

aclu NEWS

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Special Summer 2003 Issue

No. 3

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Gay Pride March



ACLU supporters marched - and rolled in San Francisco's gay pride march, June 30, 2003

To our Readers

The *ACLU News* has been arriving on the doorsteps of ACLU-NC members since 1934. We're proud of its history.

This year, we're preparing to make some changes. Soon, you will receive the first edition of a new *ACLU News* – with a new look and more in-depth articles and analysis. The new *ACLU News* will tumble on to your doormats four times a year, instead of six. We hope you will continue to look to the *ACLU News* for information, analysis and action alerts on the region's civil liberties issues. We'll be asking for your feedback!

For now, we urge you to act on the crucial issues outlined in this special issue. Please support the Patriot Act II campaign, and join us for our annual membership conference on September 13. But, above all, if you only have time for one political action this year, make it this: *please turn out all the Californians you know to vote "no" on Prop.54 on October 7.*

Our thanks go to all those – writers, editors, designers, photographers, and, of course, the readers -- who have helped to make the *ACLU News* such a vital source of information for so many years. Long may it continue!

Rachel Swain
Editor

Dorothy Ehrlich
Executive Director

***The ACLU of Northern California 2003
Annual Membership Conference
(formerly the Activist Conference)***

September 13

9:00 - 5:30

East Bay location to be announced

Come learn more about Ward Connerly's "Information Ban" initiative, the USA Patriot Act, issues affecting immigrant communities, the future of gay marriage, and more. Meet other ACLU members and explore how you can take action in your community!

For more information and to RSVP, call 415 621-2493 and ask for extension 382. Or, check our website for more information: www.aclunc.org

ALL MEMBERS WELCOME!

[Click here for details](#)

aclu news

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Membership \$20 and up, of which 50 cents is for a subscription to the *aclu news*.

VOTE NO! ON PROP. 54 ON OCT. 7 **Recall Election Forces Swift Vote on Divisive Race Initiative**

The news that recall advocates have gathered enough signatures to force a vote on Gov. Davis' future on October 7 sent shockwaves far beyond the Governor's office.

A divisive ballot initiative that the ACLU is working vigorously to defeat will now also appear on the Oct. 7 ballot – leaving opponents with little time to persuade Californians to turn out to vote “no.” The Classification by Race, Ethnicity Color and National Origin initiative (CRECNO) qualified last summer for the next statewide general election, then scheduled for March 2004. With news of the recall, the vote on CRECNO (Proposition 54) was automatically shunted forward.

“Prop. 54 poses the biggest threat to the civil rights and public health of all Californians in decades.”

- Dorothy Ehrlich, ACLU-NC

“We have to move at full speed ahead to explain to voters the real story behind this deceptive initiative,” said ACLU-NC executive director Dorothy Ehrlich. “Prop. 54 poses the biggest threat to the civil rights and public health of all Californians in decades. I urge all ACLU supporters to help us build the support we need to make sure this initiative is dead in the water on Oct. 7.”

The brainchild of affirmative action foe Ward Connerly, Prop. 54 (dubbed the “Information Ban” by opponents) would bar state and local agencies from collecting or analyzing data on race and ethnicity. It would eliminate information that pinpoints where inequities lie – making it impossible to prosecute hate crimes, enforce civil rights laws barring discrimination in housing, education and employment, or to effectively target programs that combat chronic health problems like teen pregnancy, breast cancer and AIDS.

Despite the accelerated schedule, prospects are good for the Coalition for an Informed California, an alliance of almost 350 civil rights, health, education and environmental organizations that has aligned to fight the initiative. A July 2003 Field poll revealed tepid support for the initiative, with “yes” votes hovering at around 50 percent-- much lower than most analysts say is needed for an initiative to pass. Support drops off as Californians learn more about the initiative.

“Voters are smart enough to see through Connerly's smokescreen,” says Ehrlich. “When Californians realize the devastating impact the Information Ban would have on all of our families, their vote is “no.” I am confident that if we can mobilize the resources we need to turn out voters on October 7, the “no” campaign will win.”

In recent months, the coalition has picked up crucial endorsements from the University of California Board of Regents, medical and business associations like Kaiser Permanente, the California Medical Association, and the American Academy of Pediatrics, and the state's five top constitutional officers, including Gov. Davis and Attorney General Bill Lockyer.

“This measure would handcuff law enforcement efforts to investigate and prosecute hate crimes. It would roll back efforts to combat racial profiling, and promote inequality, injustice and ignorance,” Lockyer recently said. “For those who care deeply about and fight daily to protect the public's safety, this poorly conceived initiative threatens to disarm law enforcement and prevent them from doing

their job.”

“This poorly conceived initiative threatens to disarm law enforcement and prevent them from doing their job.”

- Attorney General Bill Lockyer

For more information on the campaign, visit www.informedcalifornia.org

PROTECT HEALTH, SAFETY AND CIVIL RIGHTS!

