

ACLUnews

SUMMER 2016

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WHAT'S INSIDE



2 Legal victories and updates

3 Two lawyers walk into a bar, and get kicked out for being black

7 Highlights from Conference & Lobby Day

**CENTER INSERT:
The Year in Review**

JUSTICE DELAYED: FRESNO CONTINUES TO NEGLECT THE RIGHT TO COUNSEL

By Leslie Fulbright

The ACLU of Northern California moved a step closer to the goal of repairing Fresno County’s overwhelmed public defense system when a judge ruled that the ACLU-NC lawsuit against the state and county for violating defendants’ constitutional right to counsel will proceed.

Seven years have passed since the head of the Fresno County Public Defender’s Office told the Board of Supervisors that attorneys were severely limited in their ability to provide competent representation. Almost three years ago, the union that represents the public defenders warned that the situation was jeopardizing clients’ constitutional rights on a daily basis. The Fresno County system remains in a state of crisis.

The ACLU-NC filed the lawsuit in July of last year arguing that it is the responsibility of both the state of California and Fresno County to ensure the office gets the resources it needs to represent people who are charged with crimes but can’t afford to pay for attorneys.

At a hearing in April, the state attempted to shirk responsibility and blame the problem on the county.

“SOME ATTORNEYS ADVISED ME TO PLEAD GUILTY BECAUSE THEY DIDN’T HAVE TIME TO WORK ON MY CASE. I HAD SO MANY QUESTIONS BUT THERE WAS NO ONE AVAILABLE TO ANSWER THEM.”

–PLAINTIFF PETER YEPEZ

CONTINUED ON PAGE 4

BOARD ELECTION NOTICE

The ACLU-NC Board of Directors, in accordance with changes adopted in the bylaws in 2003 (Article VI, Section 3 and Article VI, Section 4), have an election schedule as follows:

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

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

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

1. They may send suggestions for the nominating committee’s consideration prior to the September Board meeting (Sept. 8, 2016). Address suggestions to: Nominating Committee, ACLU-NC, 39 Drumm Street, San Francisco, CA 94111. Include your nominee’s qualifications and how the nominee may be reached.
2. They may submit a petition of nomination with the signatures of 15 current ACLU-NC members. Petitions of nomination, which should also include the nominee’s qualifications, must be submitted to the Board of Directors by Sept. 28, 2016 (20 days after the September board meeting). Current ACLU members are those who have renewed their membership during the last 12 months. Only current members are eligible to submit nominations, sign petitions of nomination, and vote. No member may sign more than one such petition.

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

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LEGAL UPDATES

By Bethany Woolman

DRESS CODE VICTORY IN CLOVIS

Until this April, the dress code for Clovis Unified School District banned long hair, earrings, and dresses for male students. It also banned “exotic clothing and makeup,” and hairstyles that “cause undue attention” for all students. With Gay-Straight Alliance Network student leaders at the forefront, the ACLU embarked on an organizing campaign earlier this year that succeeded in pressuring the district to bring the dress code into compliance with California law. “Students in Clovis know what some district officials apparently do not,” said ACLU of Northern California Staff Attorney Abre’ Conner. “Kids have a right to be their authentic selves at school.”

41,000 DOCTORS SEEK TO JOIN CHAMORRO V. DIGNITY HEALTH

In April, the California Medical Association (CMA) filed to join the ACLU’s lawsuit against Dignity Health—a taxpayer-subsidized hospital system affiliated with the Catholic church that denies patients basic reproductive health care. Because Dignity Health classifies sterilization as “inherently evil,” plaintiff Rebecca Chamorro was denied a tubal ligation in January. “Withholding pregnancy-related care for reasons other than medical considerations is illegal in California. The medical community recognizes the importance of this case,” said Elizabeth Gill, senior staff attorney at the ACLU of Northern California. CMA represents more than 41,000 doctors.

