

ACLU *news*

**DISSENT IS
PATRIOTIC**

THE NEWSLETTER OF THE ACLU OF NORTHERN CALIFORNIA

FALL 2018 VOLUME LXXXII ISSUE 4

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incorrectly matches people
with mug shots

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A SPECIAL CENTER INSERT

✓ Vote in our board election

IT TOOK 40 YEARS—FINALLY KEY POLICE REFORM IS SIGNED INTO LAW IN CALIFORNIA

By Natasha Minsker

This year Californians reclaimed our right to know about excessive use of force and serious misconduct by police.

It took the ACLU of Northern California almost 40 years of working on this issue, but we succeeded. On Sept. 30, Gov. Jerry Brown signed Senate Bill 1421 into law; it will take effect Jan. 1, 2019.

SB 1421, introduced by State Sen. Nancy Skinner (D-Berkeley), will open to the public information about how and whether police departments investigate and hold officers accountable for their wrongdoing.

The stakes have never been higher, especially as concerns over racially-biased police mis-

VICTORY!

CALIFORNIA HAS RESTORED
THE PUBLIC'S RIGHT TO KNOW
ABOUT POLICE MISCONDUCT.

conduct and use of force have reached a breaking point in California and throughout the nation. There is no doubt SB 1421 will significantly transform policing in California.

The ACLU of California was a proud co-sponsor of this bill, along with the Alliance for Boys and Men of Color, Anti Police-Terror

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ACLU FIGHTS POLICE HARASSMENT OF OAKLAND PUBLIC HOUSING RESIDENTS

By Jessie Seyfer

The Oakland Housing Authority Police Department (OHAPD) is supposed to protect the thousands of residents who live in its public housing communities. But instead, its officers regularly harass residents, violating their Constitutional rights and unfairly building cases for their eviction.

That's why the ACLU of Northern California, working with the East Bay Community Law Center and the Lawyers' Committee for Civil Rights, filed a lawsuit Sept. 19 in Alameda County seeking to immediately halt the harassment and to have the city ordinance that allows it declared unconstitutional.

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LEGAL UPDATES

ACLU OF NORTHERN CALIFORNIA V. U.S. DEPARTMENT OF HOMELAND SECURITY

TRANSPORTING IMMIGRATION DETAINEES

Immigration detainees, transported between Immigration and Customs Enforcement (ICE) facilities, are treated like cargo, with no regard for their health, safety, or human rights. In one particularly egregious instance, a group of detained immigrant women were subjected to a 24-hour journey that included traveling in a cramped, dark, windowless van in suffocating heat for several hours, causing some of them to vomit or faint. The women's cries for help went unanswered by the van driver, and several women thought they would die.

The ACLU Foundation of Northern California represented these women in filing claims against ICE for their near-death experience because the federal government must abide by the U.S. Constitution, which guarantees basic rights to everyone in this country, citizen and non-citizen alike. Alongside those claims, we filed a Freedom of Information Act (FOIA) lawsuit in July demanding records on the treatment of immigration detainees during transport by ICE, particularly transportation by contractor G4S Secure Solutions.

In California, ICE regularly subjects detained immigrants to burdensome and lengthy voyages, fully shackled with limited access to food, water, and toilets. ICE sub-contracts with G4S to transport immigration detainees. G4S is a private contractor that has been criticized for its treatment of detainees. "Sitting chained up in the back of a hot van last summer (2017), I mentally prepared to die," recalls

ICE detainee Floricel Liborio Ramos. "I was surrounded by several other women and we were all worried and scared. We were riding in a vehicle with no windows and no air. We'd been put there by ICE agents, after our wrists and ankles were shackled. We had no food or water. I felt extremely sick, like death was near."

The federal government's concerted and ongoing efforts to detain individuals, to transport them to detention centers, and to increase the use of private contractors creates an urgent need to obtain information and records about relationships with those contractors, the policies and procedures they are subject to, and the detention and transport practices.

