

ACLUnews

FALL 2013

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TRANSGENDER HIGH SCHOOL STUDENTS TEACH CALIFORNIA A LESSON IN ADVOCACY

By Shanelle Matthews

In the long arc toward full equality, one of the major issues today and in coming years is gender identity and the treatment of transgender people.

Sixteen-year-old Ashton Lee is an aspiring author who loves video games, fishing, martial arts, and playing with his dog. Ashton is also transgender. This means he lives his life identifying with a different gender than the one he was born with. Despite suffering discrimination in school, Ashton bravely championed a bill that would allow him, and other transgender students, to fully participate in all school activities and programs.

In a significant victory, California became one of only a handful of states to pass anti-discrimination legislation that will guarantee that transgender students are not unfairly excluded from physical education, athletic teams, and other school activities, or facilities that match their gender identity.

Although California has had laws in place for years that prohibit discrimination based on gender identity, transgender students have been wrongly excluded at school because school administrators haven't understood their legal obligation.

AB 1266, also known as The School Success and Opportunity Act was authored by Assemblymember Tom Ammiano (D-San Francisco) and makes explicit in the state Education Code that transgender students must be given the same opportunities as other students. The ACLU of California was a key supporter of the bill, along with a coalition of organizations working toward equality for lesbians, gay, bisexual, and transgender people.



Ashton Lee presenting a petition to the governor.

Shanelle Matthews

CONTINUED ON PAGE 4

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of NORTHERN CALIFORNIA

JOIN US FOR THE ACLU OF NORTHERN CALIFORNIA'S BILL OF RIGHTS DAY CELEBRATION SUNDAY, DEC. 8, 2013

HONORING

JUSTICE CARLOS MORENO for his deep commitment to justice for all and his leadership in expanding civil liberties as Associate Justice of the California Supreme Court. (Accepting the award via video.)

NANCY PEMBERTON for more than three decades of dedicated leadership at the ACLU and a lifetime of civil rights achievements.

Sunday, Dec. 8 at 2 PM

Doors open at 1 PM

ILWU Local 34 Union Hall

(801 Second Street in San Francisco next to AT&T Park)

Reception to follow at Paragon Restaurant (701 Second St.)

\$10 - \$25 sliding scale admission

To register online please visit www.aclunc.org/bord

For more information, contact tdarcangelew@aclunc.org 415-621-2493 x355

BOARD OF DIRECTORS ELECTION

VOTING INFORMATION

WHO CAN VOTE:

The by-laws of the ACLU of Northern California call for the “at large” Directors to be elected by our general membership. The label affixed to this issue of the *ACLU News* indicates on the top line if you are a current member and thus eligible to vote. Your label states “VOTE” if you are eligible to vote or “INELIGIBLE” if you are not eligible to vote.

If your label states that you are ineligible to vote, but you have recently renewed your membership, please send in your ballot with a note that includes your name and phone number, so we can verify your status. If you are ineligible because you have not renewed your membership but would like to do so at this time, please enclose your membership renewal check in the same envelope as your ballot. (Please note that it is your membership dues payable to the ACLU, not tax-deductible donations to the ACLU Foundation, that make you eligible to vote.)

HOW THE CANDIDATES WERE NOMINATED:

As explained in the summer 2013 issue of the *ACLU News*, our by-laws specify two methods for nominating candidates for directorships. Candidates may be nominated by the current Board of Directors after the Board considers recommendations from its Nominating Committee. Candidates may also be nominated by petition bearing the signatures of at least 15 of our members in good standing.

INSTRUCTIONS FOR VOTING:

The candidates are listed in alphabetical order. We have 10 candidates running to fill 10 vacancies on our Board of Directors. You may vote for up to 10 candidates.

You cannot cast more than one vote for any candidate. That applies even if you vote for fewer than 10 candidates. If you share a joint membership with another member, each of you can vote for 10 candidates. Do so by using both of the two columns provided for that purpose.

After marking your ballot, clip it and enclose it in an envelope. Your address label (on the reverse side of this ballot) must be included to ensure voter eligibility.

ADDRESS THE ENVELOPE TO:

ELECTIONS COMMITTEE
ACLU of Northern California
39 Drumm Street
San Francisco, CA 94111

If you prefer that your ballot be confidential, put your ballot in one envelope, then insert that envelope plus your address label in a second envelope and send to our Elections Committee at the address indicated above. In that case, we will separate your envelopes before we count your ballot.

In order for your ballot to be counted, we must receive it at the address shown above by noon on Dec. 5, 2013.

As required by our by-laws, in order to have a quorum for our election, we need at least 100 timely returned ballots from our members.

To help you assess this year’s candidates, we’re including brief statements submitted by the candidates (see page 3). We’ve also indicated how they were nominated.