SFPD TEXT SCANDAL PROMPTS NEW LETTER TO DOJ

Following the recent revelation of a new batch of racist and homophobic texts sent by officers of the San Francisco Police Department (SFPD), the ACLU of Northern California in April sent a second letter to the U.S. Department of Justice (DOJ) renewing the call for a “pattern and practice” investigation of the police department. “We’re concerned about the deep-rooted failures in the SFPD, including the ability of officers to



Students and teachers at the Clovis Unified School District.

interact effectively with communities of color,” said Alan Schlosser, senior counsel with the ACLU of Northern California. “The DOJ must embark on an independent investigation with teeth, because the current, unenforceable review of SFPD policies is inadequate.” The ACLU-NC has also repeatedly expressed concern over the way officers have treated people with disabilities, including residents with mental illness. A number of people recently shot and killed by the SFPD were reported to have been experiencing a mental health crisis.

STIAVETTI V. AHLIN

The ACLU’s suit against California’s Department of State Hospitals (DSH) and Department of Developmental Services (DDS) is moving forward after the State’s motion to dismiss was denied in April. “When defendants have been declared incompetent to stand trial due to psychiatric or intellectual disabilities, it’s the state’s responsibility to transfer them out of jail promptly so they can receive treatment,” said ACLU of Northern California Senior Staff Attorney Michael Risher. “We filed this suit on behalf of family members of people whose health was devastated after the DSH and DDS left them warehoused in jail facilities for months on end.”

DRIVER’S LICENSE SUSPENSION: A DUE PROCESS VIOLATION

This Spring, the ACLU—in coalition with a number of local legal organizations—sent letters urging several Bay Area traffic courts to change their policy of suspending the driver’s licenses of people who are too poor to pay exorbitant traffic fines. “The denial of due process in traffic court is causing widespread debt and unemployment,” said Micaela Davis, Staff Attorney with the ACLU of Northern California. “By not taking people’s ability to pay into account, the courts are hurting families, communities, and the state as a whole.” Both San Mateo and Contra Costa counties have changed their policies in response, but other counties have not.

ACLU V. CDCR

In November, the ACLU filed suit to demand records related to lethal injection from the California Department of Corrections and Rehabilitation (CDCR). This May, after seeking for months to withhold documents, the CDCR had no choice but to turn over approximately 11,000 pages that shed light on the proposed lethal injection protocol. “The documents continue to reveal major flaws related to the selection of lethal injection drugs and the failure to include procedures to address the likely event of a botched execution,” said Ana Zamora, ACLU of Northern California Criminal Justice Policy Director. Document review revealed, for instance, that the CDCR has been unrepentant about flouting federal law and considered importing foreign drugs again, despite a demand from the FDA to return a prior, illegal foreign shipment.

PROM VICTORY IN REDDING

A prom controversy reached a happy conclusion this May when Redding’s Shasta Union High School District agreed to let 16-year-old student Haley Lack and her girlfriend be voted prom king and queen. Before the ACLU stepped in, the school principal argued that the lesbian couple would not be permitted to become prom royalty even if they received the most votes. “This school policy violated gay and lesbian students’ constitutional rights to freedom of expression and protection against discrimination,” said ACLU of Northern California Senior Staff Attorney Elizabeth Gill. After receiving the ACLU’s strongly worded letter, the district officially recanted.

Bethany Woolman is a Communications Strategist at the ACLU of Northern California.

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TWO LAWYERS WALK INTO A BAR, GET KICKED OUT FOR BEING BLACK

By Abre' Conner and Novella Coleman

ACLU lawyers are used to taking on injustice and speaking out on behalf of our clients. But this time, the discrimination happened to us.

At a bar in Fresno called the Brig, where we went to sing karaoke, the two of us were not drinking, but the third person in our group ordered several drinks. Suddenly, a bartender demanded we buy more drinks.

We looked around and realized several other patrons did not have drinks. There were no signs regarding drink minimums. The bar was only applying this mandatory drink minimum to us.

Then the bartender, almost a foot taller than Abre', tried to physically remove her from the bar. After Abre' asked him not to touch her, he stormed off and called the police.