The ACLU of Northern California first sought this information through FOIA requests submitted to ICE on Dec. 18, 2017, and April 6, 2018. ICE failed to respond to the requests within the time required by the law, so the ACLU is fighting the agency in court.

RAMOS V. DEPARTMENT OF HOMELAND SECURITY

PROTECTING CHILDREN WITH TEMPORARY PROTECTED STATUS

American children should not have to choose between their country and their family. To protect them, the ACLU Foundation of Southern California filed a class action suit in March to stop the federal government from unlawfully terminating the Temporary Protected Status (TPS) of more than 200,000 people who live in the U.S. The discovery process in the case has uncovered a great deal about the Trump Administration's anti-immigrant, racist agenda.

**"I MENTALLY PREPARED
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SHACKLED. WE HAD NO
FOOD OR WATER. I FELT
EXTREMELY SICK, LIKE
DEATH WAS NEAR."**

**—ICE DETAINEE FLORICEL
LIBORIO RAMOS**

LEGAL UPDATES CONTINUED FROM PAGE 2

In addition, more than 200,000 U.S. citizen children of TPS holders face an impossible choice between leaving the only home they have ever known and growing up without one or both parents.

“I have lived here almost twice as long as I ever lived in El Salvador. My home and family are here,” said Orlando Zepeda, a 51-year-old father of two children. “The decision to end TPS for El Salvador and other countries was devastating.”

In October, the judge granted a nationwide preliminary injunction, requiring the Administration to maintain TPS status for immigrants from El Salvador, Haiti, Nicaragua, and Sudan.

KUANG AND COOKE V. U.S. DEPARTMENT OF DEFENSE

LEGAL PERMANENT RESIDENTS IN THE MILITARY

Those who want to serve in the U.S. military should be able to serve regardless of citizenship—it’s been that way for decades. After the Trump Administration ordered on Oct. 13, 2017, that non-citizens who want to join the military must undergo additional scrutiny, the ACLU filed a class action lawsuit in June 2018 to support two Legal Permanent Residents (LPRs), green card holders who are blocked by the military until they pass undefined background investigations and requirements. U.S. citizens continue to serve unimpeded.

“There cannot be any legitimate government rationale for this new policy,” the ACLU Foundation of Northern California stated in the suit. The policy is contrary to Congress’s intent and the plain language of the law, which states that “an alien who is lawfully admitted for permanent residence” may serve in the military.

The Oct. 13 memo fails to articulate any legitimate justification for its departure from this country’s long tradition of enlisting LPRs and U.S. citizens on equal terms. The memo simply states that the change is “to facilitate process efficiency and the appropriate sharing

of information for security risk based suitability and security decisions for the accession of foreign nationals.” The ACLU argues that this vague statement is not a legitimate justification for this dramatic and unprecedented new policy.

Ironically, the Department of Defense itself has admitted that the new policy may affect its ability to meet its 2018 recruiting goals. In fact, in April 2018, the Secretary of the Army announced that the Army would fall short of its 2018 recruiting goal.

SARAVIA V. SESSIONS

DUE PROCESS FOR IMMIGRANT YOUTH

Immigrant children, like all American children, should not be arbitrarily jailed based on unsubstantiated allegations of gang affiliation. Under the guise of a “crackdown” on transnational street gangs, federal authorities have undertaken a concerted effort to arrest, detain, and transport unaccompanied immigrant children far from their families and attorneys based on flimsy, unreliable and unsubstantiated allegations of gang affiliation.

The ACLU Foundation of Northern California sued Attorney General Jeff Sessions, Immigration and Customs Enforcement, and the federal agency responsible for the care and custody of unaccompanied immigrant children for using unsubstantiated claims of gang affiliation to illegally detain teenagers in jail-like facilities in California. The clients lived in Suffolk County, New York, and the suit charges that they were unlawfully arrested, detained without due process, and denied immigration benefits and services.