ACLU-NC BOARD OF DIRECTORS BALLOT

Please vote by marking one square next to each candidate you support.
You may vote for up to 10 candidates on this ballot. If you share joint membership with another member, use both squares.

- | | | | | | |
|--------------------------|--------------------------|---------------------|--------------------------|--------------------------|-----------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Allen Asch | <input type="checkbox"/> | <input type="checkbox"/> | Savith Iyengar |
| <input type="checkbox"/> | <input type="checkbox"/> | China Brotsky | <input type="checkbox"/> | <input type="checkbox"/> | Ajay Krishnan |
| <input type="checkbox"/> | <input type="checkbox"/> | Cynthia Carey-Grant | <input type="checkbox"/> | <input type="checkbox"/> | Niki Solis |
| <input type="checkbox"/> | <input type="checkbox"/> | Veronica Diaz | <input type="checkbox"/> | <input type="checkbox"/> | Natalie Wormeli |
| <input type="checkbox"/> | <input type="checkbox"/> | Gautam Dutta | <input type="checkbox"/> | <input type="checkbox"/> | Yomi Wrong |

Please clip and send along with your address label to:

Elections Committee
ACLU of Northern California
39 Drumm Street
San Francisco, CA 94111

Ballots must be received by noon on Dec. 5, 2013

CANDIDATE STATEMENTS



Allen Asch

Having represented Sacramento County on the ACLU-NC Board of Directors from 2007 through 2013, I'm honored to be nominated to continue serving at-large. I'm a former public defender turned stay-at-home dad. I've been an ACLU member since the mid-1980s and began working as a volunteer ACLU attorney in the mid-1990s, first for Eastern Missouri and then for New Jersey. My many projects include helping persuade Missouri prisons to stop excluding the mentally ill from drug treatment, writing a federal amicus brief in favor of the KKK's free speech rights, and drafting an ACLU-NJ policy on adoption record confidentiality and guidelines for physicians on minors' medical confidentiality rights. I've chaired the ACLU-NC Field Activist Committee since 2009.



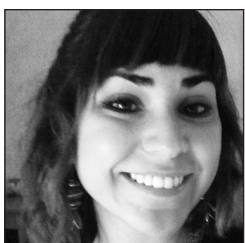
China Brotsky

I would be honored to be re-elected to serve on the board of the ACLU-NC. I am strongly supportive of the current program direction of our affiliate, especially in taking on immigrant rights and government spying as well as many other important civil rights issues. I have done work on a variety of these issues in my volunteer work in the environmental justice movement. In addition, I support reaching out to new communities, as in the Central Valley, and to youth and young adults. I am committed to making my financial and management skills useful to the organization and look forward to contributing to the growth of the organization.



Cynthia Carey-Grant

It has been an honor to serve on the Board of the ACLU-NC. I have committed my life work to improving the status of women, people of color and the empowerment of the politically disenfranchised. I am currently the Executive Director of Women Organized to Respond to Life-threatening Diseases, an AIDS service organization based in Oakland. I believe I have contributed a unique perspective and voice to the board as an African American woman working in the health field specifically advocating on behalf of women living with and affected by HIV. During my first term I have participated in the Officer's nomination and Board evaluation committees. I have recruited new members and donors and participated in our efforts to end the death penalty. It would be a profound privilege to have the opportunity to serve a second term. Thank you for your support.



Veronica Diaz

I am the Teamsters Joint Council 7 Political Coordinator and would be honored to unite my work in the labor movement with the work of the ACLU. Thousands of our members work in food processing and agriculture, and are predominantly minority workers. My organizing experience in the migrant town of Salinas sparked my desire to unionize workers and engage them in the political process with the goal of addressing labor inequality. Through my work, I am able to connect workers and immigrants with their elected officials and thereby politically empower this largely under-represented population. As the daughter of an immigrant farmworker and granddaughter of a Bracero, family traditions rooted in union mobilization and civil rights have guided my career towards uniting California's most marginalized workers.



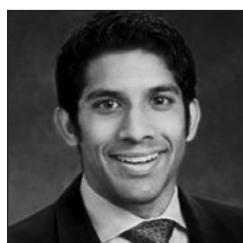
Gautam Dutta

I would be thrilled to continue serving on the ACLU-NC Board. I joined the Board last year to fill an interim vacancy, after my wife Marybelle and I moved from the Los Angeles area. Down "south," I spent five years on the ACLU-SC Board, where I served on the Executive and Initiatives Committees. As an election attorney and a former Deputy Director (Political Reform) at the New America Foundation, I am proud to serve on ACLU-NC's Legislative Policy Committee. As a fierce proponent of the First Amendment and steadfast opponent of the death penalty, I am convinced that we have a historic opportunity to bring about positive change. I would be honored to serve another term on the Board, and humbly ask for your vote.