Another employee approached us. We explained that the bar was only using the rule against us, apparently the only Black people in the bar. She yelled at us, "It's not fair for you to bring up race!"

Of course it's fair to bring up race.

When the police arrived, one of the officers asked if we



Novella Coleman and Abre' Conner.

thought it was a "racial thing" and after looking around the bar, noted the rule seemed "made-up."

Still, the police forced us to leave.


Police departments are responsible for addressing threats to public safety and enforcing criminal laws, not abetting bias and racism.

Contrary to popular belief, businesses do not have

a legal right to refuse service to anyone. Whether it's through blatant bigotry or more subtle forms of discrimination, such as applying rules unevenly, discrimination by businesses based on race, gender, sexual orientation, a disability, and a number of other characteristics, is illegal in California.

California's anti-discrimination laws are even broader than federal laws. That's why we've requested an official investigation by the California Department of Fair Employment and Housing (DFEH), the agency charged with enforcing the state's civil rights laws.

There is a simple process in California for reporting discrimination, even without a lawyer—anyone can file a complaint with the DFEH. The DFEH can investigate unlawful discrimination in employment, housing and public accommodations, and threats or acts of hate violence.

We're not the first people to be treated this way. But let's be clear: no business can legally kick people out just because they're Black. 

Abre' Conner and Novella Coleman are Staff Attorneys at the ACLU of Northern California.

PEOPLE UNLAWFULLY SENTENCED TO DIE IN PRISON DESERVE HEARINGS

By Leslie Fulbright

As many as 250 people who were sentenced as juveniles to life without the possibility of parole are entitled to resentencing hearings but don't have access to attorneys.

The ACLU-NC submitted a habeas corpus petition challenging the sentence of Leif Taylor, who at age 16 was sentenced to die in prison. A new hearing would provide Taylor, now 39, an opportunity to show that he should be resentenced to 25 years to life.

The ACLU-NC is asking the Supreme Court of California to enable new hearings for each of the approximately 250 individuals, all of whom were sentenced under harsh laws enacted in the 1990s.

In 2014, the California Supreme Court held that for 20 years, lower courts had misconstrued state law in favor of life without the possibility of parole—as opposed to 25 years to life—for minors convicted of murder with a special

"THIS HARSH AND UNCONSTITUTIONAL SENTENCING SCHEME WAS ESSENTIALLY THROWING CHILDREN AWAY FOREVER."

— ACLU STAFF ATTORNEY MICHAEL RISHER


circumstance. The court also held that lower courts had erred by failing to sufficiently consider the youth of the offenders and their capacity for change.

Aid in filing petitions on behalf of these inmates has been provided by law school clinics, pro bono attorneys and public defenders. But the vast majority still don't have representation. Although state law promises some juvenile offenders a chance to be resentenced to 25 years to life if

they can show remorse and prove rehabilitation, it does not provide them with lawyers.

"This harsh and unconstitutional sentencing scheme was essentially throwing children away forever," said Michael Risher, a senior staff attorney with the ACLU of Northern California. "Now that the court has ruled it unlawful, these people deserve a fair opportunity to show that they should be resentenced."

The ACLU-NC is also asking the court to clarify how these 250 people who were improperly sentenced in California can access attorneys to help them file for resentencing under the correct interpretation of the law.

California has the highest number of people serving life without parole sentences for crimes committed as children. Eighty-five percent of youth sentenced to life without parole are people of color, with 75 percent of all cases in California being African-American or Latino youth. 



Leif Taylor was sentenced to die in prison for a crime committed when he was sixteen. Now 39, he is one of roughly 250 people entitled to resentencing.

ACLU BENEFACTORS DINNER GIVES SURPRISE AWARD TO ACLU-NC DEVELOPMENT DIRECTOR CHERI BRYANT

Photos by Stephanie Jaeger



Above, Longtime ACLU supporters Dick Grosboll and Nancy Pemberton surprised retiring staff member Cheri Bryant with the naming of an endowment recognizing her 25 years of service to the organization.

