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VICTORY: SUPERIOR COURT UPHOLDS MARRIAGE EQUALITY

By Stella Richardson

In a long-awaited decision, San Francisco Superior Court Judge Richard Kramer ruled on March 14 that excluding same-sex couples from marriage is unconstitutional. The landmark case, Woo v. Lockyer, was brought on behalf of 12 couples who have all made life-long commitments to one another as well as on behalf of Equality California and Our Families Coalition.

"Today’s decision is a landmark for the law and an important development for the entire nation. With plain but compelling logic, the judge has shown us all why in a nation committed to fairness, gay and lesbians must not be denied the right to marry," said ACLU attorney Christine Sun. "This decision is especially important to the thousands upon thousands of same-sex couples who desperately need the protection that marriage gives, and who deserve the dignity it brings."

Plaintiffs Lancy Woo (left) and Christy Chung, with their daughter Olivia.

“THE IDEA THAT MARRIAGE-LIKE RIGHTS WITHOUT MARRIAGE IS ADEQUATE SMACKS OF A CONCEPT LONG REJECTED BY THE COURTS: SEPARATE BUT EQUAL.”
- JUDGE KRAMER

“TAG AND TRACK” NO MORE: PRIVACY PREVAILS IN SUTTER

By Nicole Ozer

Parents and children in the small, rural town of Sutter, California, learned firsthand about the serious civil liberties implications of being “tagged and tracked.” At Brittan Elementary School, children as young as five years old were forced to carry student badges around their necks embedded with tiny computer chips called Radio Frequency Identification (RFID) tags.

As students walked through a classroom or bathroom door, the computer chip in their student badge transmitted a stored personal identification number to a central school server that tracked and recorded their movements throughout the day.

The school, wooed by hopes of saving a few minutes a week in attendance-taking and promises of royalties from future sales of the product, implemented the program without discussing it with parents or considering the serious privacy, civil liberties, and security implications of RFID tags.

While the school board did not recognize the grave implications of the RFID program, the parents in Sutter understood them all too clearly. They were right to worry that the school district and the company had never provided adequate assurance about how they would protect the children’s personal information and location information from unauthorized access, use, and disclosure. They were right to fear that, although RFIDs made it possible for the school to keep track of who and where a student is, it also made it possible for strangers...
On February 17, the ACLU of Northern California (ACLU-NC) presented Tanya Neiman, Director of the Volunteer Legal Services Program (VLSP) of the Bar Association of San Francisco, with the On the FrontLine Award. The award was established to recognize an individual who has made significant and sustained contributions to protecting the rights of lesbians, gay men, bisexuals, transgender people, and people with HIV and AIDS.

Reflecting upon the award, Neiman said to the attending crowd, “At first I was intent on deflection the award in favor of others who I perceived to be more on the ‘frontlines.’ I was then forced to remember, however, that sometimes ‘simply being you’ – when your image, style, and very being challenge norms in a deep way – is in fact being on the frontline. I am thoroughly, utterly and unconditionally myself. The ACLU stands for nothing higher than upholding everyone’s right to be exactly who they are and achieve in all their glory.”

A graduate of Hastings College of Law, Neiman began her legal career teaching at the Bay Hall School of Law, then worked at the State Public Defender’s Office. As the Director of VLSP since 1982, Neiman transformed the program into one of the largest and most innovative legal services programs in the country. Former ACLU-NC Board Chair Milton Estes stated Tanya Neiman is an extraordinary woman who, as an open and out-front lesbian, almost single-handedly transformed the landscape of volunteer legal services for poor people, straight and gay, in San Francisco and across the country.

NEW STAFF

Natalia Miniker is the ACLU of Northern California’s (ACLU-NC) new Death Penalty Policy Director (for more information on the death penalty, see page 3). Miniker has a wealth of criminal justice experience, coming to the ACLU-NC from the Judicial Council of California Task Force on Criminal Jury Instructions, and prior to that the Alameda County Public Defender’s Office Death Penalty Unit. She received her Bachelor of Science in Natural Resources at Cornell University, and her Juris Doctorate from Stanford University Law School.

Jory Steele has joined the ACLU-NC as a staff attorney. For nearly six years, Steele was a staff attorney at the Legal Aid Employment Law Center, where she held a prestigious Skadden Fellowship. In addition, Steele worked at the Child Advocacy Clinic in New York. She received a Bachelor of Arts in International Relations at Stanford University and received her Juris Doctorate from Columbia University Law School.