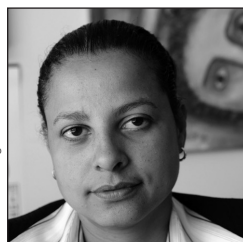
Savith Iyengar

I have long held tremendous respect for the ACLU-NC and intend to satisfy and exceed all board obligations. My dedication to the organization's principles have guided my philosophical path, shaped my professional experience and created my unwavering sense of social responsibility. In school, my contributions to free speech litigation were featured in our periodical, the Harvard Law Bulletin. As an attorney at a prominent law firm in San Francisco, I have worked to protect civil rights and liberties, including alongside the ACLU-NC in challenging the shackling of immigrant detainees, and have developed a professional network crucial for committees, development and fundraising. Given my deep interest and professional experience, I intend—and would be honored—to serve the organization proudly and effectively.



Ajay Krishnan

I would be honored to continue serving on the Board, to advance our shared mission of defending civil liberties. I have been committed to the work of the ACLU-NC for much of the last decade. In 2004, I worked as an attorney on the staff of the affiliate. Since that time, I joined a law firm in San Francisco, and have continued to fundraise for the ACLU-NC, and to partner with it on cases involving free speech, prisoner rights, and the death penalty. In 2010, I joined the Board and I currently serve on the Development Committee and as the Chair of the Legal Committee. If elected, I will continue to dedicate my time and energy to our vital work.



Niki Solis

I would be honored to serve on the board of the ACLU-NC. I am a Hastings graduate who has served as a public defender in San Francisco for over 15 years and am a past president of San Francisco La Raza Lawyers Association. My family emigrated from Belize when I was an infant. My passion in civil liberties was stoked early on when I realized that I was an undocumented immigrant of the only country I knew and loved. I couldn't attend public schools and my family was in constant fear of the INS. My goal from childhood was to become a lawyer to help others pursue their civil rights. If elected, I would be a diligent, passionate and energetic advocate for the principles of this organization.



Natalie Wormeli

I've been involved with the ACLU of Northern California since 1990 while attending Davis Law School. I'm currently the Chair of the Yolo County ACLU Chapter, and previously served as Chair of the Field Committee on the ACLU-NC Board. My proudest moment with the ACLU-NC was participating in the executive director search that resulted in the hiring of Abdi Soltani. As an attorney with disabilities, I'm proud to be a part of this organization.



Yomi Wrong

It would be my great privilege to join you on the board of the ACLU-NC. As executive director of the Center for Independent Living Inc. (CIL), the legendary Berkeley-based disability rights organization, I am a national leader in the movement to advance equal access and full societal integration for the nation's largest minority group. I have an unwavering commitment to economic and social justice for marginalized groups, particularly in the areas of employment and access to quality health care. Prior to leading CIL, I spent 15 years as a reporter for major news outlets in California where I wrote extensively about the treatment of marginalized groups in the justice system and, later, the impact of health disparities on people of color. I have tremendous respect for the ACLU's work defending our civil liberties and look forward to adding my knowledge and talents to in support of this mission.

IN MEMORY: RICHARD MUIR


The ACLU attracts exceptional people, and Richard Muir was one of them. In his eight years as an ACLU-NC civil liberties counselor, Richard patiently spoke with hundreds of Californians who contacted the ACLU seeking help. When he was not working here, he spent much of his time writing, publishing books that ranged from novels (more than a dozen) to short stories to a remarkable volume of mazes. Why publish a book of mazes? In his words, “for fun.”



Richard Muir

Gigi Pandian

Richard traveled to far-off places and brought back stories and insights that he shared with us. His work at the ACLU reflected these wide-ranging experiences and his literary talents: his write-ups of the civil liberties hotline to the ACLU staff painted a compelling picture of the callers' circumstances and the violations that had led them to contact us; they were as much literature as memoranda. And his arguments as to why we should address those violations demonstrated the same compassion, craft, and passion that he brought to his other endeavors.


Richard passed away in August. We will miss his passion, his creativity, and his sense of fun. We thank him for his work, and his wife Nining for sharing him with us. 

—Michael Risher

COUNT ME IN CAMPAIGN WINNER



Congratulations to the lucky winner of the 2013 Count Me In Sweepstakes! Jon Urlie (pictured above, at right) became an ACLU sustaining member, giving a small donation every month, as part of ACLU-NC's Count Me In Campaign.

Jon said he is proud to be an ACLU member because, “The ACLU fights for our basic liberties that allow us to express ourselves, speak freely, and contribute to a system that should be designed to serve all of us.” As the winner, Jon and his friend Joe Messing won a three-day trip to Washington, D.C. 

