the ballot, as indicated, with some tape or a staple.
8. Mail the ballot to:

ACLU-NC Board Elections
P.O. Box 28004
Raleigh, NC 27611-8004

9. BOTH SIGN AND PRINT your name on the back of your envelope on or near the flap (two names for a joint membership) and be sure to include your return address on the envelope (legibly) in order for us to verify your membership status. We must be able to verify that you are/were an ACLU-NC member in good standing as of December 31, 2007, before counting your vote.
10. Put a stamp on your envelope and mail to the ACLU-NC as soon as possible. It must be received in our office by (not postmarked by) Friday, May 2, 2008, at 5:00 p.m.

You may also vote in person at the Annual Membership Meeting, which will be held on Saturday, May 3, 2008, from 11:00 a.m. - 1:00 p.m. at Replacements, Ltd., 1089 Knox Road, McLeansville, NC 27301. Take exit 132 off I-85/40 in Greensboro.

For directions, go to <http://www.replacements.com/direction.htm>.

C →

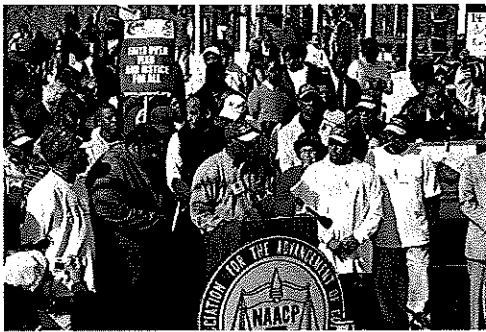
B

← B

“No Justice, No Peace!”

ACLU-NC Joins With Approximately 80 Organizations in Second Annual “HK on J” March for Civil Rights and Equal Justice

On February 9th, approximately 5,000 people from across the state gathered in Raleigh to join a coalition led by the NC-NAACP and co-sponsored by the ACLU-NC for the second annual Historic Thousands on Jones Street (“HK on J”). Thousands of North Carolinians turned out last year for the inaugural march to support a message of change, and the NC-NAACP reports that even more people turned out this year. HK on J is a grassroots movement to support a 14-point agenda demanding social justice. The agenda has been submitted to every Representative and Senator in the North Carolina General Assembly. The agenda includes calling for an end to the death penalty, protection of the rights of immigrants, attention to and redress for discrimination and racism, and equality in education, among other points. After a presentation where the crowd learned more about the 14-point agenda, 5,000 people marched to the General Assembly in demonstration of support for these goals. The ACLU-NC is a proud co-sponsor of the HK on J agenda. This is a movement, not a moment!



Photos courtesy of Phyllis Nunn at the North Carolina Justice Center

ACLU-NCLF’s Racial Justice Project Announces A Continuing Legal Education Seminar for Lawyers, Legal Workers and Advocates

YEARNING TO BREATHE FREE: BATTLING RACIAL PROFILING IN VULNERABLE COMMUNITIES

Featuring:

- National and local practitioners and advocates
- Recent law enforcement and government policies and practices that may affect your non-citizen clients
- Useful information on the immigration consequences of criminal pleas
- Building a case for racial profiling

Co-sponsored by the NC Academy of Trial Lawyers, the ACLU of North Carolina’s Racial Justice Project, Legal Aid of NC, and the NC Justice Center.

April 11, 2008 * 5.5 CLE hrs.

Live Seminar at Academy
Headquarters in Raleigh

Register Now!

www.ncatl.org

Or call: Teresa Douglas Smith
(919) 832-1413

ACLU-NC Fights Anti-Immigrant Efforts in Beaufort County, NC

The Beaufort County Board of Commissioners is moving full steam ahead with a number of anti-immigrant efforts. In January, the Board met with an attorney from the Federation for American Immigration Reform (FAIR) – a group that is continually listed on Southern Poverty Law Center’s list of hate groups and has come under scrutiny most recently for using statistics and “information” directly from white supremacist organizations to support its policies on immigration and immigrants. One of FAIR’s attorneys is on a nationwide tour advising localities on how to best rid their area of immigrants by skirting civil rights laws. The ACLU-NC is attempting to obtain a DVD of this presentation.

On February 4, 2008, the Commissioners passed two resolutions – (1) to remove all Spanish pre-recorded messages from health department phone systems, and (2) calling on the state to end the printing of bilingual voter registration forms. Rebecca Headen, Katy Parker

and Sarah Preston, ACLU-NC’s Racial Justice Project Coordinator, Legal Director, and Legislative Coordinator, respectively, are working as part of a group of advocates, including on-the-ground community organizers, who are strategizing around Beaufort County in general. This coalition group began back in February 2007, when the Commissioners first began their anti-immigrant crusade by passing a resolution to remove all non-English signs from county property. As a result of that ordinance, County officials have taken down notices that include any Spanish translation (example: no guns in the courthouse). Officials have also taken down Spanish-language flyers that the public is allowed to place on public forum boards – flyers pertaining to issues such as reporting domestic violence. We continue to seek plaintiffs to challenge this particular measure on First Amendment grounds.

