



NYCLU NEWS

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QUEST FOR TRANSPARENCY: Legal Director Arthur Eisenberg is leading the NYCLU's efforts to allow the public to have access to the Grand Jury records in the Eric Garner case. In December we filed an application with the court in Staten Island to unseal the jury's transcript, as well as the evidence presented and instructions the jury was given after it failed to indict the officer responsible for Garner's death when the incident was clearly recorded. Unfortunately, the court in March rejected the NYCLU's request. We will appeal the decision and keep up the fight for transparency.
Photo by Ujala Sehgal

New Rules Make Rikers a Leader in Solitary Confinement Reform

On January 13, the New York City Board of Correction announced new rules governing the use of solitary confinement at Rikers Island, which included ending its use on people 21 and younger and reducing solitary confinement for all prisoners to no more than 30 consecutive days. The NYCLU was among the organizations pressing the Board for the reforms.

"With these reforms, New York City has taken an important stand for basic human rights and reaffirmed its commitment to the safety of prisoners, prison staff and our communities," said Executive Director Donna Lieberman. "An institution as profoundly broken as Rikers Island will require wholesale reform to transform into a humane environment that emphasizes treatment and rehabilitation over punishment and isolation, and these rules are a major step forward."

Under the new rules, which the Board passed unanimously at the hearing, people 21 and younger will be excluded from solitary confinement and enhanced supervision housing by January 2016. The rules take into account new scientific evidence that those 21 and younger do not have fully developed cognitive abilities. The NYCLU, with the support of prison officials, mental health professionals and human rights partners, has long advocated against the traumatic impact of solitary confinement especially on vulnerable young people. Last year the NYCLU reached a historic agreement that led New York State to become the largest prison system in the country prohibiting its use on prisoners younger than 18. This new rule, which prohibits solitary confinement for people 21 and younger, is the first of its kind in the nation.

"We are at an unprecedented crossroads at Rikers—the violence and brutality is as bad as it

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NYCLU Pushes Long Island School District to Allow Immigrant Youth to Enroll

In early October, press reports indicated that a Long Island school district had prevented dozens of Latino children from receiving an education. At least 33 students — many of them recent immigrants — were barred from attending classes. Instead, the students were instructed to sign in for school every day and then return home because there were not enough classrooms to accommodate them.

"Every child has a right to an education. But what we found in Hempstead was an insidious attempt by local administrators to keep some students out," said Nassau County Chapter Director Jason Starr. "Throughout October I was inundated by requests from concerned parents and struggling students about their right to an education and what they should do about being continuously shut out of their local district."

The situation in the Hempstead School District prompted the NYCLU to conduct a survey of 139 school districts across the state that we previously identified as putting up illegal barriers to immigrant youth enrollment. Though the initial survey was conducted in 2010, the NYCLU found in its new survey that many were still out of compliance with the law — including Hempstead. The public release of the NYCLU's survey highlighted the State Education Department's failure to enforce its own guidelines regarding immigrant student enrollment, and prompted a joint review by both the State Education Department and the Attorney General's office of the enrollment and registration practices of school districts in Nassau, Suffolk, Rockland and Westchester counties.

In many school districts, the state review went relatively well. Local district administrators worked with the state to ensure that their schools were following both the letter and spirit of the law. In some cases that meant simply changing the documentation required for enrollment or eliminating immigration status information from enrollment forms.

"Schools were unwittingly creating barriers to enrollment and registration by requiring proof of residency or guardianship that many families can't meet," said Suffolk County Chapter Director Amol Sinha. "The law is clear that all children, regardless of immigration status, are entitled to a free education in New York. The heightened scrutiny by the Attorney General's office and the State Education Department have been helpful in forcing districts to update bad enrollment policies and to address complaints from individuals who have been denied their right to an education."

Unfortunately, the problem wasn't addressed as quickly in Hempstead. Despite multiple conversations between the

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Words from NYCLU Executive Director Donna Lieberman

The Push for Dignity and Justice: 50 Years of Selma

"I want to do something my father never did and recognize John Lewis for his humanity, his dignity, and for being a child of God and an Alabaman and say to him, 'Welcome Home.' "

Peggy Wallace Kennedy, daughter of former Alabama Gov. George Wallace, addressing Rep John Lewis at the 50th anniversary commemoration of the March on Selma

For NYCLU Legal Director Arthur Eisenberg, who traveled to Selma for the 50th anniversary of the march, the above exchange was the most moving moment of a weekend packed with deeply emotional commemorations of the remarkable courage, the huge personal sacrifices and the victories of the civil rights movement.

The civil rights struggles and victories of 50 and



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60 years ago promised a new era of justice and equality where all people would "not be judged by the color of their skin but by the content of their character." *Brown v. Board of Education* was supposed to end racial segregation in our schools. The Civil Rights Act of 1964 promised an end to Jim Crow laws. *Gideon v. Wainwright* established the right to counsel for defendants charged with a crime. And the Voting Rights Act of 1965, catalyzed by Selma after years of political gridlock, promised an end to the disenfranchisement of black people.

