



ACLU NEWS

Newspaper of the
American Civil Liberties Union of
Northern California

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1998

- [ACLU Launches Toll-Free Hotline for Persons Stopped By Police for "Driving While Black or Brown"](#)
- **SACRAMENTO REPORT**
["Trickle Down" Economics Dwindles to a Dribble](#)
- [Court Ok's Funds for Applicants Made to take Political Tests](#)
- **ACLU-NC ANNUAL ACTIVIST CONFERENCE:**
[Preserving Civil Liberties for the 21st Century](#)
- [Challenge to Restrictions on Legal Services Heads to High Court](#)
- [ACLU-NC Board of Directors Elections](#)
Voting Information and Candidate Statements
- **PROFILE OF AN ACTIVIST:**
[Steve Fabian, Chapter Leader](#)

1998 State Ballot Initiatives

Take this card with you to the polls. The ACLU takes the following position on the November 3 ballot initiatives:

Proposition 5: Tribal State Gaming Contracts

VOTE YES

"Sovereignty and tribal self-government." This measure which would require the state to enter into a specific compact allowing certain gambling activities on Indian lands for those tribes that agree to sign the agreement; it also requires the Governor to negotiate a separate tribal@state compact with any tribe that wants a different compact. In other words, under Proposition 5, each and every tribe has independent authority to opt in or out of an agreement with the state.

The ACLU-NC policy is in accordance with national ACLU policy which commits the organization to respect the rights of tribal sovereignty and tribal self-government. The policy also calls for any concerns to be taken up "first within the framework" after a review and recommendation from the Legislative Policy Committee. The original request for the ACLU-NC to consider support for Proposition 5 came from the students who work with the Howard A. Friedman First Amendment Education Project whose ACLU-sponsored journey this summer "Tribal Sovereignty: Unplugged." The students spoke with representatives of Indian tribes about the initiative and shared their knowledge with ACLU activists at a special session at the Annual Conference in September. The Board made special mention of thanking the students for their research and their advocacy on this issue.

Proposition 8:
Mandatory School
Expulsion

VOTE **NO**

Expulsion of any public school student found to possess unlawful drugs at school or at school

sponsored activities. (The only exception is for a first-time offense involving the possession of a small amount of marijuana.) Proposition 8 thus takes away the discretion that school officials currently have to consider any mitigating facts and circumstances that would make expulsion inappropriate inOE approach to punishment violates the fundamental civil liberties principles: punishment may not be imposed arbitrarily; and each person must be treated as an individual in determining not only whether, but what kind, of punishment is appropriate under the circumstances.

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[\[ACLU News Back Issues\]](#)

[\[Home Page\]](#) [\[Press Releases\]](#) [\[Search\]](#) [\[Join the ACLU\]](#)



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ACLU Launches Toll-Free Hotline for Persons Stopped By Police for "Driving While Black or Brown"

On the first day of the ACLU's toll free hotline for persons to report incidents of discriminatory police traffic stops, the phone filled to capacity so quickly that it was temporarily forced to shut down. After initial publicity announcing the hotline, over one hundred callers phoned within a five minute period. The ACLU has since expanded the toll free hotline, and encourages callers, initially unable to leave a message because of the full mailbox, to call again.

The hotline was established in re-sponse to Governor's Wilson's recent veto of AB1264, a bill that would have provided the first comprehensive data on routine traffic stops in California, showing the extent to which racially biased enforcement patterns exist.

[The hotline], a 24-hour toll free hotline in both English and Spanish, offers callers an opportunity to report their personal stories of 'driving while black or brown.' "All across the country, African-Americans and Latinos have experienced the humiliation of being inexplicably stopped while driving, detained and searched by police. The only so-called offense they have committed has come to be known as 'DWB' -- driving while black or brown," explains Michelle Alexander, Director of the ACLU-NC Racial Justice Project. "Left unchallenged, the problem of DWB stops will erode public confidence in law enforcement in communities of color."

Through the toll-free California hotline, ACLU will collect people's stories of discrimination and use them in its efforts to reintroduce and enact legislation requiring collection of statistics on race and traffic stops. "Governor's Wilson's veto of AB 1264 shows that he doesn't think that such discriminatory practices occur. However, we believe that anecdotal reports collected from the hotline will clearly indicate widespread practice of racially motivated vehicle stops by California police officers," Alexander explains. The ACLU affiliates of Northern and Southern California and the ACLU of San Diego have distributed information about the hotline to a broad range of community groups and minority press outlets throughout the state.