At right: Lilly Moledina, Griffin Tarpinning, Jazmin Moledina, and Riaz Moledina. Frank Ching and Charley Kearns. Board members China Brotsky and Shalini Swaroop, with Rene Perez.



FRESNO PUBLIC DEFENDERS

(continued from page 1)

But a Fresno County judge ruled the state will remain a defendant and answer for its role in the system's failures.

Fresno County public defenders represent more than 25,000 people each year. Each attorney shoulders up to four times the number of clients recommended by the American Bar Association. The attorneys have so little time with their clients that they often can't even meet basic legal needs, much less discuss circumstances surrounding the person's arrest, conduct investigations or prepare for a trial. Assuming a normal workday with no vacations or time off, a Fresno public defender has five hours to spend on each felony case.

This leads to wrongful convictions and unfair results. Many people have felt no choice but to enter guilty pleas to inappropriate charges, and have been denied their right to a speedy trial.

One of our plaintiffs, Peter Yepez, didn't see a public defender until he had spent almost a month in jail. He had nine different public defenders between his arraignment and his sentencing, some of whom advised him to plead guilty despite strong evidence that he was innocent.

"I was given conflicting legal information on what I should do," Yepez said. "Some attorneys advised me to

"THE RIGHT TO AN ATTORNEY IS A BEDROCK PRINCIPLE OF OUR JUSTICE SYSTEM AND FRESNO'S OVERBURDENED PUBLIC DEFENSE SYSTEM IS PRODUCING RESULTS THAT ARE DEEPLY UNFAIR."

-ACLU STAFF ATTORNEY
NOVELLA COLEMAN


plead guilty because they didn't have time to work on my case. I had so many questions but there was no one available to answer them."

He is just one of thousands of Fresno residents who are forced to navigate the criminal justice system without the legal representation guaranteed by the Constitution. In 1963, the ACLU filed an amicus brief in Supreme Court case *Gideon v. Wainwright*, which held that the Sixth Amendment right to a fair trial guaranteed all defendants facing imprisonment have the right to an attorney.

The system's deficiencies also worsen the racial discrimination that plague the criminal justice system. Racial profiling leads to more arrests and prosecutions of people of color. Black people are 5 percent of Fresno County's population, yet they disproportionately make up 14 percent of the county's felony arrests.

The flawed system also has a disproportionate impact on the county's immigrants, who make up 22 percent of the population. Many are encouraged to plead guilty without being told how that choice can affect their immigration status.

"In this time of racial profiling, over-policing, and mass incarceration, people of color face one injustice after another," said Novella Coleman, a staff attorney with the ACLU of Northern California. "The right to an attorney is a bedrock principle of our justice system and Fresno's overburdened public defense system is producing results that are deeply unfair."

The next hearing is scheduled for July 12. 

Leslie Fulbright is a Communications Strategist at the ACLU of Northern California.

EN LA LUCHA, IN CONTRA COSTA AND IN SACRAMENTO

LUCIA PEREZ LOERA IS SPEAKING UP FOR IMMIGRANTS, WITH IMMIGRANTS, AND FROM THE HEART

By Raquel Ortega

“Can you help me change him into his lobby day outfit?” Lucia Perez Loera, a board member of the Berkeley/North East Bay Chapter of the ACLU-NC asked me. She was talking about her 6-month-old son Pascualito, who was lying on a blanket in front of us next to an adorable baby suit and blue bow tie. We were in Sacramento for the 20th anniversary of Immigrant Day, when people in “la lucha” (the fight) for California immigrants’ rights descend on the state capitol each year to demand respect and better treatment for immigrant communities.

Lucia first got involved with the ACLU-NC when Executive Director Abdi Soltani embarked on a college tour through the Central Valley.

“I had never heard much about the ACLU except that they represented the Westboro Baptist Church, so I was unsure,” she recalled. “I asked Abdi how the ACLU could claim to fight for the rights of LGBTQ people but also defend such a hateful, anti-LGBTQ organization.