LETTER FROM THE EXECUTIVE DIRECTOR



Gigi Pandian

I was recently at a function when a woman asked me what I do. I answered, “I work at the ACLU.” Her eyes lit up. She went on to tell me her ACLU story: when she was in sixth grade, she was circulating a petition in school when the principal seized the petition and ripped it to pieces. The principal chose the wrong sixth grader to pick on, because she and her parents contacted the ACLU, and we sent a letter to the school on her behalf.

Lo and behold, the principal apologized and the students could petition once again. I certainly hope the principal was forced to tape the petition back together... as a somewhat retributive form of restorative justice. But retribution is not the main point of this story. The main point is that when people work together—sixth graders, their parents and the ACLU—the freedoms that are at the heart of our Bill of Rights are more secure.

She wasn't the only person I met this month with an unexpected ACLU story. I met a journalist who was jailed while covering a peaceful march some years ago. And a pastor who was mistreated by police as a young man and now works to curb mass incarceration. We worked with them to defend their rights.

We are creating and telling more of these stories every day. This ACLU News features the story of Ashton Lee. Ashton began by speaking up for his rights in his school. Before long, he was speaking to the California Legislature for the rights of all transgender youth. And I am pretty sure Ashton won't stop there.

Whether because of their own experiences or a general commitment to civil liberties, many people forge a lasting partnership with the ACLU. The central gathering place for many dedicated ACLU supporters has been an ACLU chapter in their community. In the last few months, my colleague Shayna Gelender and I have been travelling our region visiting all 16 of our chapters. We are identifying new strategies for our staff and chapter leaders to work together to achieve more victories in local communities, educate more people about their rights, and advocate more effectively on legislation.

A central theme in these visits and in our planning is that technology and demographic change are reshaping our communities to be far more connected and far more diverse. How do we need to change to be more effective, so that we can tell more stories of lives changed, laws passed, and freedoms secured?

Abdi Soltani, Executive Director
abdisoltani@aclunc.org

TRANSGENDER STUDENT ADVOCACY

CONTINUED FROM PAGE 1


“I just want to be treated the same as all the other boys, but my school forces me to take P.E. in a class of all girls and live as someone I'm not,” said Ashton. “I can't learn and succeed when every day in that class leaves me feeling isolated and alone.”

Several years ago, a similar policy was successfully implemented in the Los Angeles Unified School District. With over 600,000 students, the district placed an emphasis on student's safety and banning discrimination on gender identity. They realized that when students can be themselves and participate fully in school activities without shame and stigma, they have a higher chance of success.

Over the summer, Ashton started a petition asking supporters to tell Gov. Jerry Brown to stand with transgender students. After collecting nearly 6,000 signatures, he and his mom, Catherine, drove from their home in Manteca to the state Capitol in Sacramento to deliver them to the governor's office.

“I'm not going to have to worry about being so different than the rest of my peers,” Ashton told reporters. “I can just be who I am.”

“We're grateful to Gov. Brown for making sure transgender students can be themselves and succeed in school,” said Elizabeth Gill, LGBT Rights staff attorney with the ACLU of Northern California.

Every student, no matter their gender identity, deserves to feel safe and welcomed in school. California proudly builds on a national movement to end discriminatory practices and ensure transgender youth have the same opportunity to succeed as other students. 

Shanelle Matthews is the Communications Strategist at the ACLU of Northern California.

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ACLUnews

THE PUBLICATION OF THE
AMERICAN CIVIL LIBERTIES UNION OF NORTHERN CALIFORNIA

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DOROTHY FOWLER AND THE ACLU'S FUTURE

There is probably no more inspiring a gift to the ACLU than a bequest from an individual who spent much of her life working for civil liberties and social justice. Dorothy Fowler was one of these individuals.

Dotty's life of activism began when she arrived in the Bay Area in the 1960s and came out as a lesbian. She dedicated the next half-century of her life to service to the LGBT community, especially its senior members. Dotty volunteered with the Pacific Center and Operation Concern, both early LGBT support organizations, and founded Lavender Seniors, an East Bay group dedicated to improving the quality of life for older LGBT people. In recognition of her work, Dotty received tributes and awards from the UC Berkeley School of Public Health, California State Senate, California Wellness Foundation, New Leaf, and was a recipient of the Pat Bond Memorial Old Dyke Award.

Dotty's activism extended far beyond the LGBT community. She combined her lifelong love of sailing with her strong pacifist beliefs by helping to organize the Peace Navy in the 1980s. This motley group of boats took advantage of Fleet Week to spread its message of peace. When the Coast Guard tried to establish a 150-yard "security zone" around the reviewing stand to diminish the Peace Navy's visibility, the ACLU of Northern California went to court to protect their free speech rights.