The ACLU isn't the only party to disagree with the Governor's position. Minority law enforcement organizations such as the National Black Police Association and the National Latino Peace Officers' Association support for AB 1264 as well as its passage in both houses of the state Legislature attest to broad support for the bill. Sponsored by Assemblyman Kevin Murray, the legislation would have mandated that the data on race and traffic stops be

documented by police and collected by the Department of Justice for a period of three years.

Although the common experiences of African-Americans and Latinos point to the pervasiveness of the problem, "only statistical information regarding the race and ethnicity of all drivers who are stopped - not just those who are arrested - is the first step in devising an effective approach to eliminating the problem," adds Alexander. "Data collection would provide the public with access to that information for the first time." Law enforcement is already required to collect data regarding the race and ethnicity of motorists pulled over for routine traffic violations, and provide that information in annual reports to the Department of Justice. Data could be collected that would reveal the race and ethnicity of all individuals who are stopped by police even though they have committed no crime - and document any patterns of discrimination.

In response to mounting criticism of discriminatory police practices nationwide, Representative John Conyers, D-Michigan, has sponsored "The Traffic Stops Statistics Act," to study the issue on a national level. Although the bill passed the House of Representatives with strong bipartisan support, it has been stalled in the Senate. Sponsors cite strong anecdotal evidence that 'racial profiling' is a problem nationwide. An ACLU study, based on court-imposed monitoring of the Maryland State Police stops on I-95, showed that although African American drivers were 72% of those pulled over, they were only 14% of the drivers.

[The hotline has been discontinued. For legal matters contact the ACLU of Northern California's legal counseling line at **415-621-2488**.]

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[\[Return to ACLU News November/December 1998 Table of Contents\]](#)

[\[Home Page\]](#) [\[Press Releases\]](#) [\[Search\]](#) [\[Join the ACLU\]](#)



ACLU News - The Newspaper of the ACLU of Northern California, November/December 1998

SACRAMENTO REPORT

"Trickle Down" Economics Dwindles to a Dribble

Legislative Advocate Valerie Small Navarro shares with ACLU News readers and an analysis of this year's state budget produced by the non-partisan California Budget Project, showing that when we "follow the money" we can often find those who would ignore or strip the civil liberties of the poor.

California's economy is booming. The Governor and the Legislature had a \$4.2 billion state budget surplus to play with. How much better could things get? The California Budget Project, a nonpartisan organization, has recently published reports with the hard data that shows that not only is the economic recovery not trickling down, but the working poor are getting poorer and the really poor are merely regaining some of the huge losses they bore during the recession. The new reports *Unequal Gains: The State of Working California and Budget Provides Tax Cuts, Low Income Benefits* are also available online at <http://www.cpb.org>.

Unequal Gains details the rise in inequality between the rich and the poor and documents California's continued lag behind the nation on crucial poverty indicators such as unemployment, wage growth, and the share of the state's population living below the poverty line. Wages and income are below where they were in 1989 and the "purchasing power of most families is lower today than it was two decades ago, causing families to work harder and longer just to get by."

The data profoundly indict the way California's economic recovery is being distributed. For example, on the growing inequality in the state, the report documents the declining incomes for low and middle income households, coupled with substantial gains for the wealthy. In fact, "[b]etween 1978-80 and 1994-96, California's increase in inequality was the second highest among the eleven largest states."

ECONOMIC GROWTH AND THE STATE BUDGET

Did the Governor and the Legislature, crafters of the state budget, handle the \$4.2 billion surplus generated by this economic growth in a way that would have shown fairness to all Californians? Tenacious negotiating by Democratic leaders, Senate President John Burton and

Assembly Speaker Antonio Villaraigosa, led to increases in areas that have been consistently eroded during the Republican administrations. However, because of the two-thirds vote requirement in each house, the minority party (Republicans) and the Governor wield the power to craft budgets that reflect their priorities. And those priorities do not include the disenfranchised.