“He told me that if the court ruled that the church couldn’t picket, that would affect someone else’s ability to speak freely. He said once you chip away at one person’s rights, everyone else’s are at risk. I was sold.”

“My parents are immigrants from Nayarit, Mexico,” Lucia tells me. “They got permanent residency in the ‘80s through amnesty. But many people who are working very hard in pursuit of the American Dream have no viable pathway to legalization. These people are the pillars of our community.”

Lucia, Pascual, and other chapter board members and I were at the Capitol to talk with Assemblymember Tony Thurmond about the TRUTH Act (AB 2792). If passed, the legislation will create a more transparent process—including community engagement—before local law enforcement engage in Immigration & Customs Enforcement (ICE) deportation programs.



Until April of this year, Contra Costa County was one of the few counties in the Bay Area cooperating with ICE to the maximum extent allowed. The result was that individuals were held past their release dates


and denied the opportunity to post bail, in violation of California immigration law and the state Constitution.

After the ACLU, the public defender’s office, and community members engaged in extensive conversations with the sheriff’s office, the Contra Costa County Jail changed its policy and will no longer honor ICE detainees. The shift brings current practice into alignment with the California TRUST Act (AB4), which the ACLU helped pass in 2013.

In addition to policy advocacy, the Berkeley/North East Bay Chapter is partnering with immigration lawyers and community advocates to provide a free citizenship clinic to help East Bay residents begin the naturalization process.

In the big picture, Lucia says her sights are set on finding more pathways to citizenship.

“There are millions and millions of people who contribute to this society every day but live in fear. It’s heartbreaking to hear stories of children who have their parents taken away, sometimes right before their eyes.”

Lucia is currently studying to be a paralegal at Cal State East Bay and plans to return to law school and become a civil rights attorney. 

Raquel Ortega is an Organizer at the ACLU of Northern California.

GET INVOLVED WITH AN ACLU CHAPTER IN YOUR LOCAL COMMUNITY

Get more information at WWW.ACLUNC.ORG/CHAPTERS

or by calling (415) 621-2493 x355

LEGISLATIVE UPDATE FROM THE ACLU OF CALIFORNIA CENTER FOR ADVOCACY & POLICY

By Natasha Minsker

This year, the ACLU of California is co-sponsoring 12 bills to protect and advance civil liberties and civil rights for everyone in our state. They address criminal justice, education equity, immigrants' rights, and voting rights. With the exception of one bill, all of our co-sponsored bills made it out of their house of origin and are now proceeding to the next hurdle: the second house.

We invite ACLU supporters to be part of the legislative process. This usually entails emailing or calling legislators and Gov. Jerry Brown to urge them to support and sign a bill. When legislators hear from Californians themselves, it makes a big difference.

You can sign up for email action alerts by visiting www.aclunc.org/email.

POLICING: INCREASING TRANSPARENCY AND ACCOUNTABILITY IN CALIFORNIA

This year, the ACLU of California co-sponsored a groundbreaking bill to restore transparency to policing and ensure that law enforcement is being held accountable to the communities they serve. Unfortunately, the bill was held in the Senate Appropriations committee in May. As a result, law enforcement's blue code of silence will remain state law in California.

SB 1286 would have lifted the veil of secrecy that shields police misconduct from the taxpaying public. The bill would have made information related to instances of police use of force and confirmed cases of officer misconduct publicly available.

In other words, those who experience police misconduct or who lose family members to police violence will continue to be denied answers to questions about the investigations and any resulting discipline.

We know Californians are ready for meaningful reforms, like SB 1286, to ensure that law enforcement agencies are held accountable and that their policies reflect community values. The ACLU is committed to ensuring that this goal becomes a reality.

SINCE 1989, THERE HAVE BEEN MORE THAN 1,730 EXONERATIONS NATIONWIDE. WE CAN'T AND SHOULDN'T CONTINUE TO IGNORE GLARING FLAWS IN OUR CRIMINAL JUSTICE SYSTEM.