Following the Board’s most recent actions, our ACLU-NC team

assembled a group of national, state and local advocates to sign onto a letter requesting that the Commissioners reconsider their resolutions. The letter explains to the Commissioners that the new measures may abridge the rights of individuals who are not proficient in English, including American citizens, and perpetuate false stereotypes of immigrants and non-English speakers. Not only are the measures ineffective in terms of public policy, these resolutions are contrary to the spirit of acceptance and diversity embodied in our Constitution and also appear to be contrary to federal law.

The coalition hopes to persuade the Commissioners that their anti-immigrant, anti-Latino actions are illegal and constitute bad public policy. Perhaps more importantly, we hope that our letter will provide support to local advocates and community members who have been silenced by outspoken local bullies.

ACLU-NCLF Files Friend-of-the-Court Brief in Racial Profiling Case

In January 2008, the ACLU-NCLF filed an amicus (“friend of the court”) brief in the Fourth Circuit Court of Appeals, in a case in which police officers admitted under oath that while trying to locate a man named Rudelfo Gonzales who had escaped from his probation officers, Clayton police officers searched the property surrounding the home of Manuel Peña, an Hispanic man, in part because he happened to be Hispanic. In *Peña v. Porter, et al.*, Plaintiff Manuel Peña alleges that he was shot by Clayton, North Carolina police officers who targeted his property for a search and ultimately employed excessive force, as a result of the officers’ discriminatory beliefs about Hispanics. Neither Manuel

Peña, nor anyone in his family, knew Rudelfo Gonzales. Additionally, Gonzales had not fled in the direction of Mr. Peña’s street or home.

Officers in this case have admitted under oath that they targeted Mr. Peña’s property based in part on an assumption that people who are Hispanic are more likely to cover for each other and are more likely to provide shelter to fugitives who are Hispanic:

Sgt. Jeffrey Porter:

- “It’s been my experience in dealing with the Hispanic community that they tend to help one another more so than what Americans do. Him, being Hispanic, could have possibly ran

over there, whether he knew somebody, or just hoping to find somebody that would give him shelter or aid him as far as cutting off the handcuffs.”

- “If he was looking for shelter, he probably, possibly, could have been looking for shelter from another Hispanic family, somebody that would’ve rendered aid to him.”
- Q: “One of the reasons that you went to the area of the Pena property was because you knew they were Hispanic?” A: “One of the reasons, yes.”

Officer James Barbour:

- “Hector [Mr. Peña’s son who

(Continued on page 11)

Peña v. Porter, cont'd

(Continued from page 10)

lived on the Peña property] himself being Hispanic, it was possible that the Hispanic was hiding at this other Hispanic's house."

• When trying to get Mr. Peña to come to the door, Barbour admits to saying, "Senor, I need to speak with you," and then adding, "Mucho panucho" [which means "a lot of pussy," or "big pussy," or "a lot of vagina"]. Barbour admitted in his deposition that he uttered the slang comment mentioned above to Mr. Peña "in an attempt to bond with Plaintiff and get him to come to the door." Barbour further testified: "It's a male thing that I have used and other officers have used, and just other – some of the other Hispanics in general, that they use it to bond with one another." Barbour suggested in his deposition that he would not have used the English translation on a Caucasian person because he "would probably get a different response."

Mr. Peña's lawsuit alleges that on February 2, 2004, at around 11:15 p.m., Clayton police officers entered onto his property based in part on the racially-based assumption that as an Hispanic man, Mr. Peña was likely to be hiding the Hispanic man whom they were seeking, Rudolfo Gonzales. Officers peered into Mr. Peña's window and saw that he was asleep. They tapped on the door and window of Mr. Peña's camper, but he did not hear them. However, their presence on his property as they searched around his camper roused the approximately 80 chickens in his chicken coops, and their squawking and the barking of a nearby dog woke him up. Fearing that an animal was getting into his chicken coop, Mr. Peña grabbed his rifle and opened the door. Mr. Peña alleges that before he even knew what happened, he was immediately shot by the officers. Mr. Peña never said anything to the officers and never fired his rifle. He had not even expected to see police

on his property when he opened the door; he expected that he would simply have to chase an animal away from his chickens, which is why he grabbed his rifle. Mr. Peña is a lawful permanent resident of the United States.