Some of the hard-fought victories of 50 years ago have been rolled back. The stripping of one of the most important provisions from the Voting Rights Act by the Supreme Court last year in *Shelby v. Holder* leaves federal protection for the right to vote severely weakened. And though today's assault on the right to vote is fundamentally different than the regime of murders, lynchings, poll taxes, "literacy tests" and intimidation of the past, the Republican party's phoney "anti-fraud" voter ID campaign is nothing less than a dressed up effort to keep people of color and poor people from exercising their right to vote.

That's why the ACLU is litigating voter suppression and minority vote dilution cases in more than a dozen states and pressing hard for Congress to restore federal protections for the right to vote.

Another promise of that era – the right to counsel – also remains unfulfilled for too many New Yorkers. That fundamental right, established 50 years ago in *Gideon v. Wainwright*, was the product of a lawsuit brought by a white man railroaded to jail because he didn't have a lawyer at a time when the vast majority of prisoners in state and federal prisons were white. But decades of the misguided War on Drugs have increased the prison populations of the 1960s by more than 700 percent. And, now the vast majority of people who are thrust into the criminal justice system and who fill our jails are people of color – mainly men of color.

The legal system that has left thousands of criminal defendants without adequate representation may be colorblind, but the harsh reality is not.

That's why the NYCLU undertook the massive seven-year class action lawsuit *Hurrell-Harring v. State of New York*, which culminated this fall with a massive settlement agreement to reform public defense in five counties. And it's also why we can't just settle for winning the litigation war. We now have to "win the peace" – and make sure, through aggressive monitoring and oversight, that the systemic reforms that have been promised are actually implemented and, very soon, expanded to cover every county in the state.

Coming as it did, in the wake of the killing of Michael Brown in Ferguson, Tamir Rice in Cleveland, Walter Scott in South Carolina, and Eric Garner and Akai Gurley here in New York, the 50th anniversary of Selma is a sobering reminder that the legacy of racism remains an enormous part of our lives and our heritage.

And the top priority for the NYCLU is fighting for justice and equality against "the new Jim Crow" – policies and practices that may look colorblind but that nonetheless target people of color, whether by design or simply by effect.

I'm proud of the NYCLU's pivotal role in some historic victories in this struggle:

- Restrictions on the use of solitary confinement in New York State prisons and inhumane conditions in local jails.
- Dramatic reductions in stop-and-frisk abuse in New York City.
- Nationwide recognition of the racial bias and long-term harms of the School to Prison Pipeline – education policies that criminalize children and push them out of school for minor disciplinary infractions.

But law enforcement policies like broken windows policing, criminal justice practices that treat juveniles as adults, and prison conditions that favor solitary confinement over rehabilitation contribute to the national shame of mass incarceration that will put one-in-three black American males born today in prison during their lifetime.

On May 5, the NYCLU will bring members and supporters to Albany to lobby members of the state legislature for policies that will reduce mass incarceration. Statewide, the NYCLU is working actively to:

- **Raise the age** of criminal responsibility to 18. New York is one of only two states that treat 16- and 17-year-olds as adults instead of sending them to family court or rehabilitation programs.
- **Require all police departments to publicly report the demographic impact of broken windows** policing practices, including summonses, unpaid fines and bench warrants.
- **Fully fund public defense services**, through the *Hurrell-Harring* settlement, to ensure poor criminal defendants receive effective assistance of counsel.
- **Decriminalize** low-level offenses including marijuana possession that are overwhelmingly enforced to push people of color into the criminal justice system.

On a local level we are challenging the secrecy of the Eric Garner Grand Jury proceedings and pressing for mandatory de-escalation and conflict resolution training to help mend the fractured relationship between police officers and the communities they are supposed to protect. We also plan to issue report cards for local police departments around the state to build public awareness around the impact policing practices have on all of our communities.

And let's not forget that one of the most stunning examples of the "new Jim Crow" is in our schools.

There's been a fair amount of attention to the racially lopsided school discipline policies that have created the School to Prison Pipeline and the NYCLU's pioneering work in this field is cited nationwide. Advocacy Director Johanna Miller and I are actively involved in New York City Mayor Bill de Blasio's School Climate Leadership Team. This task force brings parents, students, police, the Department of Education and other agencies together to tackle the problem, including reviewing the roles of police and educators and the need for support services. Here, too, our campaigns for transparency have exposed enormous racial disparities in how students are treated. This spring we are working to fill enormous loopholes in the information provided to the public about school safety and disciplinary issues, including incidents involving arrests and suspensions of students.

But what may come as a surprise to many is that 60 years after the *Brown* decision, researchers at UCLA concluded that the most segregated school system in the country is not Mississippi or Alabama – it's New York. Racial isolation is so pronounced, they said, that some of our schools could be called "apartheid schools."

The NYCLU is actively exploring strategies to take on – in ways large and small – the challenge of racial segregation in our public schools, a product of a complex set of social policies on housing, "school choice," charter schools, high stakes testing and so much more. Against this backdrop, the urgency of plugging the gaping loophole in the state's human rights law – it does not apply to public schools – could not be greater.



The legacy of racism remains 50 years after Selma.

There's a lot to learn from the heroes who tried to march across the William Pettis Bridge 50 years ago in Alabama and nearly lost their lives for standing up to racism. Today's challenges may be different – but the goal of a fair and just society that respects the dignity of all will never change.

The NYCLU is proud to stand with you – and hundreds of thousands of ACLU members and allies across the country as we work to achieve these goals.