Before she passed away this past May, Dotty made sure to include the ACLU in her estate plan. Her foresight and generosity as well as her personal legacy of activism will preserve the civil liberties Dotty worked so hard to advance. The ACLU is proud to receive legacy gifts from supporters like Dorothy Fowler. 



Photo courtesy of Jamie Wasson

Longtime ACLU supporter Dorothy Fowler.

The Legacy Challenge

To encourage bequests like Dotty's, the LuEsther Mertz Charitable Trust has issued a challenge to all ACLU supporters. If, before the end of 2013, you name the ACLU to receive a bequest through your will or trust or through the beneficiary designation form on your life insurance or retirement account, the ACLU will receive up to a \$10,000 immediate cash match from the Mertz Trust. The matching gift will support our current advocacy, while your bequest ensures that the ACLU has the resources to stand up to assaults on liberty for generations to come.

As of this June, 52 of our supporters had made bequests for the ACLU-NC qualifying for the Legacy Challenge, resulting in nearly \$120,000 in matching funds thus far. To learn more about the Legacy Challenge and how to participate, please contact Robert Nakatani at the ACLU-NC at (415) 621-2493 or at rnakatani@aclunc.org.

LEGAL BRIEFS

Right to Protest Protected on UC Campuses

In late August, the Office of Civil Rights (OCR) at the U.S. Department of Education dismissed three complaints that had been filed against the University of California. The complaints charged that the activities of students critical of Israel's policies had created a hostile environment for Jewish students at several UC campuses. In a letter to the OCR, the ACLU-NC asserted that the conduct that was the subject of the complaints was constitutionally protected speech that lies at the heart of the First Amendment. The OCR found that the "mere expression of views, words, symbols or thought that a student finds personally offensive" is not sufficient to violate federal civil rights laws and dismissed the complaints.


Taking on FBI Surveillance of News Organizations

In May the ACLU-NC filed a lawsuit against the FBI in a freedom-of-the-press lawsuit on behalf of two editors at a libertarian online magazine. After learning that their Bay Area-based site, Antiwar.com, was the subject of FBI surveillance, Eric Garris and Justin Raimondo sought the documents the government had compiled on both them and the site. After a year, the FBI has failed to produce any documents, so Garris and Raimondo do not know the full extent of the surveillance and whether it is ongoing. The editors are asking the FBI to turn over relevant documents, and to stop collecting records of their constitutionally protected speech.

New Phase in Sex Education Lawsuit

In August, the ACLU-NC filed an update to the lawsuit against Clovis Unified School District, seeking court permission to add new information about how the district's revised sex education is still out of compliance with California law. The lawsuit, on behalf of two parents in the district, the American Academy of Pediatrics California District IX, and the Gay-Straight Alliance Network, has been ongoing since August 2012. The new challenge in the lawsuit comes after the district adopted a new high school curriculum in June over parents' objections. The curriculum contains dangerous misinformation about sexual health and teaches abstinence-only until marriage. Both the high school and intermediate school sex education remain in violation of California law.


Pushing Back on Mass Surveillance in Oakland

The ACLU-NC urged the Oakland City Council to put the brakes on a surveillance center because it would enable the City to engage in widespread warrantless surveillance of residents. At a time when people are concerned about surveillance, the Oakland City Council disappointingly voted to proceed with this center, called a Domain Awareness Center. It would consolidate a vast network of surveillance data from over 1,000 cameras and sensors pointed at Oakland residents. But that's not all – this new system would indefinitely retain video and other data, and allow the data to be shared. In the age of NSA spying, we have our work cut out for us. 

—Shanelle Matthews

CHICO VICTORY OVER PROPOSED SIT/LIE ORDINANCE

After pressure from the ACLU-NC Chico chapter and community groups, the Chico City Council rejected a proposed ordinance making it illegal to sit or lie on downtown sidewalks. More than a dozen residents spoke against the ordinance, including ACLU-NC Chico Chapter activist Greg Burton, who said the ordinance was unconstitutional because it would "selectively target particular groups."

With a letter from ACLU-NC Legal Director Alan Schlosser in hand, Burton was able to state his views with the backing of legal analysis. The ACLU has opposed sit/lie ordinances in other cities, including San Francisco and Berkeley, because they criminalize innocent activity, allowing police too much discretion to target a small minority of people for violations—likely homeless, poor, and young people. 

**STAND
AGAINST
SIT/LIE**

LETTER FROM THE ACLU OF CALIFORNIA LEGISLATIVE DIRECTOR



Stephanie Jaeger, Jaeger Shots

In my 25 years leading the ACLU's Sacramento Office, I've seen legislative years come and go, but this year stands as one of the most robust in advancing our civil liberties. The ACLU of California sponsored over 20 bills and took a position on over 118 bills. Among the most

significant of ACLU victories this year was the passage of our priority legislation that now awaits action by the Governor.