In the class action suit, the ACLU won a preliminary injunction that requires the government to justify re-arrest of similarly situated youth within seven days of arrest. The injunction applies to minors who came to the country unaccompanied, were previously detained and then released to a sponsor, and when the noncitizen has been or will be re-

arrested on allegations of gang affiliation. The injunction has since been upheld by the Ninth U.S. Circuit Court of Appeals.


“When the federal government has previously deemed an unaccompanied minor suitable for placement in the community with a sponsor, and when federal agents later arrest and detain the minor based on allegations of gang affiliation, the government cannot simply ship the minor across the country and place him in a secure detention facility for an indefinite period,” the court ruled. “Rather, due process requires the government to give the minor a prompt hearing before an immigration judge or other neutral decisionmaker.”

SACRAMENTO REGIONAL COALITION TO END HOMELESSNESS (SRCEH) V. SACRAMENTO

RIGHT TO PANHANDLE

Instead of criminalizing people who ask for help, cities should act with compassion and allocate resources to those who need them most. In July, a federal judge blocked Sacramento’s anti-panhandling ordinance with a preliminary injunction.

“Today’s ruling is a resounding victory for free speech and fairness, and is the first in California to make clear that the government can’t arbitrarily enact anti-panhandling ordinances,” said Abre’ Conner of the ACLU Foundation of Northern California. “On every point, the judge reaffirmed that free speech applies to everyone.”

The lawsuit challenged the constitutionality of an anti-solicitation ordinance by the City of Sacramento. The ban on “aggressive and intrusive solicitation” amounts to a content-based restriction on speech that is presumptively invalid under the First Amendment, the ACLU argued. The November 2017 ordinance banned both panhandling and charitable solicitation for “an immediate donation of money or other thing of value.” 

AMAZON'S FACE RECOGNITION FALSELY MATCHED 28 MEMBERS OF CONGRESS WITH MUGSHOTS

By Jacob Snow

Amazon's face surveillance technology is the target of growing opposition nationwide, and today, there are 28 more causes for concern. The ACLU of Northern California has worked for many years to stop companies from enabling government surveillance that disproportionately impacts people of color, immigrants, and political protesters. The ACLU recently conducted a test of Amazon's facial recognition tool, called "Rekognition," and the software incorrectly matched 28 members of Congress, identifying them as other people who have been arrested for a crime.

The members of Congress who were falsely matched with the mugshot database we used in the test include Republicans and Democrats, men and women, and legislators of all ages, from all across the country.

The ACLU's test used Amazon Rekognition to compare images of members of Congress with a database of mugshots. The result? Twenty eight false matches.

The false matches were disproportionately of people of color, including six members of the Congressional Black Caucus, among them civil rights legend Rep. John Lewis (D-Ga.). These results demonstrate why Congress should pass a moratorium on law enforcement use of face surveillance.

Using Rekognition, we built a face database and search tool using 25,000 publicly available arrest photos. Then we searched that database against public photos of every current member of the House and Senate. We used the default match settings that Amazon sets for Rekognition.

Rep. Sanford Bishop (D-Ga.) was falsely identified by Amazon Rekognition as someone who had been arrested for a crime.

In a letter to Amazon CEO Jeff Bezos, the Congressional Black Caucus expressed concern about the "profound negative unintended consequences" face surveillance could have for Black people, undocumented immigrants, and protesters. Academic research also already shows that face recognition is less accurate for darker-skinned faces



and women. Our results validate this concern: Nearly 40 percent of Rekognition's false matches in our test were of people of color, even though they make up only 20 percent of Congress.

People of color were disproportionately falsely matched in our test.

If law enforcement is using Amazon Rekognition, it's not hard to imagine a police officer

AN IDENTIFICATION,
WHETHER ACCURATE OR
NOT, COULD COST PEOPLE
THEIR FREEDOM OR EVEN
THEIR LIVES.

getting a "match" indicating that a person has a previous concealed-weapon arrest, biasing the officer before an encounter even begins. Or an individual getting a knock on the door from law enforcement and being questioned or having their home searched, based on a false identification.