25% VEHICLE LICENSE FEE REDUCTION

The Governor dug in his heels and finagled \$1.4 billion in permanent tax cuts (the Vehicle License Fee tax credit) and additional reductions hinged to future revenues. Just like other regressive taxes built into our tax codes, the vehicle license fee reduction applies without regard to the individual's underlying income nor to whether the vehicle is a brand new Jaguar or a used VW.

WELFARE AND SSI FOR THE AGED, BLIND, AND DISABLED

Senate President John Burton carried the day by stopping a nine-year downward spiral in benefits for welfare recipients and the aged, blind, and disabled recipients of Supplemental Security Income (SSI). A welfare grant -- now called CalWORKs -- for a household of three people will now rise from \$565 to \$611 a month (in urban areas). This change affects almost 3 million people.

However, the California Budget Projects reports that "[a]fter this year's increase, CalWORKs grant levels will still be 12 percent below the 1989-90 levels after adjusting for inflation. When combined with food stamps, grant levels equal approximately 78 percent of the federal poverty level for a family of three."

Two years ago, the ACLU-NC went to federal court to stop the proposed elimination of welfare payments to immigrants. Now, thanks to Assembly Speaker Antonio Villaraigosa's persistence at the budget negotiations table with the Governor and hard-fought-for changes at the federal level, immigrants regained many of the benefits they lost when "federal welfare reform" targeted them for huge cuts. Now, almost all legal immigrants (who are eligible based on income) will be eligible for food stamps. Aged immigrants who entered the U.S. before the date of enactment of federal welfare reform (August 22, 1996) will be eligible for a state-funded SSI (Supplemental Security Income).

RENTERS' TAX CREDIT

Unlike the regressive vehicle license fee credit, according to the California Budget Project, the restoration of the renters' tax credit (\$60 for individuals and \$120 for couples), included income caps (\$25,000 for individuals and \$50,000 for married couples). However, the credit only applies if the individuals have a tax liability.

The cost to the state for this credit will be approximately \$133 million, nothing like the \$1.4 billion the Governor obtained for the vehicle license fee credit.

This analysis is crucial to help us understand the long-term effects on the rights of the poor when there is increasing disparity in incomes in California.

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**[\[Return to ACLU News November/December 1998 Table of Contents\]](#)
[\[Home Page\]](#) [\[Press Releases\]](#) [\[Search\]](#) [\[Join the ACLU\]](#)**

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Court Ok's Funds for Applicants Made to take Political Tests



Waiting for the verdict...attorney Linda Foy, plaintiff Mel Thompson, attorneys Brad Seligman and Ed Chen prior to the fairness hearing in U.S. District Court.

At a fairness hearing on September 14 in San Francisco, U.S. District Court Judge Marilyn Hall Patel approved a final settlement in Thompson v. Borg-Warner, one of the largest cases concerning employees' political activity in California.

"This case illustrates the high price a company may pay for unthinkingly subjecting job applicants to a test that discriminates or needlessly invades their privacy," said attorney Brad Seligman, an employees' rights expert. "Its outcome will have a broad impact on the nature of employment testing throughout the state."

Burns International Security Services, a subsidiary of Borg-Warner Protective Services Corporation -- the nation's largest security firm -- agreed to pay up to \$2.1 million to settle the class action challenging its use of a controversial pre-employment test. The test asked probing questions about job applicants' attitudes toward corporations ("Most companies make too much profit"), employers ("Most employers try to underpay their employees if they can"), workers' rights ("Workers usually come last as far as most companies are concerned") and drug and alcohol laws ("Marijuana should be legalized").

The suit, filed in 1994 by ACLU-NC staff attorney Ed Chen, cooperating attorneys Linda Foy and Laurence Pulgram from Howard, Rice, Nemerovski, Canady, Falk & Rabkin and Berkeley civil rights attorney Brad Seligman, charged that the test discriminated against job applicants based on their political beliefs and affiliations.

About 8,000 applicants took the test; 1,073 claims have been made. According to the settlement, Burns will pay into a fund that will provide up to \$1250 to each applicant who was rejected because of the test and \$500 to those who took the test and were nevertheless hired. The fund will also cover costs and attorneys fees for the plaintiffs.

Attorney Linda Foy noted, "Employers have a legitimate right to information about an applicants' job-related qualifications. However, that right does not permit an employer to require job applicants to disclose their political beliefs and opinions, nor to base employment decisions upon their responses.