The passage of SB 649 (Leno) is particularly significant. It represents one of the very few times in my memory that the California legislature has taken action to responsibly reform California's drug sentencing laws. SB 649 would give local prosecutors the flexibility to charge low-level, non-violent drug offenses as misdemeanors instead of felonies.

Another outstanding victory is the passage of AB 154 (Atkins), which will expand access to early abortion for women in California. In a year when state legislatures around the country introduced hundreds of bills to limit access to reproductive health care, the Guttmacher Institute found that California is the only state expanding access abortion care. The bill authorizes specially trained health professionals to provide this care. In this way California is honoring the 40th anniversary of *Roe v. Wade*.

AB 4 (Ammiano)—The TRUST Act—is another example of California's leadership. Gov. Brown's signature on AB 4 would signify a step forward in the fight for immigrant rights at a time when the country is caught in a comprehensive immigration reform gridlock. This bill aims to restore community relationships with local police by making it clear that local jails should not hold people on immigration-based detention requests when they pose no risk to public safety.

Last but not least, SB 744 (Lara), would prevent school districts from forcing students to be transferred to non-mainstream schools. This practice has a disparate impact on students of color. It puts due process safeguards in place for students and limits the circumstances in which students could be transferred to community day and county community schools, and would create ways for students sent to these schools to transfer back to mainstream schools.

The passage of these bills and other important measures represents an outstanding effort from our entire ACLU staff and members from across California. These victories are just the beginning of more to come.

—Francisco Lobaco

For more updates on key legislation supported by the ACLU of California visit www.aclunc.org.

SAN JOAQUIN COUNTY BECOMES A LEADER IN CRIMINAL JUSTICE REFORM

By Lillian Chen

When the San Joaquin County Board of Supervisors rejected an expensive proposal to unnecessarily double the size of the county's jail, it made the county a shining example of local government favoring "smart on crime" policies that enhance public safety and reduce incarceration over the dusty old "tough on crime" platitudes of the past.

In June 2013, a coalition that included the ACLU-NC San Joaquin County Chapter, along with community groups, packed the Board of Supervisors' meeting and successfully urged the Board to invest in fair and effective policies, not more jail space.

Rather than commit the cash-strapped county to building a new jail facility that would cost well over half a billion dollars during the next decade, the supervisors embraced more effective solutions to crime and jail overcrowding.


The saga began in 2008 when the state awarded San Joaquin County \$80 million to build a brand new jail facility, doubling the size of the current jail. But in the following years, crime dropped, the jail population shrank, and general fund dollars were shifted elsewhere. The plan for a new jail facility collected dust for lack of political will—until this year.

As individuals convicted of low-level offenses were moved from the state's overcrowded prisons to local jails, the plan came back to life. Some county supervisors saw the slight increase in the number of jail inmates as a clear sign to build, rather than fix the local criminal justice system, which had been broken for years.

An ACLU-NC analysis showed that close to two-thirds of the jail's inmates had not been convicted, but were simply

awaiting trial and could not afford bail. Only a small number of defendants were interviewed to determine whether they could be released safely before their court dates, and the remainder had money bail set, but were too poor to afford it, disproportionately impacting San Joaquin's communities of color.

Over several months, Gary Gershon and other ACLU-NC staff and chapter members played a crucial role in meeting individually with county supervisors to explain the measures they could take immediately to improve the local system. They reached out to other community stakeholders, who, in turn, generated their own phone calls and letters. The efforts culminated in the successful Board of Supervisors vote against the new jail and the county embracing next steps for reform.


As the ACLU works to change the conversation in other counties facing the same decision, San Joaquin has already proven to be an effective example of government shaking off the "tough on crime" platitudes of the past and resolving to end over-incarceration for good. 

Lillian Chen is a criminal justice and drug policy fellow at the ACLU of Northern California, and led the ACLU-NC advocacy in San Joaquin County.