In August, 2007, Judge Earl Britt of the Eastern District of North Carolina ruled that a jury should get a chance to decide whether the search of Mr. Peña's property was racially motivated. However, the Court ruled that Mr. Peña was not entitled to a jury trial on the question of whether the officers' decision to shoot Mr. Peña was also racially motivated. The ACLU-NCLF has argued in its brief that both issues should be decided by a jury.

This case illustrates disturbing trends that are developing with regard to racial profiling of the Hispanic community in North Carolina and throughout the country – against not only undocumented immigrants, but also against Hispanics who are American citizens, documented non-immigrants, and lawful permanent residents like Mr. Peña. The fact that Mr. Peña was shot in his own home by police who by their own admission were on his property as a result of sweeping racial assumptions about Hispanics simply serves to illustrate the terrible consequences of the increasingly toxic climate in which Hispanics in America – documented and undocumented – are beginning to find themselves. As a result, the ACLU-NCLF decided to submit a brief to support Mr. Peña's argument that a North Carolina jury should get a chance to decide whether the actions of these officers were racially motivated, thereby violating the constitutional rights of this individual, who was simply minding his own business on his own land.

A message to our members about the post cards inserted into this newsletter ... we need your help!

By now you have noticed an insert in your newsletter this month. This postcard, which can be torn down the middle and includes a message to your State Senator and your State Representative, urges their support for NC House Bill 1366, School Violence Prevention Act. House Bill 1366 requires that each local school administrative unit adopt a policy prohibiting bullying and harassing behavior. In the version of this bill that passed the NC House last year, the definition of bullying and harassing behavior included a list of categories of students who are most prone to being bullied or harassed. The list included characteristics such as race, color, religion, national origin, gender, physical appearance, sexual orientation, and disability.

Unfortunately, the NC Senate removed these categories of protected students, and now a coalition of organizations is working to have them replaced in the bill.

Please sign and mail the postcard in your newsletter to support our efforts and stop bullying in North Carolina schools. Thank you for all that you do!

Update from the ACLU-NCLF's Reproductive Health Education Project

Durham

For the past two years, there have been an average of more than ten (10) teen pregnancies per week in Durham. In addition to the myriad of challenges that teen pregnancy creates for the teen parent and the child of the teen parent, an analysis from the National Campaign to Prevent Teen Pregnancy shows that teen childbearing in North Carolina cost taxpayers (federal, state and local) at least \$312 million in 2004 with the cumulative cost for the 212,900 teen births between 1991 and 2004 at \$5.2 billion. While statistics vary according to what grade level is being polled, the fact is that more than half of our high school students are engaged in sexual activity.

A recent well-publicized report by the Center for Disease Control shows that one-quarter of teenage girls have at least one sexually transmitted infection or disease (STD). Abstinence-only-until-marriage (AUM) programs have consistently been proven to be ineffective at changing behavior in terms of delaying the age of initiation of sexual activity, decreasing the number of partners, or increasing contraceptive use.

In March, the ACLU-NC Legal Foundation, along with a coalition of organizations concerned about improving sex education for our youth, sent a letter urging the Durham County School District to re-evaluate the implementation of their Comprehensive Health Education Program due to concerns regarding the instructional materials purchased with federal Title V funding used to supplement the NC Standard Course of Study. In reviewing this DPS policy, we discovered that the district is ten years overdue in holding a review of these problematic materials.

We strongly encourage the Durham community to join our coalition's efforts and demand a review of the materials purchased to teach sex education. Durham residents, please send a letter to the school board letting them know that you support comprehensive sex education in the schools and will assist them in making that possible.

Announcement: The Durham Coalition on Adolescent Pregnancy Prevention invites area teenagers to a performance about comprehensive sexuality education:

- Serious Talk On Pregnancy (STOP)
- Sunday, May 4, 2008
- Hayti Heritage Center, 804 Fayetteville Street, Durham
- Doors open at 2:30, show starts at 3:00 p.m.
- Open to the public, free of charge!

May is known nationally as Teen Pregnancy Prevention Month. This year, Durham area youth have prepared written poetry, rap, skits, songs and dramatic monologues to get a different message to the community.

Cumberland County

The ACLU-NC invites you to a community-wide forum to discuss moving beyond abstinence-only in Cumberland County schools.

- Keynote speaker: NC Representative Rick Glazier.
- Hosted by: Fayetteville State University, Master of Social Work Department
- Date: Tuesday, April 29, 6-8 pm
- Location: Fayetteville State University, School of Business and Economics, Shaw Theater.

For more information on either of these upcoming events in Durham or Fayetteville, contact the ACLU-NCLF's Reproductive Health Project Coordinator Mary Lindsley at

(919) 413-4417 or by email at aclu.repro@gmail.com.

The ACLU-NC's Reproductive Health and Legislative Programs team up to lend support to successful push for comprehensive sexuality education!