An identification—whether accurate or not—could cost people their freedom or even their lives. People of color are already disproportionately harmed by police practices, and Rekognition could exacerbate that. Matching people against arrest photos is not a hypothetical exercise. Amazon is aggressively marketing its face surveillance technology to police. A sheriff's department in Oregon has already started using Amazon Rekognition to compare people's faces against a mugshot database, without any public debate.

Face surveillance also threatens to chill First Amendment-protected activity like engaging in protest or practicing religion, and it can be used to subject immigrants to further abuse from the government.

Congress must take these threats seriously, hit the brakes, and enact a moratorium on law enforcement use of face recognition. This technology shouldn't be used until the harms are fully considered and all necessary steps are taken to prevent them from harming vulnerable communities. ^{ACLU}

Jacob Snow is a Tech & Civil Liberties Attorney at the ACLU of Northern California.

COMMUNITY ORGANIZING: AN IMPORTANT PIECE OF THE LEGISLATIVE PROCESS

By Tessa D'Arcangelew

On March 18, 2018, Sacramento police fired 20 rounds at Stephon Clark while he stood in his own backyard. The 22-year-old was posing no threat when he was killed. For him, like so many others, being a Black man became a death sentence. Racist policing is a systemic problem, and California law enables it.

We see stories like Clark's again and again. In 2017, police shot and killed 172 people in California, making California one of the deadliest states for police violence. This kind of violence is deployed overwhelmingly against communities of color, killing Black and Brown people without justification and without consequences.

Currently, California state law makes the investigations into police killings and any resulting discipline, or corrective action, completely secret. This makes it impossible for the community in Sacramento to learn how the police came to take the life of an unarmed father of two in his own backyard, or the outcome of the resulting investigation. It makes real accountability impossible.

Furthermore, California state law on use of force has not been updated since 1872. It is the oldest, unamended law in the country and determines any deadly use of force by officers to be justified if an officer acted "objectively reasonable" under the circumstances.

Stephon Clark's life mattered. And in the wake of his death, the Sacramento community demanded change. As California state lawmakers returned to work in March 2018, they were met by the protests of a community tired of the taking of lives and of unaccountable policing that impacts Black and Brown Californians.

Black Lives Matter Sacramento led the way.

"People say protest doesn't do anything," says Tanya Faison, founder of the Sacramento chapter of Black Lives Matter. "But protest is powerful. It lets the community know what is happening; it informs the community in a way the news or police department might not. Protest tells the people you are fighting for that you are not backing down."

As a result of community action and protests, lawmakers this year introduced two bills critical to dismantling the system of racist and unaccountable police in California: AB 931, which would have changed California's legal standard so police would only be allowed to use deadly force if there were no alternatives available and if there was an imminent threat to the officer or another person's safety; and, SB 1421, which gives the public access to cases in which officers have been found guilty of committing sexual assault or dishonesty in criminal investigations, such as lying, planting evidence, or falsifying

PEOPLE KILLED BY CALIFORNIA POLICE IN 2017

In 2017, police killed

172
people

5 
minors
4 of the 5 were Latino.

Of youth killed by police, nearly

9 out of **10**
were people of color.


Of unarmed people killed by police,

3/4
were people of color.

police reports, as well as access to records related to police shootings and other serious use of force. AB 931 was held by the California Senate and will not become law this year, but in a major victory, SB 1421 was signed into law. *See story on page 1.*

For community organizations like Black Lives Matter, legislation is only one piece of the puzzle. "We shift the narrative that is pushed out by law enforcement; interview people to get information; start the

fight," said Faison. The group also holds fundraisers and acts as a resource for victims and families, paying rent, finding an attorney, and helping them understand the legal system.