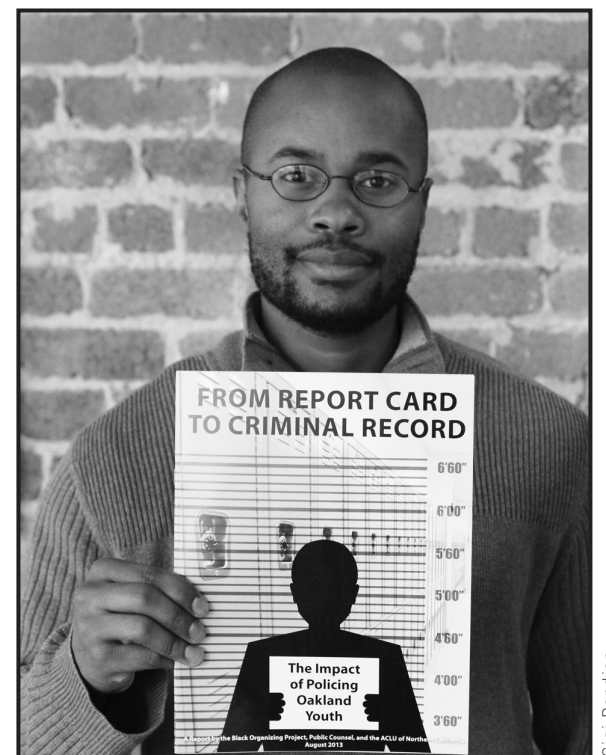
THE RACIAL IMPACT OF POLICING OAKLAND STUDENTS

By Christopher Bridges

A new report authored by the ACLU along with the Black Organizing Project and Public Counsel highlights a frightening trend in which Black and Latino youth are arrested at shockingly high rates. Black youth in Oakland comprised nearly three quarters of all juvenile arrests by the Oakland Police Department during the past seven years, even though they make up just over a quarter of the population. More than half of these arrests were not upheld.

Arrests and contact with the juvenile justice system are significant contributors to high rates of school push-out and negative future outcomes for youth. We are especially concerned because of the underfunding of Oakland counselors and others whose presence could reduce the need for law enforcement in and around Oakland schools. The report was a call to action for the City of Oakland. Following the release of the report, the Oakland school district pledged to address the problem. Read more at www.aclunc.org. 

*Christopher Bridges is the Racial Justice Project Fellow at the ACLU of Northern California and a co-author of *From Report Card to Criminal Record: The Impact of Policing Oakland Youth*.*



Gigi Pandian

Report co-author Christopher Bridges.

UPDATE ON ACLU-NC PRIORITIIY BILLS

- ✓ **SIGNED: AB 154**, to expand abortion access.
- ✓ **SIGNED: AB 4**, the TRUST Act for immigrants' rights.
- ✗ **VETOED: SB 649**, drug sentencing reform.

'KNOW YOUR RIGHTS' IN SPANISH

By Tessa D'Arcangelew

At nearly every Spanish-language “Know Your Rights with the Police” workshop that Marysol Huizar teaches, she hears about experiences of unfair police treatment from the attendees. Unfortunately, this is a problem experienced by Latinos throughout California. The 2013 ACLU of Northern California Field Fellowship program is addressing this problem by supporting Fellows like Marysol, who lead Know Your Rights workshops for Spanish-speaking communities, and connecting them to the myriad of resources offered by the ACLU.

California has some of the most progressive laws in the country, and yet many do not experience the great protection these laws promise. Monolingual Spanish-speakers are often at a particular disadvantage because there is limited access to information about their rights.

Elliot Ruchowitz-Roberts of the ACLU-NC's Monterey County Chapter witnesses this in action on the Central Coast. “We have one of the highest percentages of deportations of people with non-serious criminal records,” he says. “It breaks up families, takes away wage-earners, and makes the community reluctant to come forward when there is a crime, because they could become a possible target for deportation.”

In these circumstances, Know Your Rights workshops provide the necessary tools that can help make the difference between returning to one's family and ending up in detention.

Six Field Fellows working in Humboldt, the Central Valley, Sacramento, San Jose and the Salinas Valley, have spent the better part of 2013 building community relationships and providing these very tools. The workshops they present provide practical information to limit the negative consequences that could come from interactions with law enforcement as well as opportunities for Spanish-speakers to get involved in state and local advocacy work.

Fellow Luz Gonzalez passes out wallet cards that Spanish-speakers can hand to police if they are stopped.

“It's great for Spanish-speakers because the card lists their rights in English, which is a powerful signal to an officer who might otherwise try to intimidate them,” she says.


The Fellowship has also led to powerful and lasting relationships for the ACLU-NC. Clarissa Laguardia, a Fellow in Sacramento, works in partnership with the Mexican Consulate to provide civil



2013 Field Fellows and Know Your Rights workshop leaders in Sacramento.

liberties information to the hundreds of individuals looking for immigration assistance. Meghan Byrd helped us secure a crucial letter of support on the TRUST Act from her Police Chief in Palo Alto by relating tales of law enforcement mistrust amongst Spanish speakers.

The powerful impact of the Spanish-language workshops extends beyond the practical implications as well.

“Not only are attendees feeling safer and more empowered to go about their daily lives,” says Fellow Marysol Huizar, “they are grateful for the invaluable opportunity to share their story with someone who will listen.” 