Help Fight the Information Ban

Three ways to help:

1. Tell everyone you know to vote “NO!” on CRECNO on Oct. 7
2. Volunteer! Send your details by email or mail to Jessica Justice (jjustice@aclunc.org). We will contact you when it’s time to get active!
3. For information on student organizing across the state, contact Nina Bari at nbari@aclunc.org

YES! I want to help beat CRECNO!

Name _____

Address _____

City, Zip, State _____

Phone 1 _____

Phone 2 _____

Email _____

[Sign me up for the ACLU-NC online action network!](#)

Sign me up as a “No on CRECNO” volunteer!

Please return your form to: Jessica Justice, ACLU-NC, 1663 Mission Street t#460, San Francisco, CA 94103

Not an ACLU member? Join online at www.aclunc.org

Experts on the “Info Ban”



“ This initiative is not about data collection. Ultimately, it tries to undermine the enforcement of existing civil rights laws and makes it harder for victims of discrimination to seek redress.”

- Ted Wang
Chinese for Affirmative Action

“CRECNO will take away the tools we need and make health care providers unable to identify and address problems.”

- Vivian Huang
California Primary Care Association



“Communities of color are treated differently by the criminal justice community. We have known this through stories for years, and now we have data that proves it. Without data, stories of discrimination will be dismissed as speculation, anecdotes, figments of our imagination. Without the facts, remedy will become impossible.”

- Maya Harris, ACLU

“This initiative is mean-spirited, won’t help the education field, and won’t help meet the needs of students.”

– David Hernandez
California Teachers Association



All photos by Gigi Pandian, taken at a July 17 briefing hosted by ACLU-NC, New California Media and the Coalition for an Informed California

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ACLU Members Act to Stop "Patriot II"

With a full-page ad in the *New York Times* that reads: "Patriot Act II: Like most sequels, this one's even worse than the original" ([click here](#)), the ACLU of Northern California (ACLU-NC) has launched a campaign designed to thwart a new proposal drafted by the Department of Justice from becoming law. The "Domestic Security Enhancement Act," dubbed Patriot Act II, would grant the government an array of new powers, including the ability to make secret arrests, place unrestricted wiretaps, and create DNA databases on ordinary Americans.

"We call on Congress to assert strong checks on law enforcement and pierce the wall of secrecy surrounding the government's use of these new powers." – Bob Kearney, Associate Director, ACLU-NC.

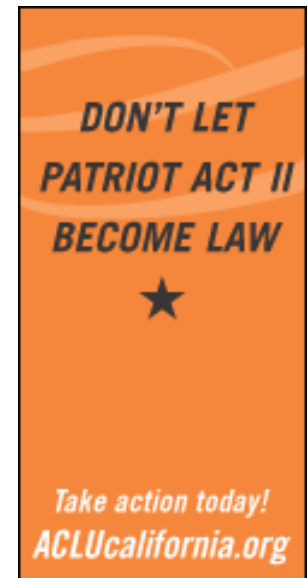
Hundreds of ACLU-NC supporters have sent letters asking Congress to investigate ways in which the Bush Administration has used powers granted under the USA Patriot Act and urging opposition to Patriot Act II, and the ACLU-NC is urging all its 36,000 members to join the letter-writing campaign.

"Before Patriot Act II is even considered, we need to find out how the first Patriot Act is being used to violate our Constitutional rights," said Bob Kearney, Associate Director of the ACLU-NC. "We call on Congress to assert strong checks on law enforcement and pierce the wall of secrecy surrounding the government's use of these new powers."

The original USA Patriot Act was rushed through Congress in just 45 days after the terrorist attacks of September 11, 2001. It gave the government sweeping new powers to place wiretaps, secretly search homes and offices, and compile personal data about average Americans.

Patriot Act II proposes to expand those powers to include allowing the government to secretly access credit reports and library records without a warrant, and to catalogue genetic information about innocent Americans without court orders or consent. It would repeal local court orders that prevent police from spying on religious and political organizations. Its overbroad definition of terrorism even puts some American protesters engaged in First Amendment activity at risk of having their U.S. citizenship stripped.

The draft legislation has sparked opposition from a wide array of groups -- from People for the American Way to the American Conservative Union, Gun Owners of America, and American Baptist Churches USA. Conservative columnist and former Nixon speechwriter William Safire called Patriot Act II "an abomination" while Representative Jerrold Nadler of New York said it amounted to "little more than the institution of a police state."



TAKE ACTION TO STOP PATRIOT ACT II!

Write your U.S. Senator or Representative and ask them to voice their opposition to the Domestic Enhancement Security Act, "Patriot Act II" before this dangerous draft legislation is introduced.

Let them know we need their help today to protect fundamental civil liberties and rights.

Visit our special website, www.aclucalifornia.org, to learn more and to take action today!

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Board Elections Notice

The ACLU-NC Board of Directors, in accordance with changes adopted in 1996, have an election schedule as follows:

Nominations for the Board of Directors will now be submitted by the September Board meeting; candidates and ballots will appear in the November-December (fall) issue of the *ACLU News*; elected board members will begin their three-year term in January.

As provided by the revised ACLU-NC by-laws, the ACLU-NC membership is entitled to elect its 2003-2004 Board of Directors directly. The nominating committee is now seeking suggestions from the membership to fill at-large positions on the Board.