"Ask people doing the work what they need," Faison suggests, "and try to provide it. Show up. If you can't be there in person, donate, do administrative work, help with graphics for flyers. If you care about racism, get off Facebook and get active." 

Tessa D'Arcangelew is Leadership Development Manager at the ACLU of Northern California.

JOIN US AT BILL OF RIGHTS DAY

SATURDAY, DECEMBER 8

IMPACT HUB OAKLAND

2323 Broadway (less than a half mile from 19th St. Bart station)
Oakland, CA 94612

Doors open at 12:30pm
Program begins at 1pm
Reception to follow

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Want to learn how to work in partnership with the ACLU-NC to advance civil liberties in your community?

TRAININGS FOR CHANGEMAKERS

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Feb. 16 • Sacramento
Feb. 17 • San Francisco
Feb. 23 • Fresno

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RISE UP TO ACHIEVE JUSTICE WITH HUNDREDS OF ACLU ACTIVISTS AND COMMUNITY LEADERS AT

CONFERENCE & LOBBY DAY

APRIL 7-8, 2019
SACRAMENTO, CA

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DONOR PERSPECTIVE: L PETER DEUTSCH

Peter has been giving generously to the ACLU of Northern California for five decades. The following are excerpts from his conversation with members of our development team.

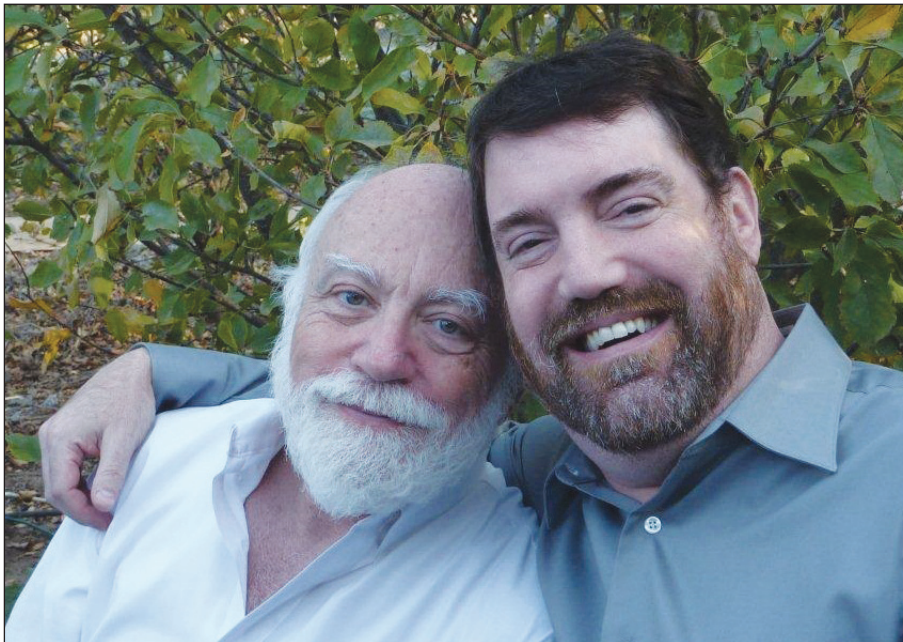
WHAT DREW YOU TO THE ACLU IN 1968?

I was attending UC Berkeley and there was a lot of activity in opposition to the war in Vietnam. I was not an outspoken activist, but I did some protesting. I don't remember how I learned of the ACLU, but it may have been a suggestion from my father because I got a lot of my early political perspective from him. My father was a political activist in high school and he had quite a socialist perspective on politics. He grew up in Vienna and he was in the U.S. during the McCarthy years and the Vietnam war. He always said that he had a lot of confidence that, with whatever was happening, the good sense of the American people would prevail.

WHAT'S IMPORTANT TO YOU ABOUT THE ACLU?

The ACLU is large and well supported, and has values matching mine. Those are my criteria when I look for organizations to support.