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ACLU-NC's Your Rights and the Police wallet cards are available in English and Spanish. They are easily accessible online in the Know Your Rights section of the new aclunc.org.

Tessa D'Arcangelew is an Organizer at the ACLU of Northern California.

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SPOTLIGHT ON ONE 'KNOW YOUR RIGHTS' WORKSHOP LEADER

Magda Hernandez first encountered the ACLU through the second year of a partnership with Richmond High School where, over the course of a month, ACLU staff and community partners engaged in discussions with students about immigrants' rights.

Magda went on to meet with her state legislators and then became an ACLU of Northern California intern, where she helped with Spanish-language outreach and Know Your Rights workshops. “Working with the ACLU, I learned that there are a lot of ways you can help,” Magda says. “Having a workshop showed how valuable simply reaching out can be.”

ASK THE EXPERTS!

Meet the ACLU-NC's New Associate Director

Natasha Minsker is a fierce advocate for justice. She recently stepped into the role of Associate Director after leading the SAFE California Campaign to replace the death penalty and directing ACLU-NC's Death Penalty Project for eight years. Prior to the ACLU, she was an Alameda County Public Defender. As Associate Director at ACLU-NC, Natasha leads interdisciplinary work and strategies to effect change in law and policy. Her smarts, savvy, and spirit are incredible assets to the ACLU.

How did you get involved in civil rights and civil liberties work?

I grew up in Washington, D.C., where politics is in the air. I was 13 the first time I went to a protest. My friend's father was taking the two of us to a museum when we walked by the Great Peace March across the street from the White House. We asked what was going on and he said, "They are protesting for peace and for the U.S. to get out of Central America." My friend and I said, "Well we are for that, so let's go!" It was the first time I saw the power of people speaking up and speaking out against repressive government actions.

Through high school and college, I was active in many different causes. I attended an alternative high school where our teachers actually encouraged us to leave class to attend protests at the South African Embassy. In the late 1980s, one of the most pressing issues was reproductive justice, as many believed that the U.S. Supreme Court was moving towards overturning *Roe v. Wade*. I know from the experiences of many women in my family just how important it is to ensure that all women have access to safe and legal abortions. I helped organize one of the largest student contingents to attend the 1989 March for Women's Equality, Women's Lives. I was also active in the LGBT movement and with ACTUP!, working to pass an anti-discrimination ordinance and securing condom distribution in New York State prisons. In law school, I found myself drawn to criminal justice issues as some of the most pressing civil rights concerns of the day.

Last year you led the SAFE California Campaign in support of the ballot initiative to replace the death penalty with life without parole. One year later, what's next for the death penalty?

The SAFE California Campaign showed that California voters are now evenly divided on the death



Natasha Minsker

penalty. When voters last considered the issue in 1978, more than 70 percent were in support with only about 30 percent opposed. Last year, Proposition 34 lost by just 4 points, with 52 percent opposed and 48 percent in support. Given that this was the first time voters were ever asked to replace the death penalty, these results are remarkable.

I am thrilled that Ana Zamora is now leading our Death Penalty Project at the ACLU of Northern California. Ana has more than eight years of experience working on death penalty issues and has worked directly on death penalty cases. Under her leadership,


the Death Penalty Project is focused on reducing the number of new death sentences in the few California counties that continue to seek the death penalty and continuing to get out the message that California's death penalty is costly and broken beyond repair. We have also become a critical resource to death penalty attorneys and activists across the country and regularly provide technical assistance in other states.

What are the emerging issues that have caught your attention in your new role of Associate Director?

Government surveillance is a hot-button issue, particularly with new technologies like drones, facial recognition software and license plate readers, as well as the NSA surveillance scandal. It seems we are on the verge of creating a surveillance state that will make George Orwell's world in *1984* look like a paradigm for protecting privacy.

Other than the ACLU, there are few organizations working to protect privacy and fewer still that have the legal and technical expertise that we do on the vast subject area. It is an area of our work that becomes more and more critical every day but for which there is not a lot of financial support from foundations. We couldn't take on these challenges without the support of our individual members and donors.

How can people stay in touch with you and what you are working on?

I love Twitter. It's a great way for people to know what the ACLU is working on each and every day and the best way for people to know what I am thinking and doing. Follow me at @nminsker. 

THE ACLU-NC GETS A NEW WEBSITE



To stay up to date on the latest in civil liberties news, check out the new ACLU-NC website:

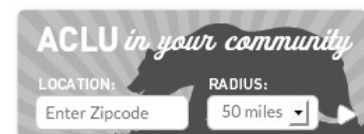
WWW.ACLUNC.ORG

New features include:

In-depth coverage of civil liberties and civil rights issues.

Local news and activities in your community, searchable when you enter your zipcode.

"Know Your Rights" information.



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