Lead plaintiff Mel Thompson, an experienced security guard who applied for an unarmed guard position in San Francisco, had been told he was an excellent prospect for hire until he took the test. For questions that probed his political beliefs, rather than answering Yes or No, Thompson checked "?" on the test. Following the test, he was not hired by the company.

"I always thought that the difference between a totalitarian society and a free one, would be that workers have a right to their political beliefs," Thompson said. "It's a dangerous precedent when the free exercise of one's conscience rules one out of employment opportunities."

"The effect of this test was to discriminate against people who held liberal views on issues such as workers' rights and drug legalization. Fortunately, California labor laws prohibit employers from discriminating on the basis of political views and activities," explained ACLU-NC staff attorney Ed Chen.

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**[\[Return to ACLU News November/December 1998 Table of Contents\]](#)
[\[Home Page\]](#) [\[Press Releases\]](#) [\[Search\]](#) [\[Join the ACLU\]](#)**



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ACLU-NC ANNUAL ACTIVIST CONFERENCE:

Preserving Civil Liberties for the 21st Century

In a setting scented with salt sea air and pine needles, more than 150 ACLU-NC members and supporters debated and discussed issues ranging from language rights and cyber-censorship to the renewed assaults on public education and lesbian and gay rights at the Annual Activist Conference held in Asilomar on the Monterey Peninsula.

At the opening plenary, "Is the Initiative Process a Good Idea Gone Bad?," Jim Shultz, Executive Director of the Democracy Center questioned the audience of ACLU activists who had worked hard to defeat Propositions 184, 187, 209 and 227.

"How many of you have fantasized about abolishing the initiative process altogether? And how many of you have fantasized about putting your own initiative on the ballot?"

A large show of hands to both questions prompted Shultz to conclude, "California has a love/hate relationship with the initiative process."

Shultz traced the history of the initiative process in California from 1911 -- when it was envisioned by populist Governor Hiram Johnson as a way to wrest political control of the state from the iron grip of Southern Pacific Railroad -- to recent years when politicians manipulated the discontent of a conservative electorate to impose regressive social policy on immigration, crime and affirmative action.

Shultz also had some pointers for civil liberties activists from his political how-to guide The Initiative Cookbook. "First, we must recognize that initiatives are the way policy is created in this state -- the Legislature is merely tinkering, but big issues, like health, immigration policy, and crime are being dealt with by initiatives."





Librarian Lani Yoshimura fought back - and won - against library censors in Gilroy. At left is Monterey Chapter activist Judith Sulsona, moderator of the panel of Beating Back the Censors: The Electronic Attack on the First Amendment.

He encouraged progressive activists to take a proactive role, creating an initiative agenda that addresses social justice issues and formulating messages that will get those measures passed.

The lively debate that followed Shultz's presentation carried over into a wide variety of workshops on key civil liberties issues and into training sessions on fundraising, organizing, and coalition-building. A special lunchtime presentation featured students from the Howard A. Friedman First Amendment Education Project speaking about their summer exploratory journey "Tribal Sovereignty: Unplugged."



Monterey County ACLU-NC Chapter Chair

**Jan Penney with Friedman Project student
presenters Eric Elems and Suemyra Shah.**

The plenary on "Beating Back the Censors: The Electronic Attack on the First Amendment" featured ACLU National Cyber Organizer Penny Crawley speaking on the wide variety of national and local attempts to restrict the Internet as well as the use of the Internet as an effective organizing tool. "Our national ACLU action alerts via the Internet have generated 60,000 letters on key civil liberties issues to members of Congress in less than six months time," Crawley said.

Gilroy librarian Lani Yoshimura and ACLU-NC staff attorney Ann Brick detailed local attempts to impose filtering software on public library computers -- and the successful joint efforts by the ACLU and librarians to thwart the censorship. "We have a responsibility as librarians to provide information, not to censor it," said Yoshimura, who endured two years of picketing, boycotting and smear tactics by a pro-censorship group in Gilroy.

The oceanside setting invited activists to continue discussions while walking the dunes and a starlit bonfire on the beach brought out several generations of singers. The Bill of Rights Committee reception, which kicked off the fall fundraising campaign, featured piano music by Planned Giving Director Stan Yogi and side-splitting comedy by Aundre the Wonderwoman, a.k.a. Aundre Herron, ACLU-NC Board member and death penalty attorney.