If you look back to the founding of this country, and to the way our Constitution is written, the primary issue, with respect to governance, was the power of royalty and the aristocracy versus the power of everyone else. That's why



L Peter Deutsch (l) with his husband, Michael Golub


the American Revolution and French Revolution were such turning points in the political history of the Western world. And then there was this completely unanticipated development that really started accelerating in the 19th century, which was the growth of the corporation as a center of power.

The role of government is to be a counterweight against severe power inequities in the public sphere. The ACLU, with its focus on the rights of an individual as laid out in the Constitution, holds the government's feet to the fire

to make sure that it doesn't wind up getting subject to regulatory capture. The government can do a tremendous amount of harm if it gets captured by the entities that it is supposed to push back against. We are seeing a dreadful amount of that right now; it's one of the deeply destructive things that's happening.

HOW HAS YOUR RELATIONSHIP WITH THE ACLU CHANGED SINCE THE 2016 ELECTION?

I increased my contribution level by a factor of 10 after the election. I was regularly giving a few thousand dollars a year; I am now donating my entire IRA Required Minimum Distribution. And I intend to keep doing that as long as it takes to get things fixed, although I think there

is a good chance that will not happen within my lifetime. What Trump is accomplishing through the Cabinet departments—and even more seriously, through the placement of right-wingers on the Federal bench and on the Supreme Court—will last for a long time and will be very challenging to deal with. I admit I am a pessimist; Michael is even more freaked out than I am. There could be surprises, but things right now look really bad, which is what makes the ACLU even more important. 

ACLU FIGHTS POLICE HARASSMENT OF OAKLAND PUBLIC HOUSING RESIDENTS CONTINUED FROM PAGE 1

Residents say the OHAPD will frequently stop and question residents and visitors in common areas and parking lots, and that these interactions most often do not result in any citations. Nonetheless, the OHAPD records these stops in "incident activity reports" that go into the housing authority's files on tenants. Incident activity reports then can be used—and have been used—in housing authority proceedings to try to evict tenants.

"What we are seeing in these incident reports is over-policing—OHAPD is routinely stopping

and questioning people for simply standing in the common areas of OHA property or spending time with friends and family," said ACLU staff attorney Shilpi Agarwal. "As a result, OHA residents feel harassed and targeted by the police rather than relying on them for protection."

The OHAPD has said it stops and questions residents to enforce the Oakland Loitering Ordinance, or Municipal Code section 9.08.250. The code states that anyone who loiters, prowls or wanders "without lawful business" on housing

authority property, and fails to leave within 72 hours, is guilty of an infraction. It makes no mention whatsoever of the incident reports.

"The ordinance emboldens OHAPD to stop and question people without any suspicion that they're doing something that's against the law," Agarwal said.

The ACLU and its partners filed a motion seeking a preliminary injunction to immediately halt enforcement of the ordinance. They also filed

CONTINUED ON FOLLOWING PAGE

VICTORY IN LANDMARK POLICE LEGISLATION

CONTINUED FROM PAGE 1

Project, Black Lives Matter California, California Faculty Association, California News Publishers Association, Communities United for Restorative Youth Justice, PICO California, PolicyLink, and Youth Justice Coalition LA.

It may come as a surprise, but California is one of the most secretive states when it comes to police officer records. In the 1970s, the California Legislature caved to the law enforcement lobby and changed state law to hide officer misconduct and use-of-force records from the public. Since then, while police unions have been fighting to keep the public in the dark, the ACLU, our partners, and supporters have fought to restore transparency to policing. We tried versions of SB 1421 in 2007 and again in 2016 without success.

Until SB 1421 takes effect in January 2019, California law forbids police departments from sharing information—even with prosecutors—about officers found guilty of lying, planting evidence on innocent people, or sexually assaulting members of the public. Meanwhile, victims of police abuse and families of people killed by police are denied the answers they need and deserve.