ACLU members may participate in the nominating process in two ways:

1. They may send suggestions for the nominating committee's consideration prior to the September Board meeting (September 11, 2003). Address suggestions to: Nominating Committee, ACLU-NC, 1663 Mission Street, #460, San Francisco, CA 94103. Include your nominee's qualifications and how the nominee may be reached.
2. They may submit a petition of nomination with the signatures of 15 current ACLU-NC members. Petitions of nomination, which should also include the nominee's qualifications, must be submitted to the Board of Directors by October 3, 2003 (twenty days after the September board meeting). Current ACLU members are those who have renewed their membership during the last 12 months. Only current members are eligible to submit nominations, sign petitions of nomination, and vote.

ACLU members will select Board members from the slate of candidates nominated by petition and by the nominating committee. The ballot will appear in the November-December issue of the *ACLU News*.

Revised ACLU-NC By-Laws

Article VII, Section 3: Presentation of Nominations and Additional Nominations. The final report of the committee to nominate members-at-large to the Board shall be presented at the September Board meeting. Members of the Board may propose additional nominations. If no additional nominations are proposed by Board members, the Board by a majority of those present and voting, shall adopt the nominating committee's report. If additional nominations are proposed, the Board shall, by written ballot, elect a slate of nominees with each member being entitled to cast a number of votes equal to the vacancies to be filled; the persons nominated by the Board shall be those persons, equal in number to the vacancies to be filled, who have received the greatest number of votes. The list of nominees to be placed before the membership of the Union for election shall be those persons nominated by the Board as herein provided, together with those persons nominated by petition as hereinafter provided in Section 4.

Article VII, Section 4: Recommendations and Nominations by Members of the Union. Any fifteen or more members of the Union in good standing may themselves submit a nomination to be included among those voted upon by the general membership by submitting a written petition to the Board not later than twenty days after the adoption by the Board of the slate of Board nominees. No member of the Union may sign more than one such petition, and each such nomination shall be accompanied by a summary of qualifications and the written consent of the nominee. This provision

of the By-Laws shall be printed in the first page of the May-June issue of the *ACLU News* together with an article advising members of their rights in the nominating process.

*The Board of Directors of the ACLU of Northern California revised the By-Laws of the organization in February, 1995, to change the timeline for Board election procedures.

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Endowment Fund Reaches \$5 Million Goal **By Robert Nakatani, Endowment Campaign Director**

With a generous \$1 million gift from the Sandler Family Supporting Foundation, the ACLU Foundation's first endowment campaign reached its goal this past February. In Northern California, the ACLU goal of \$5 million was exceeded by \$250,000. At the same time, ACLU nationwide reached its goal of \$50 million.

"I am extremely gratified," enthused ACLU Board Chair Quinn Delaney, "that we were able to reach our goal even during this period of economic decline. Our supporters continue to amaze me with their determination to build an ACLU that can rise to every civil liberties challenge."

"Endowment income has already made a big difference for us," added ACLU-NC executive director Dorothy Ehrlich. It enabled us to build the Friedman First Amendment Education Project, our student outreach program, and helped support our innovative Racial Justice Project. It's also given us the strength and confidence to develop a coordinated and expanded response to the efforts of the Bush Administration to use people's fears to justify taking away their liberties."

Much of the credit for the campaign's success goes to the Endowment Steering Committee, staffed by development director Cheri Bryant. The hard-working members of the committee include national board member Milton Estes, board Chair Quinn Delaney, former board chairs Margaret Russell and Dick Grosboll, Davis Riemer, and executive director Ehrlich.

Leadership gifts from The Friedman Family Fund, Quinn Delaney & Wayne Jordan, the Sandler Family Supporting Foundation, and James C. Hormel contributed significantly to the success of the campaign. Other generous donors to the campaign include:

Anonymous (2)
Alvin H. Baum, Jr.
Milton N. Estes & Tom Steel
Jerome B. Falk, Jr. & Nancy Falk
David Friedman & Paulette Meyer
Eleanor Friedman & Jonathan Cohen
Kristina Kiehl & Robert Friedman
Lisa Peck Lindelef & John J. Lyons
Marsha Rosenbaum & John Irwin
Stephen M. Silberstein & Anne G. Lipow
Carol Walter Sinton Fund for Freedom of Expression

In addition, Jack Londen and Kathleen Blamey made a \$100,000 challenge grant to help establish the Northern California Fund for Constitutional Rights, a special fund within the *Trust for the Bill of Rights*, the ACLU's endowment. Those making contributions to this Fund include Stephen Bomse & Edie Silber, Roger Boone, Marlene De Lancie, Sylvan & Marjorie Heumann, Paul & Jeanette Johnson, Stephen R. Kennedy, Tom Lockard & Alix Marduel, Jim & Jeanne Newman, Davis Riemer & Louise Rothman-Riemer, Frances C. Strauss, and John Weinstein & Heidi Stewart.

The ACLU of Northern California thanks these individuals whose commitment and foresight helped secure more than \$5 million to safeguard liberty for generations to come.

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