The conference was organized by ACLU-NC Field Representative Lisa Maldonado and the 1998 Activist Conference Committee including Michele Welsh, Chair, Field Committee; Jan Penney, Chair, Monterey County Chapter; Dick Criley, Monterey County Chapter; Paul Cameli, Roberta Spieckerman and Phillip Mehas, San Francisco Chapter; Ramon Gomez, Santa Cruz Chapter; and Tom Simpson, Chair, Fresno Chapter. Special thanks to the Conference Crew coordinated by Maldonado: Eddie Jen, Iain Finlay, Regina Meade, Cory Thornton, Winona Reyes, David Blazeovich, Kevin Grady and Nancy Otto.

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[\[Return to ACLU News November/December 1998 Table of Contents\]](#)

[\[Home Page\]](#) [\[Press Releases\]](#) [\[Search\]](#) [\[Join the ACLU\]](#)



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Challenge to Restrictions on Legal Services Heads to High Court

BY GIGI PANDIAN

A key case challenging restrictions on legal service organizations serving the poor is heading to the U.S. Supreme Court. In 1996 and 1997 Congress limited agencies that receive funds through the Legal Services Corporation (LSC) in their use of additional funds obtained from sources other than the LSC. Charging that it is unconstitutional for Congress to forbid the legal aid agencies from providing additional services to the poor with nongovernmental funds, the ACLU-NC, the national ACLU and others filed a petition with the U.S. Supreme Court on August 17.

The petition for a writ of certiorari in the case of *Legal Aid Society of Hawaii et al. vs. Legal Services Corporation and the United States* asks the Court to strike down the unconstitutional restrictions. The suit, first filed in January, 1997, is brought on behalf of five legal service programs from California, Hawaii, and Alaska, which together serve over a million poor people.

Restrictions imposed by Congress under 1996 and 1997 appropriations prohibit legal services organizations that receive any LSC funds from using any other funds, such as those from charitable foundations, private donors, or state IOLTA programs for certain purposes. For example, agencies are forbidden from using these additional funds for filing class action lawsuits, legislative advocacy, challenging federal or state welfare laws, or even collecting statutory attorneys' fees.

"It isn't right, and it isn't legal, for poverty-stricken people to be denied the aid of counsel," said Stephen Bomse, ACLU-NC general counsel and cooperating attorney from the law firm of Heller, Ehrman, White & McAuliffe.

Bomse won a preliminary injunction from United States District Court in Hawaii in February, 1997. In response to the injunction, the LSC revised its regulations, to allow affiliated organizations to carry on the prohibited work. Based on this change, the LSC and the United States asked for a summary judgment from the Court. The District Court granted the government's motion, and the Court of Appeals affirmed.

"This case addresses apparently conflicting constitutional principles: the right of Congress to decide which programs it will fund, and the right of fund recipients to not have to relinquish their constitutional freedom of spending other funds in their own time on matters which Congress does not approve," explained Bomse. "However, to restrict activities protected by the First Amendment, the government must show a compelling interest to justify infringing on those rights -- it has not done this."

Named plaintiffs are the Legal Aid Society of Hawaii, Legal Services of Northern California, Inc., San Fernando Valley Neighborhood Legal Services, Legal Aid Society of Orange County, Alaska Legal Services Corporation, California State Client Council, The Hawaii Justice Foundation, The Impact Fund, and Gary Smith. The plaintiffs are represented by Bomse, Charles Freiberg and Adam Cole of Heller, Ehrman, White & McAuliffe; national ACLU attorneys Steven Shapiro and Robin Dahlberg; ACLU-NC attorney Margaret Crosby; Paul Alston and Bradford Tannen of Alston, Hunt, Floyd & Ing; and Stanley Levin of Davis, Levin, Livingston, Grande. n

Gigi Pandian is an ACLU News intern.

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[\[Return to ACLU News November/December 1998 Table of Contents\]](#)

[\[Home Page\]](#) [\[Press Releases\]](#) [\[Search\]](#) [\[Join the ACLU\]](#)



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ACLU-NC Board of Directors Elections

WHO IS ELIGIBLE TO VOTE?

The by-laws of the ACLU of Northern California call for the at-large Directors of the Board to be elected by the general membership. The general membership are those members in good standing who have joined or renewed their membership within the last twelve months.