The public has a fundamental right to know about cases in which officers have been found guilty of committing sexual assault or dishonesty in criminal investigations. That includes confirmed instances of lying, planting evidence, or falsifying police reports during investigations. Equally important is access to records related to police shootings and other serious or deadly uses-of-force incidents.

We give law enforcement officers tremendous power to detain, arrest, and even use force on members of our communities, including deadly force. Unfortunately, over the years, we the people have been stripped of the power to oversee and hold law enforcement accountable for their use—and abuse—of these powers. Far too often, the public is left in the dark, although we understand that systemic problems with policing remain rooted in oppression and racism.

It had become nearly impossible for communities to know when officers who are guilty of committing sexual assault or other misconduct while on the job are patrolling their streets, and whether officers have a pattern of misconduct. Without knowing this information, it is also nearly impossible to make sure departments are holding officers accountable instead of sweeping misconduct under the rug.

SB 1421 will make public three categories of information that are specific to the powers of police officers or their potential for abuse:


- Use of serious or deadly force, or discharge a firearm;
- Sexual assault tied to the abuse of power to coerce a victim into sexual acts; and
- Perjury or the fabrication of evidence tied to police officers' unique powers in investigating and prosecuting crimes.

Together with our partners and with leadership from families who have lost loved ones to police violence, we worked for nearly four

THE ACLU REMAINS COMMITTED TO ENDING POLICE BRUTALITY AND THE STRUCTURAL RACISM THAT PERVADES POLICING. SB 1421 WAS AN IMPORTANT VICTORY, BUT OUR WORK IS NOT DONE YET.

decades to restore Californians' right to know about officers who plant evidence, sexually assault, or kill members of the public. Thanks to your support, we finally cracked that wall of secrecy to increase transparency and accountability in policing in California.

The ACLU remains committed to ending police brutality and the structural racism that pervades policing; drastic changes are needed in our approach to public safety. SB 1421 was an important victory, but our work is not done yet.

The ACLU of California will return next session to re-introduce AB 931, a bill that would have updated the law regarding when California police can use deadly force, so they would do so only when absolutely necessary. We thank you for your continued support as we work to achieve racial justice and to empower Californians to have a say in how their neighborhoods are policed. 

Natasha Minsker is Director of the ACLU of California's Center for Advocacy and Policy.

ACLU FIGHTS POLICE HARASSMENT OF OAKLAND PUBLIC HOUSING RESIDENTS CONTINUED FROM PAGE 6

a lawsuit arguing that the ordinance violates people's constitutional rights in two ways: first, because its language is unconstitutionally vague, and second, because OHAPD's enforcement of the ordinance violates the Fourth Amendment, which protects people against unreasonable search and seizure.

Darren Mathieu, 25, is a plaintiff in the lawsuit, and has lived in Oakland's Lockwood Gardens complex for almost his entire life. The OHAPD has written 70 incident reports in his name, despite the fact that he has zero criminal history. "We have seen reports in which Mathieu is written up or accused of loitering for literally sitting in a lawn chair in front of

his unit," Agarwal said. "The reports say he is sitting in a lawn chair outside his unit, and they are citing him for it."


The Oakland Housing Authority has already tried to evict Mathieu and his mother once, and the incident reports were a major part of the authority's "case" against him. Fortunately, Mathieu was able to beat the eviction proceedings. But now he lives with the constant fear that the authorities may try again.

A second plaintiff in the suit, Hayward resident Ed Jackson, was cited under the ordinance for visiting friends at Lockwood Gardens, and was ordered to pay \$250. Since he has not been able to pay that amount in the months since he was cited, he now

owes \$785, an amount he is completely unable to pay at his current income level.

On Oct. 16, the Oakland City Council voted preliminarily to repeal the loitering ordinance. The council is scheduled to take a final vote on Oct. 30.

However, even if the ordinance is repealed, huge concerns remain regarding the OHAPD's practices, its incident reports, and whether the agency needs to exist at all.

"The loitering ordinance itself is problematic and unlawful," Agarwal said. "And so is the OHAPD's approach to enforcing it." 