BRINGING A LITTLE BIT OF JUSTICE BACK TO OUR JUSTICE SYSTEM

Three important justice bills passed out of the Senate and now head to the Assembly. If they succeed, they will go to Gov. Brown for final approval.

SB 881 would ensure that Californians don't have their licenses suspended simply because they can't afford to pay a traffic ticket. This overly harsh punishment can drive people deeper into poverty, sometimes making it more difficult for them to hold a job and make amends.


SB 1134 would allow individuals who are wrongfully convicted to prove their innocence. Currently, an individual must either have conclusive DNA evidence or identification of the actual perpetrator in order to prove their innocence. SB 1134 would instead provide access to a new trial if a person who has been wrongfully convicted can show that new evidence of innocence would be presented, and that there is a reasonable probability that the outcome would be different.



Center for Advocacy & Policy Director Natasha Minsker.

STACY ANTONOPOULOS

Finally, **SB 1389** would help prevent false confessions of guilt by requiring that police videotape interrogations of any individual suspected of homicide. This step would likely improve criminal investigation techniques, document false confessions when they do occur, and reduce the likelihood of wrongful conviction.

Since 1989, there have been more than 1,730 exonerations nationwide. We can't and shouldn't continue to ignore glaring flaws in our criminal justice system that send people to prison unjustly, break up families, and ruin lives. Please join the ACLU-NC in our efforts to enact reforms that will make our communities safer and stronger. 

To learn more about other bills the ACLU is co-sponsoring, visit: www.aclunc.org/bills2016



TAKE ACTION!

WHEN LEGISLATORS HEAR FROM CALIFORNIANS THEMSELVES, IT MAKES A BIG DIFFERENCE.

SIGN UP FOR EMAIL ACTION ALERTS:

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DIVERSE, DETERMINED, AND TOGETHER: THIS IS HOW WE WIN

By Raquel Ortega

I love being an activist. It's that feeling—the feeling that I'm able to make a difference in my community. It's also a belief—the belief that we can do something to make things better for others. In a world that constantly tells us we need to give in to the status quo, being an activist is liberating.

This was my first ACLU of California Conference & Lobby Day and also the largest conference I've ever helped to run, with over 300 attendees. Going into it, I was a little bit nervous, but mainly excited. Excited to advocate for three important bills. Mostly I was excited to meet all of our people—the ACLU of California community.

I was blown away.

In addition to being geographically diverse, we had people ranging from teens to seasoned activists in their seventies.

The first night, we kicked things off with a party in the hotel where folks could mingle, make signs for Monday's rally day, play their favorite board game, or show off their best salsa dance moves.


Day 2 was when things got real, with back-to-back

workshops on immigration, police practices, students' rights, homelessness and civic engagement. Part of being in a community means we're committed to celebrating and fighting together, but also putting in the work to learn and grow together.

I led a workshop called Limiting the Poli-Migra Collaboration & Criminalization of Our Communities, with Luis Nolasco from the ACLU of Southern California and Gloria Cruz from the ACLU of San Diego. We shared stories, challenges and successes.

Not only do I come from an immigrant family, but I was born and raised in Tucson, AZ, a state notoriously known for SB1070—the anti-immigrant, show-me-your-papers law. Tucson is also a school district that banned ethnic studies, which is to say that we were officially prohibited from learning about the history of race and power in the United States. It meant so much to be able to sit in a multi-generational, racially diverse room and agree that what is happening to the violate the basic rights of migrants is wrong. Every person in that room felt fired up and ready to do something about it.

My highlight of the last day was getting to meet my Assemblymember, David Chiu. I knew that he was a big supporter of our issues, but I wasn't expecting him to be so attentive. He listened to all of our concerns and stories and said he looked forward to reading over the bills we brought to his attention. I asked if he'd be willing to take a picture with us. "Only if you tweet it!" he joked.