Follow @JustAskDonna on Twitter

NYCL...You: The Hagedorn Foundation



Sandra Dunn of the Hagedorn Foundation.

Immigration is among the most complex civil rights issues currently unfolding in Suffolk and Nassau counties.

“We have a long way to go on Long Island,” says Sandra Dunn, immigration program director at the Hagedorn Foundation. “But we’re also seeing real progress for immigrants thanks to the work of the advocates we support.”

The Long Island-based Hagedorn Foundation has been a local and national leader in immigration work since Long Island became a gateway for new immigrants and a focal point of suburban immigration strife.

In the 1990s, Latino immigrants came to the suburban area to meet a demand for services including domestic work, construction and landscaping. The population shift resulted in bitter tensions as many longtime residents took a negative view of the newcomers.

These tensions, primarily in Suffolk County, erupted into violence against Latino immigrants in the late 1990s, including an attempted murder of two Mexican day laborers in 2000. Eight years later, an Ecuadorian immigrant, Marcelo Lucero, was beaten and stabbed to death by a group of seven high school students who regularly assaulted Latinos for sport.

“Marcelo’s death made it clearer than ever that immigrants were living in a climate of fear,” says Dunn. “Our goal is to alleviate tensions that have led to violence against immigrants.”

The immigration program does this by both strengthening the collective voice of immigrants and improving perceptions of immigrants among longtime residents.

In doing so, the foundation trusts the organizations it funds like the NYCLU with setting the current priorities. “There’s excellent leadership on the ground,” says Dunn. “We contribute ideas and support, but we don’t set the agenda for the organizations we fund.”

Dunn points to policy victories resulting from advocates’ work. In 2012 and 2013, for example, the Nassau and Suffolk county executives signed executive orders guaranteeing translation and interpretation services in the six most commonly spoken languages to residents with limited English skills in their interactions with the county government. Civic participation and leadership among immigrants has increased. And Joselo Lucero, the brother of the victim of the 2008 stabbing,

works as an outreach coordinator for the foundation, educating Long Islanders about the dangers of bullying and intolerance.

But these victories do not happen overnight, which is why movement-builders like the foundation play a critical role. “Movements that bring about real change take years to build,” says Dunn. “We focus on forging partnerships and consistently supporting key organizations so that the immigrant rights movement can operate like a well-oiled machine.”

“The Hagedorn Foundation goes above and beyond in determining how to build and sustain the movement,” says Jason Starr, director of the NYCLU’s Nassau County Chapter. “Its contributions to organizations are critical to making Long Island a fair and equitable place, and Sandra’s commitment and passion is a driver behind that.”

Dunn praises both Starr and Suffolk County Chapter Director Amol Sinha for their collaborative leadership and their work with others to create lasting change for Long Island’s immigrants.

“Amol and Jason are impressive leaders. They’re simultaneously passionate and rational in a landscape that can be chaotic,” said Dunn.

As immigration increases in other parts of the state, Dunn’s message to other areas, including Rochester, Syracuse and Buffalo, is to adopt a proactive stance before it is too late.

“Cities and suburbs across New York have the opportunity to get out in front of immigration issues,” says Dunn. “They can get structures in place now to make sure immigrants have a strong collective voice. The anti-immigrant violence we’ve seen on Long Island must never occur anywhere else in the state – now is the time to act.”

NYC Reforms to School Discipline Aim to Keep Students in School

When New York City Mayor Bill de Blasio first took office, the NYCLU immediately called on the new administration to address a number of pressing civil liberties concerns. Among the top priorities for the new mayor was the reform of the New York City school discipline regime that had seen unprecedented increases in suspensions, arrests and criminal court summonses during the Bloomberg administration.

As a part of his campaign, the mayor had vowed to make school discipline reform a priority. But advocates and city legislators alike began to wonder when such reforms might take place as yet another school year began without any meaningful changes to the school discipline code. Students as young as five were still known to get handcuffed in schools, and NYPD personnel continued to handle minor disciplinary matters, issuing hundreds of criminal summonses to students for disorderly conduct and often trumping teachers and faculty in some schools.

“All children deserve a safe, secure and supportive learning environment,” said Executive Director Donna Lieberman. “Sadly, in some schools what used to be a teachable moment now too often ends with police involvement. No child should end up in the police precinct when what they really need is a meeting with their guidance counselor or a social worker.”

On February 13, the de Blasio administration made a long-awaited announcement. Geared at reducing the high rates of suspension for minor infractions, the

reforms included a new policy requiring principals to obtain approval from the Department of Education for suspensions involving insubordination. However, there were no specific reforms on the role of the NYPD in schools.

“No child should end up in a the police precinct when what they really need is a meeting with their guidance counselor or social worker.”

Principals will also have to seek approval for suspensions of any student from kindergarten to second grade. The more serious long term superintendent suspensions, which can last one week to an entire school year for “minor physical infractions,” have been eliminated all together.

As a part of the reform process, Lieberman and Advocacy Director Johanna Miller were appointed to the School Climate Leadership Team, a body of educators, advocates and lawmakers tasked with advising the city on ways it can improve student safety and dignity.