A third lobbyist, Vik Malhotra has joined the ACLU’s California Legislative Office in Sacramento. Prior to joining the ACLU, Malhotra lobbied for legislation and policies on a range of issues, including immigrant rights, language access, educational equity, voting rights, equal opportunity, and workforce development. He is a graduate of Pomona College with a Bachelor of Arts in Economics, and received a Juris Doctorate from New York University School of Law.

HONORING TANYA NEIMAN: A FRONTLINE EVENT

By Amy Kurren

LASTING IMPRESSION, WELSH LEAVES ACLU-NC BOARD

By Elaine Elinson

Ossie Davis, actor, director, playwright, and civil rights pioneer, died on February 4 at the age of 87. Many followers will remember Davis for his distinguished career on Broadway and in film, but Davis’ contributions to civil rights and civil liberties were equally remarkable. Davis and his wife, Ruby Dee, were honored by the ACLU of Northern California (ACLU-NC) at the 2001 Bill of Rights Day celebration for their commitment to social justice. “I can’t imagine art without struggle and I can’t imagine struggle without being keenly deep in the middle of it,” said Davis as he was presented with the prestigious Early Warren Civil Liberties Award.

In his words, “The profoundest commitment possible to a black creator in this country today—beyond all creeds, crafts, classes and ideologies whatever—is to bring before his people the scent of freedom.” Ossie Davis will be a presence long remembered and honored.

ACLUnews

BY QUINN DELANEY, DOROTHY EHRICH, ERIKA CLARK, GIGI PANDIAN, AND CHAIR, EXECUTIVE DIRECTOR, EVA TAFUR

THE QUARTERLY PUBLICATION OF THE AMERICAN CIVIL LIBERTIES UNION OF NORTHERN CALIFORNIA.

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ACLU-NC PRIVACY POLICY

To our members…

Direct mail appeals—to our members and the general public provide opportunities to describe complicated legal and political issues in ways not possible to other media. They enable us in explain, in detail, the benefits and provisions of the Constitution and the Bill of Rights, the complex ways our rights can be accessed, education, equity, voting rights, equal opportunity, and workforce development. He is a graduate of Pomona College with a Bachelor of Arts in Economics, and received a Juris Doctorate from New York University School of Law.

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While direct mail appeals—under strict privacy guidelines—form the basis of our new member acquisition program, and are key to our growth, we understand some members do not wish to receive solicitations from other groups and we gladly honor requests from our members to be removed. If you do not wish to receive materials from other organizations, please complete this coupon and send it to: ACLU-NC Membership Department, 1665 Mission Street, Suite 460, San Francisco, CA 94103

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Ossie Davis

ACLU of Northern California (ACLU-NC) at the 2001 Bill of Rights Day celebration for their commitment to social justice. “I can’t imagine art without struggle and I can’t imagine struggle without being keenly deep in the middle of it,” said Davis as he was presented with the prestigious Early Warren Civil Liberties Award.

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n October 29, 2004, Pete Rose, accused child rapist, walked out of a California prison after spending more than ten years in custody for a crime he did not commit. DNA testing proved that Mr. Rose was not the man who committed the crime.

Since 1989, at least 200 California inmates have been found unjustly convicted and released. Since 1981, six men who were originally sentenced to death have also been freed. In all six cases, an appellate court reversed the death sentence due to prosecutorial misconduct, legal errors, or unacceptable poor performance by defense counsel.

On a national level, seven out of ten of death sentences are reversed on appeal and one in twenty people on death row are later found not guilty. Since 1973, 118 people have been freed from death row based on evidence that they were innocent.

The facts are telling: we sentence to death not the “worst of the worst,” but the poorest of the poor. Most people sentenced to death also have a history of mental illness, substance abuse, and family violence. Most were represented by court appointed lawyers who lack sufficient resources or training to provide an adequate defense. In addition, race and geography continue to be better predictors of whether you will be sentenced to die than the facts of the crime. People who kill white victims are four times more likely to be sentenced to death than those who kill African Americans.

In California, the Senate has named a commission to investigate the problem of wrongful convictions and whether the death penalty is fairly administered, while the supreme courts of both Kansas and New York have recently struck down the death penalty as unconstitutional.