The label affixed to this issue of the ACLU News indicates on the top line the year and month when your membership expires.

If you are not eligible to vote, you may choose to renew your membership, and thereby resume your membership in good standing, at the same time you submit your ballot.

If you share a joint membership, each individual is entitled to vote separately -- two spaces are provided on the ballot.

HOW ARE CANDIDATES NOMINATED TO RUN FOR THE BOARD OF DIRECTORS?

The ACLU-NC by-laws permit two methods of nomination. Candidates may be nominated by the current Board of Directors after consideration of the Nominating Committee's recommendations. Candidates also may be nominated by petition bearing the signatures of at least fifteen ACLU-NC members in good standing.

BALLOT INSTRUCTIONS

Candidates are listed on these pages in alphabetical order. After marking your ballot, clip it and enclose the ballot and your address label from this issue of the ACLU News in an envelope. Your address label must be included to ensure voter eligibility. Address the envelope to:

Elections Committee
ACLU of Northern California
1663 Mission Street, Suite 460
San Francisco, CA 94103

If you have a joint membership, you may use both of the columns provided, and each of the members may vote separately.

If you wish to ensure the confidentiality of your ballot, insert your ballot in a double envelope with the special mailing label in the outer one. The envelopes will be separated before the counting of the ballots.

Ballots must be returned to the ACLU by noon on December 10, 1998.

There are ten candidates running to fill ten vacancies on the Board of Directors. You may vote for up to ten candidates.

For your consideration, we are publishing brief statements submitted by the candidates for election to the Board of Directors. Candidates are listed in alphabetical order.

Candidate Statements

JAN GARRETT

I am pleased to be considered for the Board of the ACLU of Northern California. As someone who was born with a disability and who has worked in the disability civil rights field for the past three years, I have seen how important civil rights protections are. As a member of the Board, I hope to encourage the pursuit of more disability rights cases.

My past work as an attorney with the Disability Rights Education & Defense Fund in Berkeley has given me direct experience with a number of civil rights issues. Additionally, I have direct board experience as president of the Board of Directors of AXIS Dance Company, a small dance company of dancers with and without disabilities.

The ACLU-NC is uniquely positioned to take cases that the mainstream legal community in the Bay Area cannot or will not take. I would be proud to be a part of the effort to ensure that those with the least power can seek protection of their rights from an organization such as the ACLU. Thank you for your consideration of my nomination.

NOMINATED BY: BOARD OF DIRECTORS
INCUMBENT: NO

WARREN GEORGE

I am honored to have been nominated to serve another three-year term on the Board of

Directors of the ACLU-NC.

I am a partner at McCutchen, Doyle, Brown & Enersen. For the past decade, I have been representing prisoners in efforts to secure adequate medical and psychiatric care, to end discrimination against prisoners with HIV disease, to obtain equal rights for prisoners with disabilities, and to end the use of the gas chamber in California. Much of this litigation has been done in cooperation with the ACLU.

During the past three years as a Board member, I have served as chair of the Board Nominating Committee and as a member of the Legislative Policy Committee. Our most basic civil rights continue to be threatened. The ACLU's efforts to protect those rights and to educate people about their importance are more essential than ever. I look forward to further work with the Board as it meets these challenges.

NOMINATED BY: BOARD OF DIRECTORS

INCUMBENT: YES

DICK GROSBOLL

I am a partner in the San Francisco law firm of Neyhart, Anderson, Freitas, Flynn & Grosboll. We represent labor unions, workers, retirees and employee benefit plans.

I have enjoyed serving as Chair of the Board of Directors for the past three years. Devoting my time and energy for the ACLU-NC has been a rewarding and interesting experience. I appreciate having had the opportunity to serve the ACLU membership.

I would like one more year as Chair and two additional years on the Board. To do so I need your vote for another term. I ask for your vote.

NOMINATED BY: BOARD OF DIRECTORS

INCUMBENT: YES

RAHA JORJANI

Fourteen years ago my family left Iran, leaving behind all that they knew. Watching my family struggle to secure their lives in a completely new and different atmosphere, has been the foundation of my passion for human rights.