Thanks to the vocal support of ACLU members and coalition organizations, a very important rule change has been codified, to take effect April 1, 2008, that will require grantees of the Teen Pregnancy Prevention Initiative (TPPI) at the NC Department of Public Health to provide comprehensive sexuality education (including medically accurate and complete information about contraception and abstinence) and a plan to refer any teen who needs consultation regarding contraception, mental health, substance abuse or domestic violence to the proper authority. These changes are long overdue and are in line with the spirit and letter of the TPPI mission: to prevent teen pregnancy in North Carolina. This rule change means that Crisis Pregnancy Centers and other organizations that exclusively offer abstinence-only programs will no longer be able to receive public health funding.

On December 17, 2007, the ACLU-NC testified at a public hearing and then sent out an action alert requesting letters of support from comprehensive sex education advocates. On February 6, 2008, at the NC Public Health Commission's quarterly meeting, a board member counted over eighty-five letters of support, with only a small handful against, and presented this fact as partial evidence that the people overwhelmingly support the rule

(Continued on page 14)

Addressing the Hard Questions - Community Series on Immigration Issues



April 6, 13, 20, and 27

The FedEx Global Education Center
Corner of McCauley and Pittsboro Streets
CB # 3205, The University of North Carolina, Chapel Hill, NC 27599-3205
Free parking available under the GEC - Enter on Pharmacy Lane

(co-sponsored by the ACLU of North Carolina)

April 6, 2008 Crime, Deportation, Criminal Justice and Immigration

12:30 am - 4:00 pm *Community Conference: Community Impacts of Local Responses to Undocumented Immigration* How does immigration impact North Carolina's criminal justice system? How are law enforcement agencies, state, and local policy makers in North Carolina responding to undocumented immigration? What happens to the children when their parent(s) are arrested and/or deported?

4:00 pm - 4:30 pm Break/Reception

4:30 pm - 6:00 pm Film: *Al Otro Lado* In this film an aspiring corrido composer from the drug capital of Mexico faces two choices to better his life: to traffic drugs or to cross the border illegally into the U.S. From Sinaloa, Mexico, to the Streets of South Central and East L.A., *Al Otro Lado* explores the world of drug smuggling, illegal immigration and the corrido music that chronicles it all. A discussion led by Joe Wiltberger and Jonathan Risner will follow the screening.

April 13, 2008 Economics and Immigration

4:00 pm - 5:00 pm Film: *Morristown: In the Air and Sun* Filmed over an 8-year period in the mountains of east Tennessee, interior Mexico, and Ciudad Juarez, *Morristown: In the Air and Sun* is rooted in the authentic expression of workers who speak about their lives, work, disappointments, and hopes. These conversations are combined with scenes in factories, fields, union halls, Mexican stores, city parks, and employment agencies. After the film there will be a discussion led by Dani Martínez-Moore and Ajamu Dillahunt from the NC Justice Center.

April 20, 2008 Education, Health Care, Social Services and Immigration

4:00 pm - 4:45 pm Discussion — Irene Godínez, Advocacy Director of El Pueblo, will lead a discussion on the impact of immigration on our schools, looking at issues such as low test scores, high dropout rates and gangs in the schools and the community. The discussion will also cover the impact of immigration on our health facilities, emergency rooms, healthcare costs and other health-related issues, including possible implications for future immigration.

4:45 pm - 6:00 pm Film: *La Vida No Es Facil* Run time: 36 minutes. Through an interview process, this documentary focuses on various issues affecting Latinos in North Carolina. Topics covered include in-state tuition and education, misconceptions of the Latino community, permanent residency, and the impact of Latinos on the economy. The video maker's son, Torin Martinez, will present this film. After the film students from Pa'lante will talk about their personal experiences with US education.

April 27, 2008 Politics and Immigration

4:00 pm - 6:00 pm The following Tuesday will be the NC primary election. How have the national candidates addressed the immigration issues that this series has discussed? What can we expect from our state legislature and new governor? Are there some actions and activities that participants can agree to work on in NC? Local political scientists, politicians, and representatives from community organizations will be available for discussion.

More information and some suggested readings are at chi-cle.com/sundayevents

This series is sponsored by CHICLE (*The Chapel Hill Institute for Cultural and Language Studies*) and ISA (*Institute for the Study of the Americas - UNC-CH*). Cosponsors: ACLU of North Carolina, CALDO, Chapel Hill/Carrboro CITCA, El Centro Latino, El Pueblo Inc., Institute for Southern Studies, NC Council of Churches, NC Justice Center, Pa'lante, Student Action with Farmworkers (SAF), UNC School of Law Immigration/Human Rights Clinic. Funding Provided by: The UNC Center for Global Initiatives

The ACLU-NC Defends Christmas

It's not every day that the ACLU-NC gets the opportunity to call another organization "Scrooge," but that is exactly what happened this holiday season!