Illinois and New Jersey both currently have in place a temporary halt on executions while reform efforts are aimed to tirelessly lead the way in our state’s death penalty reforms.
On March 1, 2003, the first federal lawsuit to name a top U.S. official, Secretary of Defense Donald Rumsfeld, in the ongoing torture scandal was filed— but the tenacious legal efforts leading up to this event began 17 months earlier. It was then that civil liberties, medical and veteran groups decided they wanted to find out more about chilling news reporting that the U.S. government may have tortured detainees in Iraq, Afghanistan, and Guantanamo, Cuba.

In October 2003, the ACLU, the Center for Constitutional Rights, Physicians for Human Rights, Veterans for Common Sense, and Veterans Against the War, filed a Freedom of Information Act lawsuit seeking the expedited release of documents from government agencies named as defendants in the case. The federal agencies refused to respond to the FOIA request.

On June 2, 2004, the ACLU went back to court, this time filing a Freedom of Information Act lawsuit seeking a court order requiring the immediate release of the records sought by the October 2003 FOIA request. As ACLU Executive Director Anthony Romero said, “Abu Ghraib wasn’t the result of a couple of lone soldiers in the military—it was a direct and foreseeable consequence of detention policies that lack transparency and safeguards against this type of abuse.”

“The effects of Rumsfeld’s policies have been devastating both to America’s international reputation as a beacon of freedom and democracy, and to the... thousands of individuals who have suffered at the hands of U.S. forces.” -ACLU EXECUTIVE DIRECTOR ANTHONY ROMERO

In 2004, the ACLU also engaged in a long legal battle to get the release of thousands of pages of government documents and records that showed the official and systematic use of torture and abuse of detainees by U.S. forces in Iraq, Afghanistan, and Guantanamo.

As New York Times columnist Bob Herbert wrote in a March 28, 2005 editorial, “These atrocities have been carried out in an atmosphere in which administration officials have routinely behaved as though they were above the law, and thus accountable to no one. People have been rounded up, stripped, shacked, beaten, incarcerated, and in some cases killed, without being offered even the semblance of due process. No charges. No lawyers. No appeals.”

“From the start, the federal agencies stonewalled the groups’ request for more information. More than six months after filing the FOIA request, the only record that the government had released was a set of talking points used by the State Department when communicating with reporters. The government has essentially ignored its legal obligation to release these records,” said Jameel Jaffer, an ACLU attorney. “These atrocities have been carried out in an atmosphere in which administration officials have routinely behaved as though they were above the law, and thus accountable to no one.”

On March 1, based on documents obtained through the FOIA lawsuit, the ACLU, Human Rights First, and several former military officials filed a complaint charging Defense Secretary Donald Rumsfeld with direct responsibility for the torture and abuse of Afghan and Iraqi detainees in U.S. military custody. The action was the first federal court lawsuit to name a top U.S. official in the ongoing torture scandal. The lawsuit was filed in federal court in Illinois on behalf of eight men who were subject to torture at the hands of U.S. forces.

“Secretary Rumsfeld bears direct and ultimate responsibility for this descent into horror by personally authorizing unlawful interrogation techniques and by abdicating his legal duty to stop torture,” said Gutten tag, lead counsel in the lawsuit and ACLU’s Immigrants’ Rights Project Director. The lawsuit charged Secretary Rumsfeld with violations of the U.S. Constitution and international law prohibiting torture and cruel, inhuman, or degrading punishment.

“The effects of Rumsfeld’s policies have been devastating both to America’s international reputation as a beacon of freedom and democracy, and to the hundreds, even thousands of individuals who have suffered at the hands of U.S. forces,” said Romero. The ACLU has also filed three similar complaints against Colonel Thomas Pappas, Brigadier General Janis Karpinski, and Lt. General Ricardo Sanchez on behalf of torture victims who were detained in Iraq. These lawsuits were filed in federal courts in Connecticut, South Carolina, and Texas.
with access to a chip reader to find out this private identity and location information. Parents were right to object to having their children grow up in a school atmosphere where children are tagged and tracked and their movements recorded—an atmosphere at odds with fundamental human dignity and basic privacy rights. And they were right to fight back and stop the RFID badges at their school.