I was first introduced to the ACLU in my junior year in high school and I joined the Student Advisory Committee. I have both participated in and chaperoned the first two ACLU summer trips exploring Immigration and Border Issues as well the Juvenile Justice System. To this day,

I am applying the lessons that I learned on those trips to my academic and social life.

My involvement with the ACLU has taught me how to use certain tools in society, like freedom of expression, education, and activism in order to stand up for what I believe in.

I am currently a Junior at the University of California, Berkeley. I would be honored to sit on the ACLU Board Directors, and feel that my contributions would create even more diversity within the group, as well as add another multicultural perspective. I'm proud to be part of a movement.

NOMINATED BY: BOARD OF DIRECTORS

INCUMBENT: NO

SUSAN KWAN

I am honored to be considered for the Board of the ACLU of Northern California. The ACLU's courageous commitment to the disadvantaged and poor, and to protection of the precious Bill of Rights, is unsurpassed. As a Board member, I look forward to helping continue the remarkable work of the ACLU staff and volunteers, including their work in the courts, enactment of progressive legislation and community education and activism regarding the preservation of civil liberties for all.

I have been a criminal defense attorney for the past 16 years. I am currently a staff attorney for the California Appellate Project, and work with those convicted of a capital offense and their appointed counsel. I also serve on the boards of Death Penalty Focus and the Southern Center for Human Rights. Besides my longstanding interest in ensuring the provision of due process and other constitutional rights of indigent criminal defendants, I am committed to the alleviation of disenfranchisement because of race, sexual orientation or gender.

NOMINATED BY: BOARD OF DIRECTORS

INCUMBENT: YES

SUSAN MIZNER

As an attorney at the Homeless Advocacy Project of the Bar Association of San Francisco, I see first hand the daily encroachments on the civil liberties of the poorest in our society. Confiscating homeless people's property without due process (in fact, with little process whatsoever), fines for sleeping in public places (when we have no shelter beds or other options) and an increasingly punitive and repressive welfare system are but a few of the most common examples. In addition to the ACLU's support of racial equality, queer rights, and the rights of immigrants, I have greatly appreciated the ACLU's ongoing commitment to litigating issues affecting homeless people, welfare recipients, and the working poor.

As a Board member, I have served on the Legislative Committee -- where I collaborated with other members to develop a policy on campaign finance reform -- and on the ad hoc committee on Poverty & Civil Liberties, drafting a policy for the ACLU examining poverty as a deprivation of civil rights.

The years that I have served on the Board have only increased my respect for the ACLU, its staff, volunteers and my fellow board members. Seldom does one encounter a group of people who are able to debate issues with such respect for diversity of opinion and with such openness to new approaches and ideas. It would be an honor and a pleasure to serve another term.

NOMINATED BY: BOARD OF DIRECTORS
INCUMBENT: YES

CARLOS MUÑOZ

It is indeed a pleasure to accept nomination for reelection to the ACLU-NC Board of Directors. My first term was a rewarding experience beyond my expectations. I had the privilege of meeting other people who are deeply committed to the defense and preservation of our nation's civil liberties.

I look forward to continuing to play a role in maintaining the ACLU as a vibrant organization in the 21st Century.

NOMINATED BY: BOARD OF DIRECTORS
INCUMBENT: YES

JOHN SCHWEIZER

As a current member of the Board's Development and Budget Committees, I am committed to expanding the ACLU's financial and technology resources.

I work in the area of consumer advocacy, fighting discrimination in the marketplace. My work life focuses specifically on emerging technologies and their potential impact on privacy and free speech rights, education and the potential for increasing participation in our democracy. I am also actively involved in the fight for civil rights of gay people and those with disabilities.

Both my professional work and my personal values cause me to cherish the ACLU. I am very proud of its enormous accomplishments, and would be honored to be part of those to come.

NOMINATED BY: BOARD OF DIRECTORS
INCUMBENT: YES

BEVERLY TUCKER

I have been Chief Counsel of the California Teachers Association since August 1988. I previously served as deputy attorney general in the civil rights enforcement section of the California Attorney General's Office and as Associate General Counsel of the United Auto Workers. My particular interests are civil rights and education issues including student and teacher free speech issues.

As a longtime supporter of human and civil rights, I am excited about being nominated to once again serve as a member of the ACLU Board of Directors. During my former board terms I served as chair of the Board Nominating and Legislative Policy Committees.