It is an accepted and common practice in many businesses for people who have worked together over the years to send Christmas or holiday cards during the month of December. This year, Sarah Preston, the ACLU-NC's Legislative Coordinator, wished to do just that – send holiday cards to a number of legislators who had supported the ACLU-NC's legislative agenda. However, Preston suspected that recent overreaching so-called ethics reforms pertaining to lobbyists may

have criminalized the sending of holiday cards. While other lobbyists went ahead and sent their cards, Sarah phoned the state Ethics Commission and asked for advice on what to do.

It turns out that the Ethics Commission staff was interpreting the new rules to ban holiday cards as "gifts." On December 17th, the ACLU-NC was advised that lobbyists may not send holiday cards to legislators. On the 18th this pronouncement was made public, to the great surprise and dismay of many lobbyists who had assumed that sending a simple holiday card would not be considered unethical. Troubled by this interpretation of the law because of its obvious First

Amendment implications, the ACLU-NC contacted the Ethics Commission again, this time to raise objections under the First Amendment.

On February 8th, the Commission met to consider a number of issues, including whether holiday, birthday, and other cards from lobbyists should be prohibited under the 2005 State Government Ethics Act. Due in part to the ACLU-NC's efforts, in a closed meeting, the Ethics Commission determined that because cards are "primarily communicative in nature" they are not gifts and reversed its prior ruling. In this victory, the ACLU-NC successfully defended both the principle of free speech and the celebration of any holiday a lobbyist may choose.



**Join our Legislative Alert
E-mail List...**

Be a part of the solution!

Join the ACLU-NC's legislative alert list and receive e-mail alerts on pending legislation, complete with bill summaries, talking points and contact information for communicating with key legislators. We need you!

Our strength truly lies in our numbers, so please fill out the form to the right and return it to us at P. O. Box 28004, Raleigh, NC 27611 or e-mail the information to Sarah Preston, ACLU-NC Legislative Coordinator, at aclulegis@nc.rr.com.

YES! I want to help! Please sign me up for the Legislative Action Alert List.

Name: _____

Address: _____

Work Phone #: _____

Home Phone#: _____

E-mail: _____

If you know it:

Congressional District: _____

NC House District: _____

NC Senate District: _____



Reproductive Health Project

(Continued from page 12)

change. After a contentious 2 ½ hour debate about comprehensive sexuality education vs. abstinence-only and why and how this issue is such a political and ideological debate, the Public Health Commission voted unanimously to

support the interests of public health over politics. On March 20, 2008, the Rules Review Commission passed the rule, and those opposed to offering comprehensive sexuality education failed to get the ten objections among their constituents that are required to refer this matter to the legislature. So the TPPI rule change is final, and we are very pleased that public funds will now be spent on programs that may actually

protect teen health.

Congratulations to Mary Lindsley and Sarah Preston from the ACLU-NC, as well as our coalition allies, on this important victory!

**ACLU-NC International Human Rights Committee Report:
The Convention on the Rights of Persons with Disabilities and an Optional Protocol**
by Slater E. Newman, Chair

On December 13, 2006, 81 member states and the European Community adopted the Convention on the Rights of Persons with Disabilities. This is the largest number of signatories in the history of a UN Convention on its opening day. The Convention was negotiated between 2002 and 2006, the shortest period of time during which a human rights treaty has been negotiated. The Convention is the eighth major treaty in the United Nations human rights treaty system.

According to a statement from United Nations Enable, "The Convention marks a 'paradigm shift' in attitudes and approaches to persons with disabilities. It takes to a new height the movement from viewing (them) as 'objects' of charity, medical treatment and social protection towards viewing (them) as 'subjects' with rights, who are capable of claiming those rights and making decisions for their lives based on their free and informed consent as well as being active members of society... The Convention reaffirms that all persons with all types of disabilities must enjoy all human rights and fundamental freedoms..."

According to a brief from the UN News Centre, the Convention "... outlaws discrimination against persons with disabilities in all areas of life including employment, education, health services transportation and access to justice, requires that public spaces and buildings be accessible to persons with disabilities and calls for improvements in information and infrastructure." As of March 9, 2008, 125 countries (though not the United States) had signed the Convention and of these 17 had ratified it.

Also adopted on December 13, 2006 was an Optional Protocol to the Convention which, according to the UN Brief "... will give individuals recourse to an expert committee on the rights of persons with disabilities when all national options have been exhausted." For this Protocol there were 44 signatories on the first day, all of which must previously have signed the Convention. At present 71 countries have signed the Protocol, and 11 of these have ratified it. Additional information may be obtained by Googling "Convention on the Rights of Persons with Disabilities and Optional Protocol."