The ACLU is about community. Our people include the retired professor who educates his neighbors about how to stay safe when ICE knocks on the door. Our people include the mom from Chico, fighting for sex education for her son. Our people include the formerly incarcerated student trying to get her master's degree in social work. We are passionate, caring individuals dedicated to building power across the state. And we can't stop, won't stop, because when we work together we know we can win. 

Raquel Ortega is an organizer at the ACLU of Northern California.

Photos by Martha Winnacker



Top: ACLU activists, partners and community members gather on the steps of the Capitol in Sacramento to rally before lobby visits began.

Lower left: ACLU activists and staff meeting with Assemblymember David Chiu of San Francisco.

Lower right: Raquel Ortega (Organizer at the ACLU-NC), Steven Medeiros (Program & Events Coordinator at the ACLU-NC) and Jean Richie Mortensen (ACLU community member) at a conference workshop.

LETTER FROM THE EXECUTIVE DIRECTOR

LIBERTY IN THE AGE OF ECONOMIC INEQUALITY

There are many issues that define our time, but certainly high among them is the issue of economic inequality. We have a level of inequality that is historic, not seen since the Gilded Age.

That inequality is reflected in measurements such as income, but also very importantly in terms of assets. And the inequality has deep and entrenched relationships to other factors, including race, gender, and disability, which are protected by civil rights laws. This inequality takes place in the context of the rising power and scale of corporations, the erosion of unions, and the related trends of globalization.

What does economic inequality have to do with civil liberties and the work of the ACLU?

Some people argue that inequality is a natural outcome of liberty. Others argue that you can't have liberty without a measure of economic security. There has been a big debate over several decades in the ACLU about whether economic inequality and poverty are themselves civil liberties issues. Our board took the position many years ago that poverty itself is a civil liberties issue because it directly affects a person's ability to exercise their freedoms and their rights. In implementing that outlook and that policy, we focus on the core constitutional issues where we have the most credibility and expertise. Here are some of the ways we are doing that.

CIVIL JUSTICE. Fines and fees are a basic tool of government enforcement. But when people have very low incomes, with debt or virtually no assets, a fine or fee is a severe penalty, and one that escalates and multiplies as people fall behind. We are working to ensure due process for people to contest fines and fees and to ensure alternatives that provide an avenue for accountability without putting people into a deepening spiral of poverty.

ACCESS TO COUNSEL. A fundamental principle of our Constitution is the right to an attorney, a principle the ACLU strengthened over 50 years ago with the *Gideon* decision that provides public defenders for those too poor to hire their own. Our current lawsuit in Fresno builds on that principle to ensure adequate counsel for low-income defendants.



Abdi Soltani.

MONEY BAIL. There is perhaps no policy which more directly translates money for liberty than money bail. Over half of the people in our county jails are there awaiting trial, most because they are too poor to pay bail. As part of our nationwide campaign to tackle mass incarceration, the ACLU of California is launching a project to replace money bail with evidence-based alternatives that ensure defendants appear in court.

REPRODUCTIVE JUSTICE. In much of our work on reproductive rights, the ACLU is focused not just on protecting the choice to have an abortion, but also ensuring that low-income women have the resources and services to freely exercise their right to have an abortion or to carry the pregnancy to term and have a child.

CAMPAIGN FINANCE. We are also stepping out into one of the most difficult issues of our time. We need to develop new ways to uphold the freedom of speech and association, while also developing reasonable and constitutional ways to limit the impact of economic inequality on our political system. To this end, we launched the Campaign Finance Dialogues to grapple with these difficult questions. Please look out for more information on this important issue.

Every generation of civil liberties advocates has a context in which we do our work. Every generation also changes the context in which that work is done. We appreciate your support, which allows us to do our part.

A handwritten signature of Abdi Soltani in black ink.

Abdi Soltani
Executive Director
ACLU of Northern California



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California can't afford another costly measure that jeopardizes justice by removing protections for the innocent.

Join the ACLU and
VOTE NO
on Proposition 66
November 8