“It is a significant step in the right direction for the

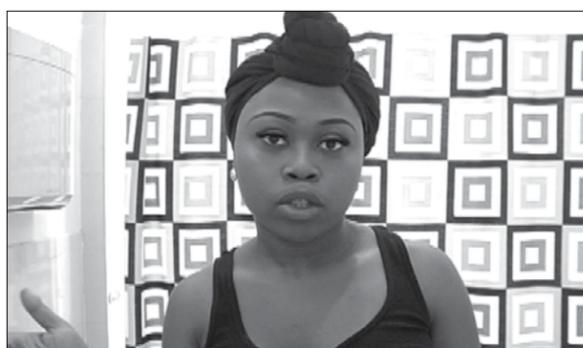
de Blasio administration to acknowledge the problems in our schools and establish a leadership team tasked with working collaboratively to develop common sense and humane discipline policies,” Lieberman said.

The reforms announced in February built on the end of the citywide cell phone ban in schools announced in January. The Bloomberg-era ban had served as a flash-point of confrontation between students and school personnel in addition to posing needless burdens on parents who needed to communicate with their children before and after school.

In response to the lift of the cell phone ban, the NYCLU circulated a letter to city principals urging them to adopt a model policy and issue clear guidance to students, parents, faculty and staff explaining and limiting the circumstances regarding when the contents of a confiscated cell phone maybe searched.

“The lift of the cell phone ban creates a much needed shift in disciplinary policy, placing power back within the hands of our educators,” Miller said. “Clearly articulated guidelines for students and faculty alike will ensure that everyone’s privacy interests are protected and that the new rules and regulations are well understood. The de Blasio administration should be commended for all the recent reforms to school discipline. The creation of the School Climate Leadership Team is a welcomed opportunity to build on these reforms and address the role of police in schools so that every students feels safe and supported in their learning environment.”

New Project Liberty Episode Asks: Schools or Prisons?



A student featured in the new episode of *Project Liberty*, which examines the School to Prison Pipeline in New York City.

The NYCLU’s television show – *Project Liberty* – set out in its sixth episode to document how New York City school kids, especially kids of color and kids with special needs, feel in a school system that has more police in it than almost every major city in the country, including Boston and Detroit. It turns out that many New York City children feel like they are in prisons, not schools.

Some local schools have holding rooms, like cells, for “problem” students. One principal referred to an incident where a student was maced while being held in handcuffs. “It’s like a jail cell, we’re getting patted down, locked up, scared,” said high schooler Miltiana. “Why can’t we just come in and get an education?”

Right now Mayor Bill de Blasio is beginning a pro-

cess to reform discipline and school climate. NYCLU Executive Director Donna Lieberman is an appointed member of the city’s School Climate Leadership Team that will advise the city on ways it can improve student safety and dignity. And since 2010, the NYCLU has led a class action lawsuit challenging illegal arrests and excessive force in city public schools.

Project Liberty aired on local New York City stations in April and May and is available at YouTube channel “nycluclips.”

View airtimes and dates at:
nyclu.org/projectliberty

NYCLU Board of Directors



The annual meeting of the members of the New York Civil Liberties Union will be held on Wednesday, June 17 at 6 p.m. at the NYCLU offices: 125 Broad St., 19th Fl., New York, New York, for the purposes of electing directors and receiving the annual report.

This is a contested election. There are 18 candidates and 17 vacancies.

WHO MAY VOTE

All members whose names appear on the NYCLU membership rolls as of June 3, 2014 may vote. If you have a question about your voting status, please call 212.607.3364.

HOW TO VOTE

NYCLU members may vote either:

- 1) in person, at the annual meeting.
- 2) by proxy, using any one of the ballots that appear in the following places:
 - printed on page 5 of this newsletter.
 - by downloading a ballot at www.nyclu.org/boardelections. (All votes not cast in person must be cast on paper ballots; one CANNOT vote electronically).

IN ORDER TO VOTE BY PROXY

Complete the proxy ballot. Mail the ballot you have filled out to Ron Tabak, Election Supervisor, New York Civil Liberties Union, 125 Broad Street, 19th floor, New York, NY 10004.

So that we may verify your membership, cut out the address label (listing your name and address) on page 1 of this newsletter and affix it to the outside of the envelope; or, write your name (or both names, if you have a joint membership) and your address legibly on the back of the envelope. You must affix this label, or write your name(s) and address on the back of the envelope in order to provide verification of your membership so that your vote can be counted. (Note: To ensure a secret ballot, do not sign the ballot

or put your mailing label inside the envelope.)

CANDIDATES

There are eighteen (18) candidates for seventeen (17) seats on the board. Of the 17 seats on board that will be filled in the election, the 13 people who get the highest number of votes will be elected to full three-year terms; the 2 people who get the next highest number of votes will serve two-year terms; and, the 2 people who get the next highest number of votes will serve one-year terms. In accordance with the NYCLU bylaws, the NYCLU Nominating Committee nominated exactly 17 people (the exact number of people to be elected). As also provided for in the NYCLU bylaws, the Central NY Chapter Board nominated a candidate. Whichever of the 18 nominees receives the lowest number of votes will not be elected. Each candidate was asked to supply biographical data and a brief statement of views on NYCLU policies and issues. These are set forth below in alphabetical order. To view lengthier candidate statements, to obtain contact information for individual candidates, or to print out a proxy ballot (one CANNOT vote electronically), please visit www.nyclu.org/boardelections.

AM I A MEMBER?