Cartoon by John Darkow, Columbia Daily Tribune, Missouri

Chapter Updates

Charlotte area members seek volunteers to help develop a Charlotte ACLU Chapter
by Samantha Gellar

North Carolina's largest city is finally rebuilding its own chapter of the ACLU, after many years of dormancy. Samantha Gellar, a former recipient of the ACLU of North Carolina Award, is heading efforts to start a new chapter in the Queen City. Though Charlotte is the largest metropolitan hub in the NC area, it has no ACLU chapter. In the past, the ACLU has worked on several important issues in Charlotte, including expanding the scope of sex education in the schools, working with local activists calling for a moratorium on the death penalty, and addressing local censorship issues.

Volunteers are needed for the creation and development of the chapter. "I'm excited about the undertaking," stated Gellar. "I think this will be a very interactive process, especially in these early stages, where the initial volunteers will be able to shape the scope and vision of our community-based activities."

Interested parties are encouraged to contact Samantha Gellar at aclucharlotte@hotmail.com.



2008 ACLU Membership Conference
June 8-10, 2008
Washington Convention Center,
Washington D.C.

It's not too early to mark your calendar and save the date for the 2008 ACLU Membership Conference. On June 8-10, you will have the opportunity to hear from leading civil liberties experts and some of our most compelling clients; lobby members of Congress on Capitol Hill; and get to know other people like you, who are passionate about civil liberties. Details on the conference program and registration are coming soon.

For more information visit:
www.aclu.org/conference

Duke University ACLU

by Samson Mesele and Lauren Maisel

The Duke ACLU has pursued a three-pronged agenda this spring. We are currently scheduling the upcoming visit of King Downing, the National Coordinator of the ACLU's Campaign Against Racial Profiling. This event supports our allied advocacy with the University's Black Student Alliance, with which body we are developing a formal study of students' interactions with Duke University Police Department and Durham Police Department officers. In addition, we are active in the work of Duke Student Government's new Committee on Gender, a group charged to assess the gendered experiences of undergraduates in academic, residential, and social spaces; we have lobbied successfully for a sub-committee focused on the rights of LGBT students. We now have a formal relationship with Duke's Center for LGBT Life, with which we are establishing long-range plans for programming and advocacy and are communicating with senior-level administrators. Finally, we are continuing our examination of Judicial Affairs policy – in particular, extant regulations set by Residence Life and Housing Services, which contain ambiguous language about when University officials can and cannot enter a student's room.

We look forward to updating you on our efforts. Please do not hesitate to contact Lauren (lm47@duke.edu) or Samson (szm@duke.edu) for more information or with ideas for collaboration. Thank you!

ACLU of Wake County

by Jennifer Lorenz

The Wake County Chapter of ACLU is off to another busy year. On January 21, we participated in the Martin Luther King, Jr. March in downtown Raleigh, carrying the ACLU banner proudly. It was a chilly, but fun event.

An on-going issue for Wake County Chapter is the need for volunteers to help with our committee work. We are a working board and would welcome involvement of our local ACLU members. Some committees that offer volunteer opportunities include Muslim Outreach, African-American Outreach, Hispanic Outreach, Newsletter Production & help with our website. Interested members may contact us at tishgay@hotmail.com or jj18824@embarqmail.com.

We are also ramping up for our next Slater Newman Debate and volunteers are always needed to coordinate the event with NCSU.

Enloe High School (Raleigh) ACLU Chapter
by Zaina Alsous

As an up-and-coming ACLU chapter, we of Enloe High School have felt the need to prove ourselves. It was an honor to be recognized as a part of the ACLU, an organization that has been dedicated to defending the freedom of Americans for almost a century. One of the greatest challenges has been translating the power and the message of the ACLU into the minds of busy teenagers — no easy task. As President, I felt the hardships that every member of the ACLU has encountered, trying to open people's eyes to the injustices we as a nation face. However, I am happy and proud to say that I see in my generation hope for the future. As our club expanded to include several open-minded and politically and socially aware individuals, we were able to take on important tasks and do great things. We raised money for the Louisiana Disaster Recovery Foundation, in order to do our part to help rebuild New Orleans, which has been largely forgotten only three years after Hurricane Katrina. We raised awareness of the civil rights abuses and torture committed at Guantanamo Bay, six years after the first detainee arrived on January 11th, by distributing orange ribbons around our school. We have also striven to register a new generation of voters through a voter registration drive at our school, in order to help the youth express their political voice. We have educated ourselves on the issues, and we have worked to spread the message that the youth have a voice and have a purpose — that rather than being a generation of apathy, we are a generation of change. We hope to recruit more members and continue to do our part to build a better, more just world, one orange ribbon at a time.