Parental pressure, along with the ACLU of Northern California (ACLU-NC), Electronic Frontier Foundation (EFF), and the Washington-based Electronic Privacy Information Center (EPIC), ended the RFID program in Sutter on February 15, 2005. Yet, the issue of RFIDs goes far beyond the town of Sutter and its schoolchildren. RFID tags are proliferating, and the increasing use of this technology, particularly in identity documents, should concern Californians of all ages. The federal government announced plans last summer to implant RFID chips in all new United States passports. The RFID chips under consideration have enough memory to be programmed with all of the information currently printed on a passport, including the bearer’s name, home address, birth date, fingerprint, and photograph.

With fewer controls on government powers since 9/11 and a world that may be more hostile to American citizens, the last thing needed is a passport that allows our movements to be tracked and announces our nationality as we travel through foreign countries.

Regrettably, the move to include RFID chips in passports also portends a future in which we may all be forced to carry a host of RFID-tagged federal and state documents, including driver’s licenses, state identification cards, student identification cards, professional licenses, library cards, and medical cards. Currently, we can travel in public without worrying that somebody can secretly scan our driver’s license or other identity cards in order to discover personal information such as our name or address. But if personal information were encoded on the RFID tags embedded in these documents, any third party could use a chip reader to discover this sensitive personal information. The unknown disclosure of information such as names and addresses could increase the risks for abduction and assault.

Storing personal information on RFID tags also threatens to further facilitate the crime of identity theft. More than 39,000 Californians reported being victims of identity theft in 2003 alone. Providing thieves with the opportunity to secretly scan and collect personal information from the RFID tags in state identity documents may make this problem even worse.

Most troubling of all from a civil liberties perspective is that RFIDs in state identity documents would allow the movements of Californians to be tracked on an unprecedented scale. As we move through our daily lives, carrying the identity documents necessary to navigate the modern world, anyone with a chip reader could secretly scan our RFID-tagged identification cards through a wallet, pocket, backpack, or purse. Government agents could use RFID readers to sweep up the identities of everyone at a political meeting, protest march, or Islamic prayer service. A network of auto-

While press attention focuses on Governor Schwarzenegger’s plan for a special initiative-packed full ballot election, substantive work is being done through the regular legislative process.

Three statewide issues are considered top legislative priorities for the ACLU this year: Three Strikes reform, marriage equality, and regulation of Radio Frequency Identification tags (RFIDs).

In spite of a disappointing loss for Proposition 66 (the Three Strikes reform measure) in last fall’s election, there is rising public demand to reform three-strikes laws. Assembly Bill 50 (Leno-D) is the legislative vehicle for bringing about this reform. The ACLU statewide team is negotiating with District Attorneys on a proposal that would include limiting the third-strike penalties to serious or violent felonies.

AB 19 (Leno-D), the Religious Freedom and Civil Marriage Protection Act, would end marriage discrimination in the state of California. AB 19 also adds specific provisions to underscore that religious institutions would remain free to determine for which couples it would perform religious marriage ceremonies.

AB 682 (Simitian-D) would prohibit the use of Radio Frequency Identification tags (RFIDs) in state-issued identity documents. Pressure is on, in the wake of the 9/11 Commission report, to embed these devices in driver’s licenses and other identification cards. With RFIDs scheduled to be in passports starting in 2006, serious civil liberties violations are at issue. The measure will guard families and individuals from having their most private information broadcast to anyone who is able to collect it. (See related story above.)

The Sacramento office will also be tackling other critical bills. Highlights include:

PAROLE REFORM AB 505 (Leno-D) would require parolees who have served one year of time with no violations to be released from parole, and would provide seed money to pilot service programs for those leaving prison. This bill is an attempt to help the state reduce its recidivism rate, which is twice the national average.

FREE SPEECH FOR TENANTS SB 540 (Kehoe-D) allows renters to post non-commer-
cial signs and banners in, on, or around their homes. This bill follows the success of ACLU-sponsored legislation in 2003 that protects this free speech right for homeowners in common interest developments.

REDUCING FALSE CONFESSIONS In an effort to reduce the number of false confessions and other factors leading to innocent people being incarcer-
ated, the ACLU is sponsoring SB 171 (Aiqui-D) that will require videotaping of custodial interrogations for major felonies. We are working with California Attorneys for Criminal Justice and the California Association of Public Defenders.