The NYCLU has nearly 50,000 members statewide, plus many thousands of supporters. To be a current member, you must have made a non-tax-deductible contribution to the NYCLU or ACLU— notwithstanding any tax-deductible donations to the NYCLU Foundation or to the ACLU Foundation — since February 1, 2014, or you must be a lifetime member. If you have any questions about your membership status, please call the NYCLU at 212.607.3364 or email kkole@nyclu.org.

Yusuf Abdul-Qadir

(Nominated by the Central New York Chapter)

In the age of overreaching government surveillance, excessive uses of force, and encroachments of long held, basic rights, the NYCLU as a medium for educating, advocating, and influencing public opinion and policy, is as needed and relevant today as it has ever been.

A social entrepreneur and UN consultant on sustainable development and human rights, I have learned how to navigate and negotiate vast, complex, far reaching legal matters, and their impact on a local, grassroots level. I care deeply and passionately about the school to prison pipeline, national security and domestic surveillance, and immigrant rights. In this capacity, I work and partner with a members of the immigrant/refugee community, indigenous persons, Muslim Americans, youth, minorities, schools, governments and municipalities, civic and religious groups, and other social justice advocates, nationally and abroad.

A native New Yorker from the Bronx, I spent the last decade living, learning and working in Syracuse. I serve as Co-President of the CNY-NYCLU, a Board Member of Plantagon International (a Swedish Cleantech), Secretary of the Islamic Society of CNY, Chair of Muslim Public Affairs Council Young Leaders Committee, Member of Syracuse City Schools' Business Partnership Council for Career Technical Education, a mentor to minority students, and advisor to Compassion Relief and the Federation of Balkan Americans. I am an alum of Syracuse University's Maxwell School and SUNY ESF respectively.

Steven Alder

(Nominated by the Nominating Committee)

I am excited, proud, and honored to be nominated for the Board of the New York Civil Liberties Union because I am a passionate advocate for Civil Rights, Gender Equality, and Civil Liberties. NYCLU is a great institution that has been championing Civil Rights and Liberties for over 60 years. I would be thrilled to serve as a board member and advocate for the organization in many capacities.

In my career, I've been on the front lines of implementing Data Privacy programs in enterprises, developing standards and best practices. I have warned against architectural regulation and the threat of the surveillance state since 1999 in presentations, blogs, and news articles. I am a leader in the Open Government movement, working together with 64 nations in the Open Government Partnership to build transparency and accountability into national action plans. I believe strongly that Democracy needs to become more transparent in the age of information, and that Open Data and Open Government programs are vital to the advancement of civil liberties because they illuminate the abuses that secrecy protects.

I believe that you have to stand up for what you believe in and that working together with many others you can make a difference in the world.

Thank you very much for the opportunity to be considered for this terrific position.

Douglas Cuthbertson

(Nominated by the Nominating Committee)

I would be honored to serve a second term on the NYCLU Board. It obvious to me, from my own experience as a plaintiff-side attorney and my time thus far on the board, that the NYCLU's work is critical and effective, and that it is carried out at with dedication, focus, and skill. I believe that my continued service would support the NYCLU's ability to maintain this high caliber and important work.

First, I believe that continued service on the Board would benefit the NYCLU because of the institutional knowledge I have accrued over the past two and a half years. Although the NYCLU Board's composition must change to receive new ideas and fresh energy, I also believe that there is value to some continuity.

Second, I believe that I would continue to benefit the Board through continued board committee work. This kind of detailed work is essential and I would be excited to continue it.

Finally, the NYCLU – especially the staff – motivate and inspire me to support the organization, and I believe that such inspiration is critical in all board members. Whether it is tackling New York's broken criminal justice system or safeguarding the rights of immigrants or the LGBT community, the NYCLU is at the forefront of safeguarding our civil liberties. I share the NYCLU's passion on these issues, and very much wish to continue supporting the NYCLU through board service, which s the NYCLU's staff and leadership. Thank you very much for your consideration and support.

Tanya Douglas

(Nominated by the Nominating Committee)

This statement is submitted in support of my renomination to the NYCLU Board on which it has been my immense pleasure and honor to serve for over a decade.

As a Board member, I bring my unique perspective as an African American female public interest attorney as well as my deep commitment to civil liberties. I have repeatedly expressed my views on the critical importance of the NYCLU Board's diversity to reflect the rich diversity of our membership in all ways (race, ethnicity, gender, sexual orientation, geographical location, etc).

As I Board member, I dutifully and happily comply with my duties and responsibilities as set forth in various NYCLU policies. I regularly attend meetings, participate in discussions, actively work on committees and attend events as my schedule allows. I maintain a NYCLU membership and have made additional financial contributions commensurate with my financial means.

Below is a list of my current committees' involvement as a board member of the NYCLU:

Affiliate Equity Officer (formerly Affiliate Affirmative Action Officer)

Board Governance Committee
Executive Committee
Personnel Committee
Below is a list of some my past committee memberships
Education Committee
Nominating Committee

It has been an honor to serve as a member of the Board and I am excited about the opportunity to continue to serve the NYCLU. I would love to be reelected and hope to receive your support.

Julie Ehrlich

(Nominated by the Nominating Committee)
Chief of Staff, NYU School of Law; former Staff Attorney/Fellow, ACLU Women's Rights Project (2008-2009).