Elon University School of Law ACLU
by Amy Holthouser

Students at Elon University School of Law in Greensboro have established an ACLU chapter to promote awareness and discussion of civil liberties issues at the new law school, which opened in 2006. With a growing membership of approximately fifteen students, including four officers, the organization has been provisionally approved by the student government association and hopes to obtain full approval and formal recognition from the law school later this year. The Elon Law ACLU is holding its first school-wide event on March 19, featuring a discussion with Seth R. Cohen, General Counsel of the ACLU of North Carolina, who will share his experiences defending civil liberties in Greensboro and throughout the state.

Any attorneys in the Greensboro area (or beyond!) who have ideas for future programming, know of local events which might interest our members, or who would like to get involved with the club in some other way should contact Blair Vocci at rvocci@elon.edu or Amy Holthouser at aholthouser@elon.edu.

Campbell University School of Law ACLU Chapter
by Mike Ganley

At the Frank Porter Graham fundraiser, the Norman Adrian Wiggins School of Law at Campbell University was extremely proud to be the only law school represented at the event. Campbell Law School itself provided half of the funding for its students to attend and sponsored an entire table. Nine of our chapter members took the opportunity to attend the event to learn more about the ACLU and the role of civil liberties in North Carolina. Chapter members attending were: Chapter President Catherine Sims, Mike Frickey, Gigi Gardner, Dan Weissman, Jeremy Hart, John Maddux, Leah Knox, Justin Nichols, and Michael Ganley. Campbell Law sent out a press release on its students attending, and the March issue of the *Campbell Law Observer* will feature an article about the students' experiences at the Frank Porter Graham Awards Ceremony.



Lewis Black (center) poses with students from our Campbell Law ACLU chapter after the Frank Porter Graham Awards Ceremony on February 13th in Durham.



The American Civil Liberties Union of North Carolina is a non-profit, nonpartisan organization dedicated to the preservation of civil liberties and constitutional freedoms. Since 1965, the ACLU-NC has fought for the rights of all North Carolinians and improved their quality of life.

LEGAL PROGRAM

The legal program has been our most successful avenue for protecting and enhancing the constitutional rights and civil liberties of North Carolinians. Of the thousands of requests for assistance received each year, we litigate and provide amicus curiae assistance (friend of the court briefs) in approx. 15-20 cases. We respond to every request we receive, and in non-civil liberties matters, try to make appropriate referrals. Our current docket includes recently settled and ongoing cases on Freedom of Speech/Religious Liberty, Privacy Rights/Right to Travel, Disability Rights, Equal Protection, Right to Trial, Search and Seizure, Voting Rights, and the Right to a Sound, Basic Education. For detailed docket information visit www.acluofnorthcarolina.org.

LEGISLATIVE PROGRAM

We provide a constant reminder to our legislators that our civil liberties should not be compromised as a result of legislative jockeying and political posturing. The ACLU-NC's full-time lobbyist is a permanent presence at the North Carolina General Assembly and influences public policy debates and legislation that involve civil liberties issues. We invite you to join our legislative work. Visit our web site at www.acluofnorthcarolina.org to receive legislative "Action Alerts".

**PUBLIC EDUCATION
OUTREACH PROGRAM**

Through our website, literature, speaking engagements, public forums, visits to schools and universities, press interviews and television and radio appearances, we educate North Carolinians about their rights. Only when each person is informed of his/her rights can we achieve the ideals set forth in the Constitution. In 2006, we introduced two innovative outreach programs focusing on the Muslim/Middle Eastern Community and Reproductive Health. For a complete list of publications and upcoming events, visit www.acluofnorthcarolina.org.

JOIN TODAY!

Your dues include memberships for the national ACLU, ACLU of North Carolina, and your local chapter if one exists in your region. You will also receive *Liberty*, the quarterly ACLU-NC newsletter, along with the national newsletter and other mailings. If you have email, your name will be added to our listserv upon your request. You will be able to vote in our statewide Board elections and will be invited to ACLU events like the Frank Porter Graham Awards Ceremony and the annual membership meeting. Simply fill out the form below and return it in a stamped envelope.

Enclosed is my check for:

\$5 Limited Income Membership
 \$20 Basic Membership
 \$30 Joint Membership
 \$35 Contributing Membership*
 \$50 Joint Contributing Membership
 \$75 Supporting Membership
 \$125 Sustaining Membership
 \$ Other

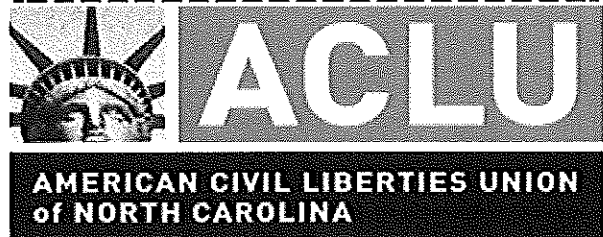
**Please give this amount or more if you can*

Make check payable to the ACLU. Please note that membership dues are not tax-deductible because the ACLU engages in lobbying and direct advocacy.