LANGUAGE ACCESS FOR PARENTS The goal of AB 688 (Chan-D) is to give parents with limited English proficiency more meaningful par-
ticipation in the education of their children. This bill’s monitoring and reporting requirements would augment current state law that seeks to ensure that school dis-
tricts provide essential communications to parents in the appropriate language. The bill also provides a competi-
tive grant program that would help draw down federal monies for translation.

DEATH WITH DIGNITY AB 654 (Berg-D), the California Compassionate Choic-
es Act, is based upon Oregon’s successful Death with Dignity Act approved in 1997. The Act allows mentally capable, terminally ill adults with six months or less to live to legally obtain and use prescriptions to end their suffering.

Privacy rights in Sutter CONTINUED FROM PAGE 1
WANT TO SUPPORT THE ACLU? GIVE ONLINE AT WWW.ACLU.NC.ORG

FRED KOREMATSU AND THE ACLU OF NORTHERN CALIFORNIA: A LASTING LEGACY

With a feeling of great sorrow, the Board, staff, and 48,000 members of the ACLU of Northern California (ACLU-NC) mourn the passing of Fred Korematsu who died on March 30, 2005.

Fred Korematsu was the ACLU-NC’s most important client, but the origins of our 60-year relationship are not widely known. In 1942, following President Franklin D. Roosevelt’s Executive Order 9066, the military command on the West Coast ordered 120,000 Japanese Americans to be interned in isolated concentration camps in the most remote regions of California, Arizona, and other western states.

Korematsu, a 23-year-old welder from San Leandro, refused to go and was jailed in Oakland. With his entire family detained, he had a surprise visitor - Ernie Besig, Executive Director of the ACLU-NC.

Besig offered to pay his bail, and to represent him in challenging the Executive Order and the internment. Despite the ACLU support, Korematsu was sent to a concentration camp in Topaz, Utah. But he told Besig that he would challenge the internment. “I believe that I was an American citizen, and I had as many rights as anyone else,” Korematsu explained in his simple, straightforward manner.

Just as Besig’s visit changed Korematsu’s life, Korematsu’s courageous actions changed the ACLU-NC. Besig recruited attorney Wayne Collins to represent Korematsu all the way to the U.S. Supreme Court.

Korematsu wrote to Besig for many decades. In a sprawling, open hand he described the miserable conditions at the camps, his loneliness for California, his gratitude for the actions of the ACLU-NC, and his commitment to fighting his case in the highest court of the land.

Their friendship, and Korematsu’s tenacity, transformed U.S. history. Though the Supreme Court ruled against Korematsu in 1944, upholding the internment by a vote of 6-3, U.S. District Court Judge Marilyn Hall Patel vacated his conviction in 1983. Five years later, Congress passed the Civil Liberties Act of 1988, apologizing for the internment and providing minimal payments to families who were held in the camps.

Following his 1983 victory, Korematsu became a tireless speaker and organizer against prejudice and intolerance. He spoke about his own history, and related it to current injustices. He crusaded the state and the nation, speaking in legislatures and classrooms, community centers, and national forums. In 1998, he was awarded the Presidential Medal of Freedom by President Bill Clinton, who compared him to “Plessy, Brown and Parks.” In 2003, Korematsu filed a friend-of-the-court brief in the U.S. Supreme Court supporting two prisoners who challenged the constitutionality of prolonged executive detentions under the Bush administration’s “war on terrorism.” Like him, the plaintiffs were being held without formal charges, without any fair hearing to determine “guilt” or innocence, and without the assistance of counsel.

As ACLU-NC Executive Director Dorothy Ehrlich states, “In the aftermath of September 11, our ability to protect civil liberties has been strengthened immeasurably by the courageous actions of Fred Korematsu, this one man, who some sixty years ago, quietly stood up for his constitutional rights.”

A public memorial service took place at First Presbyterian Church in Oakland on April 16, 2005.

The family is asking that donations be made to the The Fred Korematsu Civil Rights Funds at the Asian Law Caucus, 939 Market St. #201, San Francisco, California, 94103; American Civil Liberties Union of Northern California, 1663 Mission St., San Francisco, California 94103; and also the Memorial Fund at The First Presbyterian Church, 2619 Broadway, Oakland, California 94612.