I am thrilled to be nominated to join the NYCLU's Board. I have long admired and supported the NYCLU and would be honored to contribute my energies to support its success.

I was fortunate to start my legal career at the ACLU's Women Rights Project. I have filed cases on behalf of incarcerated girls; negotiated settlements for people who have suffered workplace harassment or been the victims of sexual abuse in educational settings; worked to unseal videotapes of force-feedings at the detention facility in Guantanamo Bay, Cuba; and represented the New York State Senate Democrats in challenges to the 2012 redistricting. In short, my experience with, commitment to, and knowledge of the issues at the heart of the NYCLU's work are broad and deep.

I also have significant board experience. I have been a director of Law Students for Reproductive Justice and of the Stuyvesant Town-Peter Cooper Village Tenants' Association. In my current job as the Chief of Staff at NYU School of Law, I serve as the Secretary of the Law School's Board of Trustees. I have become knowledgeable in issues of governance and management, and have gained a keen understanding of the roles of Board and staff.

As a lifelong New Yorker, it would be a thrill to deepen my engagement with an organization that has done so much to improve this State, and to be part of ensuring that New York is the social justice leader it should be.

Thank you for your kind consideration.

Peter Gollon

(Nominated by the Nominating Committee)
Retired physicist and business owner. Board member since 1980s. Chair of Privacy and Chapter Committees. Former President and current Board member of Suffolk County Chapter.

The biggest threat to civil liberties nationally today is the expansion of government powers against those who have little power because of their race, religion, ethnicity, economic status, or political or social views.

Readers of this newsletter should be quite familiar

with the major civil liberties issues around the State: excessive use of often deadly force by police against minority groups, continuing discrimination against ethnic minorities, over-policing of public schools, and the continuing disproportionate burden that women still bear in modern society.

Because of a less civil liberties friendly Federal Court system, more of our work must be carried out directly in Albany and across the State. This requires organization by our skilled professional staff, aided by an informed membership coordinated by Chapters throughout the State.

Chapters are the local eyes, ears, and first level of civil liberties advocacy and protection in our communities. The State organization now financially supports each Chapter so it no longer has to depend on local fundraising to meet even basic needs. The resulting reduced need for Chapter communications may have caused Chapter members to be less involved than previously. *I would like to see more frequent and timely communications from our central and Chapter offices to you, our members and supporters, to make you better informed and more effective in protecting your own civil liberties.*

Mark Winston Griffith

(Nominated by the Nominating Committee)

My potential value to the NYCLU speaks for itself. I'm a Black Central Brooklynite with thirty years experience as a grassroots community organizer, journalist, policy leader and institution builder.

As the Executive or Co-Director of several non-profit institutions, including the New Economy Project, the Drum Major Institute and the Brooklyn Movement Center, I understand executive leadership and management from both ends of the Board table.

I've served on at least two-dozen boards, at all leadership levels. Just to name a few, I was the founding president of: Brown University's Black Alumni Council, the New York City Organizing Support Center, the Central Brooklyn Federal Credit Union. I've served on the boards of City Limits Magazine, the Center for an Urban Future, Center for Working Families, Free Speech TV (a national television network and digital news source based in Denver Colorado), and the Brooklyn Cooperative Federal Credit Union.

As a policy thinker and organizer, my approaches are based in the lived experiences of being a Jamaican-American, born and raised on the working-class streets of Crown Heights and Bed-Stuy where I've also worked almost my entire adult life. I've written and reported for the Nation, New York Times, Village Voice, Mother Jones, always with keen social justice eye and deep belief in the sanctity of civil liberties, even when it hasn't been convenient or politically expedient.

But most importantly, I'm a kick-ass organizer who understands what it means to build a non-profit, social justice enterprise from the ground up.

Kelly Haley

(Nominated by the Nominating Committee)

It has been my privilege to serve on the NYCLU Board of Directors this past year. I was elected to a one-year term in 2014, but I still have much to contribute.

My name is Kelly Haley and I have over twenty years of professional experience in strategic communications and operations. I have spent the past decade working for a community-based nonprofit advocating for quality early education and childcare services on behalf of families who live in the consistently under-served, but culturally rich, Harlem community.

My advocacy mantra is unchanged – 'I know what I know, and I know what I don't know.'

I know without a doubt that the New York Civil Liberties Union (NYCLU) fights the good fight to hold those in power accountable for the injustices they commit against people who feel disempowered and deserve better.

I know equal access, equal representation, equal pay, and equal opportunity are human rights.

What I still don't know is how anyone can, with a clear conscience, deny any neighbor, in any borough or county, and anyone who seeks to be counted as a citizen, the right to pursue their fundamental freedoms as the opportunity to enjoy life, liberty and happiness.

As a writer and advocate for what is right and true, I humbly ask for your vote to re-elect me to the NYCLU Board of Directors. **I know** that I'm prepared to bring my passion, time, life experiences and skills to further the NYCLU's mission, vision, values and purpose.

Justin Krebs

(Nominated by the Nominating Committee)

I am honored and excited to be considered for the NYCLU Board. I remember first hearing about civil

liberties when I asked my parents what a "card-carrying member of the ACLU was." They explained that some people meant it as an attack, but it was a mark of pride. Nearly 30 years later, I'm still learning about and embracing the fight to defend civil liberties, and hopeful to contribute to an organization that's a leader in this work.