Jessie Seyfer is a freelance writer for the ACLU of Northern California.

LETTER FROM THE EXECUTIVE DIRECTOR

How do we stand the test of time? The Constitution of the United States has stood the test of time. Its words and meaning have been changed over time—through civil war, amendments to abolish slavery and expand the right to vote, court decisions to expand freedom and equality, and mass movements that have provided the impetus for change.

The Constitution also defines the units of time. The tenure of House seats is two years, the presidency four years, the Senate six years—and judicial appointments a lifetime. As a new justice who faced credible allegations of sexual assault takes his seat for a lifetime appointment, let it also be our time to renew our commitment to our vision of the Constitution—not for two, four, or six years, but also for a lifetime.

In our stand for justice, equality, and freedom, we also need to stand the test of time.

As you read this ACLU News, I hope you see the ways that the ACLU and our supporters

stand the test of time. Our cover story on SB 1421 is about a legislative campaign that literally took 40 years of hard work by several generations of ACLU members and staff. When Francisco Lobaco started as Legislative Director 30 years ago, his predecessor left him boxes of files on this issue. When he retired a few years ago, he passed those boxes on to Natasha Minsker, the ACLU of California Center for Advocacy and Policy Director.

On the final day of the two-year legislative session, 40 years of work came down to the final hour. With minutes left before the vote, ACLU members and supporters in key districts called the remaining swing votes. Natasha called Francisco so late that she woke him up to tell him the good news: the bill passed. It may not be calling him to announce the birth of a child or a Nobel Prize, but in our line of work, it comes close.

For California to lead the way during this important time, it means standing up to the policies of the Trump Administration, but it also means tackling some longstanding civil



PHOTO BY BETHANIE HINES

ACLU of Northern California Executive Director
Abdi Soltani

rights issues in our own state.
Together, we can do both.

Abdi Soltani
Executive Director, ACLU of Northern California

GOV. BROWN SIGNS KEY ACLU OF CALIFORNIA BILLS

- ✓

SIGNED SB 1421: Police Misconduct Records
SB 1421 restores public access to misconduct records of officers found guilty of sexual assault, perjury or planting evidence, and officers who shoot, severely injure, or kill a member of the public.
- ✓

SIGNED AB 748: Police Body Worn Cameras
AB 748 protects the public's right to access police body camera footage and other recordings that capture incidents involving officer use of force.
- ✓

SIGNED AB 2119: Transgender Foster Youth
AB 2119 makes clear that child welfare agencies must ensure that transgender and gender nonconforming youth have access to clinicians who provide gender-affirming treatment, consistent with established standards of care.
- ✓

SIGNED AB 2601: Sex Education in Charter Schools
AB 2601 extends sexual health education requirements to charter schools, ensuring that charter school students get access to quality sex education that includes information about consent and healthy relationships, among other vital health topics. Although they are public schools, charter schools are currently not required to abide by the same standards as other public schools.
- ✓

SIGNED SB 244: Personal Information Protection for Immigrants
SB 244 ensures that immigrants can make use of programs that provide driver's licenses, municipal IDs, and healthcare without fear by protecting sensitive personal information from unnecessary disclosure.
- ✓

SIGNED SB 1194: Hotel Guest Information
SB 1194 protects the confidentiality of hotel guests and bus company passengers' information to ensure immigrants and other travelers in California don't have their personal information turned over to federal immigration agents or others without a court order or warrant.
- ✓

SIGNED SB 923: Eyewitness Identification
SB 923 helps keep innocent people out of prison by establishing statewide eyewitness identification standards that help local law enforcement prevent mistaken identifications.
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SIGNED SB 1393: Sentencing Enhancements
SB 1393 increases the fairness of our justice system by restoring court discretion, in the interest of justice, to strike the five-year sentence enhancement for prior serious felony convictions, when a person is charged with a serious felony.

See page 1 and 7 for details on these bills and more.