—Elaine Elison
Elaine Elison was the Public Information Director of the ACLU of Northern California from 1980-2003.
CHAPTER EVENTS
ACLU-SANTA CRUZ COUNTY CHAPTER
Summer Fundraiser and Awards Presentation Saturday, August 20, 2:00 p.m. La Felda Room, Seymour Center, Long Marine Laboratory, Santa Cruz. For more information, see www.aclusantacruz.org.

ACLU BARK PLUS CHAPTER
Event series at the Richmond Main Library, 325 Civic Center Drive at MacDonald Ave., Richmond.

Drug Policies
Wednesday, May 25, 7:00 PM
Police Practices
Tuesday, June 7, 7:00 PM
For information telephone Jim Hausken at (510) 558-8377.

MEMORIAL SERVICE FOR CHAPTER ACTIVIST
By Roberta Speckerman
Irvining Hochman of San Francisco died April 6 at age 87. He was an owner of Union Offset, a union press in San Francisco. Irving was a long-time member of the ACLU and, with his wife, Florence, served on the Board of the San Francisco Chapter. An active member of the San Francisco Amateur Astronomers Association, and a contributor to numerous Arts, Theatre, Science, and Political organizations, Irving’s lifelong commitment to social activism and justice began in his youth and continued throughout his life.

A memorial birthday party will be held May 28 at Intersection for the Arts, 446 Valencia St, in San Francisco, 1 -7pm, program at 3 o’clock.

VICTORY FOR MARRIAGE EQUALITY
CONTINUED FROM PAGE 1
“Couples who have made a commitment in life deserve the legal commitment to match,” said Shannon Minter, National Center for Lesbian Rights (NCLR) Legal Director and lead counsel on the case. “This historic ruling affirms the state constitution’s promise of equality and fairness for all people. The court recognized that when the government denies lesbians and gay men the right to marry, it is treating them unequally.”

Citing unconstitutional laws that banned inter­racial marriage in years past, Kramer noted that discriminatory laws “cannot be justified simply because such constitutional violation has become traditional.” Finding no rational basis to justify the banning of gay marriage, Justice Kramer found that “same-sex marriage cannot be banned simply because California has always done so before.”

Justice Kramer further rejected opponents’ claims that California’s domestic partnership laws make marriage rights unnecessary. The existence of marriage-like rights without marriage shows that the state finds a rational interest in granting gay couples the rights associated with marriage. “The idea that marriage-like rights without marriage is adequate smacks of a concept long rejected by the courts: separate but equal,” Kramer noted.

The Superior Court decision is the first by a California court to hold that marriage exclusion laws are unconstitutional.

“We are overjoyed by today’s ruling,” said Stuart Gaffney and John Lewis, two plaintiffs in the lawsuit. “Fifty years ago, the California courts paved the way for my mom and dad to get married when they struck down the state law barring inter­racial couples from marrying,” said Stuart. “Today, the court ruled that the California Constitution protects my right to marry my partner John. We’ve been a loving and committed couple for over 17 years. We’ve waited long enough to be able to marry.”

The ACLU, the National Center For Lesbian Rights, Lambda Legal, the Law Office of David C. Codell, and the law firms of Heller Ehrman White & McAuliffe and Steffel, Levitt & Weiss brought the case.

The victory doesn’t end here—the fight also continues in our legislature. Assembly Bill 19, the Religious Freedom and Civil Marriage Protection Act, would end marriage discrimination in the state of California. AB 19, authored by Assemblyman Mark Leno and Assemblymember Fabian Nunez, also adds specific provisions to underscore that every religious institution remains free to determine for which couples it will perform religious marriage ceremonies. Visit www.aclunc.org and take action to urge your legislators to support AB 19.

Kate Kendall of the National Center for Lesbian Rights (center), shown with plaintiffs in the Won case behind her, at the March 14 victory press conference.

GET INVOLVED! LOCAL CHAPTER MEETINGS
Local chapters are a force for change in their communities. Contact your local ACLU chapter to get involved!

B.A.R.K. PLUS CHAPTER MEETING: Third Wednesday of each month at 7 p.m. Contact Roberta Speckerman for more information: (510) 233-3316 or rspeckerman@earthlink.net.