My own experience is as a political and cultural organizer, author and entrepreneur. I am a founder of Living Liberally, the national network of progressive social clubs, with over 200 chapters creating hubs of liberal energy around the country. I am also a founding Board member of The Tank, a non-profit home for performing arts and public affairs in Manhattan. I am the author of "538 Ways to Live, Work and Play Like a Liberal" (2010) and of an upcoming non-fiction work with The New Press. Currently, I am a Campaign Director at MoveOn.org Political Action Committee.

A culture that defends civil liberties needs democratic spaces where free speech thrives. In both the Living Liberally chapters and at The Tank, I have tried to create such spaces: non-corporate, non-commercial places to connect around ideas and values, where cost isn't prohibitive, and all are welcome. I hope to bring that experience with me to the NYCLU, as we continue to invest in all the spaces where free expression can thrive.

Melissa Lee

(Nominated by the Nominating Committee)

Public Defense Attorney; NYCLU Board Member since 2009; Founder and former President of the NYCLU Young Professionals.

For the last decade, I have dedicated my time and energy to a broad range of civil rights issues. I currently work as a public defense attorney in the Bronx. Every day, I advocate for my clients' rights as they face the onslaught of racial inequalities and devastating collateral consequences perpetuated by our flawed criminal justice system.

Before law school, I worked as a grassroots organizer and, later, as Manager of Advocacy Programs for Planned Parenthood NYC. During that time, I recruited hundreds of activists to advocate for access to reproductive healthcare services and comprehensive sex education.

In 2007, I approached the NYCLU about starting a Young Professionals program because I was continuously shocked by the lack of awareness I encountered when talking to young people about current civil liberties issues. Under my leadership, from 2007-2010, the Young Professionals hosted six fundraising/awareness-raising events focusing on LGBT and First Amendment rights. Over 2000 young New Yorkers attended our events.

During my time on the NYCLU Board, I have served on the Development Committee and assisted in organizing the 60th Anniversary event and other fundraising initiatives.

It has been a genuine honor to serve on the Board of the NYCLU. I believe that my voice as a young New Yorker, experienced organizer, women's rights advocate, and public defense attorney will prove to be a valuable asset. Furthermore, I intend to play a more meaningful role in the Board's committee work and in helping the NYCLU cultivate our next generation of supporters.

Julie Kowitz Margolies

(Nominated by the Nominating Committee)

Attorney, Mediator: Vice President, 2010-2014; Executive Committee, 2006-present. Chair, Development Committee, 2003-10. Chair, Nominating Committee, 2007, 2008.

The civil liberties the Bill of Rights describes serve to protect our fundamental human dignity: the right to express our beliefs freely, to protest, to be free from unwarranted government intrusion into our private lives, to be treated equally under the law. The NYCLU has not only staunchly defended these liberties against government encroachment, but also has proactively launched several campaigns to reverse their erosion in areas like stop and frisk and indigent defense. During my board tenure, I have worked to strengthen the viability and sustainability of this work in several concrete respects.

As Development Committee Chair, I increased the organization's financial resources, including teaming up with another board member to launch the board's first major donor campaign. More recently, I solicited and secured a major gift that was instrumental in replacing lost grant revenue for the (then) Reproductive Rights Project. Last year, I hosted a fundraiser for the Women's Equality Agenda and enlisted others to host fundraisers of their own.

I have initiated, advocated for and drafted several policies concerning board service that have streamlined

PROXY VOTING INSTRUCTIONS

Mail the ballot you have filled out to Ron Tabak, Election Supervisor, New York Civil Liberties Union, 125 Broad Street, 19th Floor, New York, NY 10004. So that we may verify your membership, cut out the address label (listing your name and address) on page 1 of this newsletter and affix it to the outside of the envelope; or, write your name (or both names, if you have a joint membership) and your address legibly on the back of the envelope. You must affix this label, or write your name(s) and address on the back of the envelope in order to provide verification of your membership so that your vote can be counted. (Note: To ensure a secret ballot, do not sign the ballot or put your mailing label inside the envelope.)

ABOUT THE BALLOT

There are eighteen (18) candidates for seventeen (17) positions.

NOTE: There are two columns of boxes. If you have a single membership, mark only boxes in the first column. If you have a joint membership (indicated by a mailing label on this newsletter with both names on it), you are entitled to two votes and can vote by marking boxes in both columns. To view lengthier candidate statements and to obtain contact information for individual candidates, please visit www.nyclu.org/boardelections.

PROXY BALLOT

TO: Election Supervisor, NYCLU - 125 Broad Street, 19th Floor, New York, NY 10004

You are hereby authorized as my proxy to cast my votes as indicated at the annual meeting of the New York Civil Liberties Union to be held on June 17, 2015 at 6 p.m. at the NYCLU offices, 125 Broad Street, 19th floor, New York City for the election of directors, with the same power I would possess if I were personally present.