NOMINATED BY: BOARD OF DIRECTORS
INCUMBENT: YES

CHRIS WU

p> It is with great honor that I accept the nomination for membership onto the ACLU Board of Directors. My involvement with the ACLU began in high school, where I was fortunate enough to work with the Howard A. Friedman Project Student Advisory Committee in organizing such events as the "Say What?!!" conferences and the student journalism conferences. Through the years, I have gained tremendous insight into the ACLU's role in protecting peoples' rights and beliefs.

As a current college undergraduate, I hope to bring a voice to the youth of our community. I look forward to serving on the ACLU Board and thank you for your nomination.

NOMINATED BY: BOARD OF DIRECTORS
INCUMBENT: NO

American Civil Liberties Union of Northern California
1663 Mission Street, Suite 460, San Francisco, CA 94103
(415) 621-2493

[\[Return to ACLU News November/December 1998 Table of Contents\]](#)
[\[Home Page\]](#) [\[Press Releases\]](#) [\[Search\]](#) [\[Join the ACLU\]](#)

ACLU News - The Newspaper of the ACLU of Northern California, November/December 1998

Profile of an Activist

Steve Fabian, Chapter Leader

**BY EDDIE JEN
PROGRAM ASSISTANT**



Sonoma Chapter leader Steve Fabian with son Jay, 8, at ACLU-NC Activist Conference.

Every time the ACLU Sonoma County Chapter participates in a community event, Steve Fabian makes sure that the chapter is accompanied by an American flag. For Steve, it is a way of countering the use of patriotic symbols by the right wing. "Nothing," Steve says, "is more patriotic than defending civil liberties."

Since attending his first ACLU meeting at the urging of his girlfriend Judy McCann more than

ten years ago, Steve Fabian's tireless activism, vision and leadership has turned the ACLU Sonoma County Chapter into one of the most successful chapters in Northern California, if not the country. Two months after his initial meeting, Steve was elected Chapter Chair. A month later, the Chapter put out its first newsletter Sonoma Civil Liberties, with Steve as Editor. Not three months passed before Steve launched the Chapter's first membership drive. Later that summer, the Chapter organized the successful campaign to defeat Measure A (which would have created a county-wide drug task force that was accountable to no one and posed grave dangers to civil liberties) by a vote of 2 to 1, despite initial polls that favored its passage at 55%. In November of that same year, the Chapter started its first Bill of Rights night fundraiser, phoning donors and soliciting contributions for the ACLU-NC. By the time the Chapter Dinner rolled around a year after Steve became Chair, attendance topped 200, more than double the previous year.

Today, Steve Fabian is married to Judy McCann who first brought him to the ACLU. The ACLU Sonoma County Chapter has consistently ranked first in recruiting and retaining new members, as well as being one of the most active, with leadership roles in the campaigns to defeat Propositions 187 and 209. Sonoma Civil Liberties, which Steve edits, has a circulation of 1200 and is published 3 to 4 times annually. Steve often appears on talk radio and television, commenting on key ACLU issues such as immigrant rights, the death penalty, the "three strikes" law and censorship. Many ACLU members know Steve from his numerous panel presentations at ACLU Activist Conferences.

Yet for Steve, the reward from his activism is simple. "We have two young children. You are not only fighting for yourself and the people you know, but for the future as well," says Steve, who has served as the Deputy Public Defender of Sonoma County for 20 years.

"My father told me you should always try to make the world a bit of a better place while you're there," Steve says, and civil rights activism is still a family affair for the Fabians. Three years ago, he recruited his brother Gary, who now serves as Treasurer at the ACLU Sonoma County Chapter. And nothing is more gratifying for Steve than tabling for the ACLU with his children Jay, 8, and Audrey, 7, or bringing them to ACLU conferences, raising them to be patriotic Americans. "Even if they don't understand everything [the ACLU stands for], they understand the ACLU is helping people be free."

Sonoma County Chapter leader Steve Fabian will be honored with the 1998 Lola Hanzel Courageous Advocacy Award as an outstanding ACLU-NC volunteer at the Bill of Rights Day Celebration on December 6.

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[\[Return to ACLU News November/December 1998 Table of Contents\]](#)

[\[Home Page\]](#) [\[Press Releases\]](#) [\[Search\]](#) [\[Join the ACLU\]](#)