CONTRA COSTA/M. DIABLO CHAPTER MEETING: Regular meetings. Contact Lee Lawrence for more information: (925) 454-1424 or leehelenalawrence@yahoo.com. All ACLU members in central and eastern Contra Costa County are invited to participate.

MARIN COUNTY CHAPTER MEETING: Third Monday of each month at 7:30 p.m. at the West End Cafe, 1131 4th Street, San Rafael. Contact Aref Alhmadia for more information: (415) 456-1424. Or call the Marin Chapter complaint hotline at (415) 456-0377.

MENDOCINO COUNTY CHAPTER MEETING: Second Saturday of each month. Locations rotate throughout Mendocino County. For information on next meeting, contact Jesse Jesuitals at (707) 964-8099, or Linda Leahy at (707) 937-1485 or info@meclu.org.

MID-PENINSULA (DAILY CITY TO SAN CARLOS) CHAPTER MEETING: Usually third Monday of each month at 8 p.m. in the downstairs conference room at 700 Laurel Street (off Fifth Avenue), San Mateo. Contact chapter hotline for more information: (650) 579-1789.

PAUL ROBESON (OAKLAND) CHAPTER MEETING: Usually third Monday of each month at the Rockridge library (corner of Manila and College Ave.), Oakland. Contact Louise Rothman-Riemer for more information: (510) 596-2580.

REDEEM (UNHOMOJN G) COUNTY) CHAP T ER MEETI NG: Third Tuesday of each month at 6 p.m. above 632 9th Street, Arcata. Contact Greg Allen for more information: (707) 825-0826.

SAN FRANCISCO COUNTY CHAPTER MEETING: Third Tuesday of each month at 7 p.m. at 1663 Mission Street, San Francisco. Contact Dennis McNally for more information: (415) 896-2198 or jcschick@earthlink.net.

SAN FRANCISCO COUNTY CHAPTER MEETING: Third Tuesday of each month at 7 p.m. at 1663 Mission Street, San Francisco. Contact Dennis McNally for more information: (415) 896-2198 or jcschick@earthlink.net.

SAN JOAQUIN COUNTY CHAPTER MEETING: Regular meetings. Contact John Schick for more information: (209) 941-4422 or jschick@earthlink.net.

SANTA CLARA VALLEY CHAPTER MEETING: First Tuesday of each month at 7 p.m., 1051 Morse Street (at Newhall), San Jose. For more information contact clauscy@hotmail.com or visit www.saclaws.org.

SANTA CRUZ COUNTY CHAPTER BOARD MEETING: Last Monday of every month at 8:00 PM, 1260 High Street, Santa Cruz. Contact Eric Krass for more information: (831) 622-9894 or visit aclunc.org.

SANTA CRUZ COUNTY CHAPTER MEETING: Third Tuesday of each month, at 7 p.m. at the Peace and Justice Center, 467 Sebastopol Avenue, Santa Rosa (one block west of Santa Rosa Avenue). Contact the Sonoma hotline for more information: (707) 765-5005 or visit www.aclusonoma.org.

SANTA CLARA COUNTY MEETING: Fourth Monday of every month from 7 -9:30 p.m. at the Modesto Peace Center, 720 13th Street, Modesto. Contact Tracy Herbeck for more information: (209) 522-7149.

YOLO COUNTY CHAPTER MEETING: Third Thursday of each month at 6:30 PM. Contact Natalie Wornelt for meeting location: (530) 756-1900.

NEW CHAPTERS ORGANIZING
ECHIPO CHAPTER: Regular meetings. Contact Laura Ainsworth for more information: (530) 894-6895 or info@echioacum.com.

SACRAMENTO COUNTY CHAPTER MEETING: Regular meetings. Contact Murtazal Kazmi for more information: (916) 691-0582.

SOLANO CHAPTER: Contact Bill Hatcher for more information: (707) 447-0726.

CAMPUS CLUBS
BERKELEY CAMPU S A C L U: Every Wednesday from 7:30 - 8:30 p.m. at 220 Wheeler Hall. For more information, visit www.berkeleyacu.com or contact Sara Ber Jansen at sarabeth@berkeley.edu.

DAVIS CAMPU S A C L U: Contact James Schwab for more information: (530) 756-1482 or jimswab@yahoo.com.
with the President and Congress actively hostile to reproductive freedom and concerns over future Supreme Court appointments growing louder, Margaret Crosby, ACLU of Northern California (ACLU-NC) Staff Attorney and expert on women’s rights issues, answers questions on the future of reproductive freedom.