NAME: _____
 ADDRESS: _____
 CITY/ZIP: _____
 PHONE: _____
 E-MAIL: _____

Would you like information regarding chapter activities in your area, if available?
 YES NO

Please return this form to:
 ACLU-NC
 P.O. Box 28004
 Raleigh, NC 27611
 Phone: (919) 834-3466



THE LEGACY CHALLENGE DEFEND FREEDOM TODAY WITH YOUR GIFT FOR THE FUTURE

Did you know you can support the ACLU today with your future gift?

Through the **Legacy Challenge**, if you name the ACLU Foundation to receive a bequest through your will or living trust, the Robert W. Wilson Charitable Trust will make a *cash donation today equal to 10% of your future gift's value*, up to the maximum match of \$10,000. Your gift will provide the ACLU Foundation, at the national and local level, with the resources it needs to protect civil liberties for future generations.

To learn how to accept the Legacy Challenge or get the latest information on planned gifts and estate planning, please call the Office of Gift Planning, **toll-free at (877) 867-1025**, and our staff will personally answer all your questions. Or if you prefer, e-mail us at legacy@aclu.org.

Wondering where to start? How to update your will? How to avoid probate court? How a charitable gift will affect your estate? Visit www.legacy.aclu.org for complete estate planning information, checklists, gift calculators, articles and Legacy Challenge information.

LIBERTY

The Quarterly Newsletter of the ACLU of North Carolina

STAFF:

Jennifer Rudinger, Executive Director

Katherine Lewis Parker, Legal Director

Sarah Preston, Legislative Coordinator

Rebecca Headen, Racial Justice Project Coordinator

Ian A. Mance, Program Associate

Emily-Mary Brown, Paralegal

Mary Lindsley, Reproductive Health Coordinator

Spring 2008 Law Clerks: **Miriam Haskell**, University of North Carolina School of Law; **Renee Brown** and **Lakeisha Hood**, North Carolina Central University School of Law; **Kelly Taylor** and **Rhead Enion**, Duke University School of Law

4 issues per year:

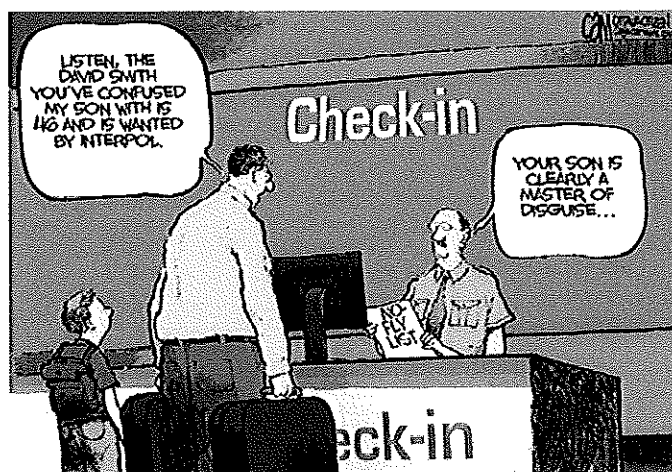
January, April, July, and October

Contact Us:

P.O. Box 28004 * Raleigh, NC 27611-8004

Phone: (919) 834-3466 * Fax: (866) 511-1344

www.acluofnorthcarolina.org E-mail: aclunc@nc.rr.com



Cartoon by Cam Cardow, The Ottawa Citizen

Please join us for the
ACLU-NC's Annual
Membership Meeting

Saturday, May 3rd
11:00 a.m. - 1:00 p.m.

Replacements, Ltd.'s
conference room
1089 Knox Road
McLeansville, NC 27301
(conveniently located between
Greensboro and Burlington at
exit 132 off of Interstate 85/40)
For directions, go to [http://
www.replacements.com/
direction.htm](http://www.replacements.com/direction.htm).

Featuring Special
Presentation by ACLU-NCLF
Racial Justice Project
Coordinator Rebecca Headen
about the work of the ACLU-
NC on racial justice, race
discrimination and basic
fairness and due process for
immigrants in NC.

***Introducing the two Boards of Directors of the
ACLU of North Carolina and the ACLU of North
Carolina Legal Foundation:***

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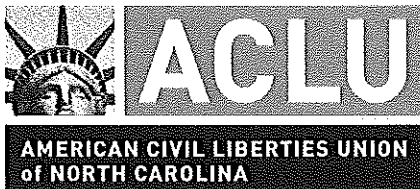
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P.O. Box 28004
Raleigh, NC 27611