DO WE HAVE THREATS TO ABORTION RIGHTS IN CALIFORNIA ASIDE FROM FEDERAL LAWS?

Yes. We have a very serious threat to young women’s access to abortion. Anti-choice forces have gathered signatures to place an initiative on the next statewide ballot to amend the California Constitution. The initiative would require doctors to notify parents before performing an abortion on a teenager under 18, unless the teenager has obtained a court order authorizing an abortion. This is an effort to overturn an ACLU court victory in 1997, when the California Supreme Court ruled that a law requiring parental consent for minors’ abortions violated teens’ right to privacy. The court said that although the state had the authority to protect all adolescents, including those who are pregnant, its measure did not give due respect to the privacy guaranteed to minors because their rights can be “suspended” for the duration of the pregnancy.

The initiative seeks to roll back the Dec. 12, 2002, decision, in which the court said that the law violated the constitutional rights of minors to privacy and to make their own reproductive decisions. It prohibits minors from acquiring an abortion without a court order or parental notification, and requires minors to notify their parents before receiving information about abortion.

The ACLU brought one of the cases challenging the law. Those decisions are on appeal, and expected to reach the United States Supreme Court in the next few years.

ARE WE LIKELY TO SEE MORE LAWS RESTRICTING REPRODUCTIVE RIGHTS FROM CONGRESS?

Yes. One direct Congressional assault is the Child Custody Protection Act, which would legalise a teenager across a state line for an abortion in a state with less restrictive parental involvement laws. The law is in effect because three federal judges have ruled it unconstitutional. The ACLU brought one of the cases challenging the law. Those decisions are on appeal, and expected to reach the United States Supreme Court in the next few years.

ARE THE OTHER REPRODUCTIVE RIGHTS DESIDES ABORTION UNDER ATTACK IN WASHINGTON?

Yes. The President’s hostility to reproductive rights extends to birth control and sex education. (Both, of course, reduce unplanned pregnancies and the need for abortion.)

The Department of Justice issued a voluminous manual outlining standards of care for the treatment of sexual assault survivors; it omitted any information about emergency contraception to prevent pregnancy resulting from rape. Earlier in 2004, the FDA overturned the recommendations of two of its own scientific panels that recommended that Plan B, a form of emergency contraception, be available over the counter in pharmacies. Additionally, the federal government has spent over $609 million to promote “abstinence-only until marriage” sex education. President Bush’s proposed 2005 budget, which slashes funding for health care for the poor, increases abstinence-only funding to $206 million this year.

WHAT’S CALIFORNIA’S SEX EDUCATION POLICY?

California is the only state in the nation that has never accepted federal abstinence-only money. The state’s policy, embodied in a law that took effect in 2004, is that sex education in our public schools must be medically accurate, free of bias, and comprehensive. The ACLU worked closely with Senator Sheila Kuehl in drafting the law.

SO ARE ALL CALIFORNIA SCHOOLS PROVIDING SCIENCE-BASED, COMPREHENSIVE SEX EDUCATION?

Not yet. Many schools are still providing outdated, biased, incomplete and inaccurate instruction. In addition, the Bush administration seeks to evade California’s science-based, comprehensive sex-education policy and channel federal abstinence-only funds through a back door by contracting directly with organizations in the state. One recipient is AIIA International of Hayward, which provides instruction to students in several East Bay school districts, including Newark and Fremont. The ACLU is working with local communities to improve sex education in California schools.

WHAT CAN I DO TO HELP?

Please check our web site www.aclunc.org for guides to the California law and tips on how you can improve sex education in your community.

Stay tuned for how you can oppose an upcoming ballot initiative on parental notification.

The ACLU Forum is the place where you, our readers and members, can ask questions of our experts and share your comments with us. In each issue, we will focus on one or two specific topics.

WE WANT TO HEAR FROM YOU!

For the summer 2005 issue, please send us questions about: Patriot Act Sunset Provisions We also encourage you to send letters to the editor on any of the subjects we cover, though we cannot print every letter or answer every question. Letters should not exceed 200 words. Send your questions and comments to gpandian@aclunc.org or Letter to the Editor, 1600 Mission Street #460, San Francisco, CA 94103.