Justin Krebs	<input type="checkbox"/>	<input type="checkbox"/>
Daniel Steward	<input type="checkbox"/>	<input type="checkbox"/>
Arlene Popkin	<input type="checkbox"/>	<input type="checkbox"/>
Robin Willner	<input type="checkbox"/>	<input type="checkbox"/>
Donna Schaper	<input type="checkbox"/>	<input type="checkbox"/>
Mark Winston Griffith	<input type="checkbox"/>	<input type="checkbox"/>
Genevieve Wachtell	<input type="checkbox"/>	<input type="checkbox"/>
Douglas Cuthbertson	<input type="checkbox"/>	<input type="checkbox"/>
Kelly Haley	<input type="checkbox"/>	<input type="checkbox"/>
Julie Ehrlich	<input type="checkbox"/>	<input type="checkbox"/>
Olivier Sylvain	<input type="checkbox"/>	<input type="checkbox"/>
Tanya Douglas	<input type="checkbox"/>	<input type="checkbox"/>
Steven Adler	<input type="checkbox"/>	<input type="checkbox"/>
Melissa Lee	<input type="checkbox"/>	<input type="checkbox"/>
Yusuf Abdul-Qadir	<input type="checkbox"/>	<input type="checkbox"/>
Julie Kowitz Margolies	<input type="checkbox"/>	<input type="checkbox"/>
Peter Gollon	<input type="checkbox"/>	<input type="checkbox"/>
Bruce Popper	<input type="checkbox"/>	<input type="checkbox"/>

Board Bios

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and enhanced the board's functioning. I have recruited and mentored new board members and continue to work on issues of succession planning, to ensure that newer and/or younger board members have opportunities to take on responsibilities that will prepare them for later board leadership. I have participated in lobby days in Albany.

I am passionately committed to the NYCLU, and if re-elected, will continue to work diligently on its behalf.

Arlene Popkin

(Nominated by the Nominating Committee)

I have been a criminal defense trial lawyer for 38 years. I have been actively involved with the ACLU and the NYCLU for longer than that. That makes me somewhat of a dinosaur, but it also shows where my heart lies. By the time you read this, I will have retired as Chief of Trial of the Legal Aid Society of Westchester County, but I do not expect ever to retire from advancing the work and promoting the strength of the Civil Liberties Union.

I am presently Vice Chair of the Lower Hudson Valley Chapter (formerly the Westchester-Putnam Chapter; even more formerly the Westchester Chapter) of NYCLU, having previously served as Chair and as head of the Legal Committee. I have served on the NYCLU Board in the past and have chaired its Nominating Committee and been a member of its Chapter Committee, as well as a number of issue-specific committees.

My principle civil liberties focus at the moment is police accountability, because when you've been shot dead, the rest of your rights are kind of academic. We have several overlapping coalitions working from different angles. It is important to spread understanding that an unaccountable police force makes no one safer, and even more important to change police recruitment and training so that officers can be a part of the communities they serve.

I also expect to devote some of the extra time I'm about to have to opposing the parochialization of our public school system.

Bruce Popper

(Nominated by the Nominating Committee)

Vice-president of 1199SEIU United Healthcare Workers East, and Executive Vice-president of the Rochester Genesee Valley Area Labor Federation, AFL-CIO.

As I complete my first term on the NYCLU board, I am struck by how much more difficult it has become to defend the basic civil liberties that are the foundation of our democracy.

The period has been marked by revelations of massive government surveillance; by violence between police and citizens; by attacks on voting rights, civil rights, and worker rights; and by a drift to the Right.

Yet, we also saw marriage equality enacted in our state; the DOMA decision; the formation of a broad based coalition for a Women's Equality Agenda; and victories in criminal justice and incarceration practices - all led by the NYCLU.

I served on the board's committee on campaign finance reform, a group who tackled the problem of balancing free speech with the increasing and undue influence of money in politics.

In the continuing struggle for a more equitable society, the NYCLU will play a critical role in protecting the right to protest, the right to vote, and the right to participate. If elected to another term, I intend to support those fights and to continue NYCLU's tradition of vehemently defending our rights, and of giving voice to the exploited.

As Senator Edward Kennedy said: "For all those whose cares have been our concern, the work goes on, the cause endures, the hope still lives, and the dream shall never die."

Rev. Dr. Donna Schaper

(Nominated by the Nominating Committee)

I have learned a lot in this first term and would like the chance to put my learning to use.

I see three areas where I can be useful. My gift is contextuality in the city and state on all the issues that concern us. The Women's Equality Act, Marriage Equality and Stop and Frisk/Black Lives matter are each strong interests of mine. Likewise my work in getting ICE out of Rikers and in the New Sanctuary Movement is compatible with areas of concern for parts of the organization. Secondly, I can be a strong public relations ambassador for NYCLU at the city wide Micah Table and the Mayor's roundtable of faith leaders.

Finally, I bring a life long passion to energize religious communities on behalf of human rights and its companion, economic justice. Hate, fear and prejudice delete our core religious message, thereby depleting our overall power in society. I live to energize the core religious messages of love, calm and inclusion. The Sufi say, "If it is not kindness, it is not religion." They are right. I can offer open minded, open hearted partnerships with people of faith, city wide. I sit on the Micah Table and the Mayor's Roundtable and can make strong connections there.

I believe there is more than an historic companionship between Judson Memorial Church and the New York Civil Liberties Union. My predecessor Howard Moody was on the board for decades, as some of you know.

Daniel Steward

(Nominated by the Nominating Committee)

I am exceedingly proud to be nominated to serve on the NYCLU Board. My professional career has focused on the advancement of human rights - be it civil-political, as well as socio-economic - on a global scale. This has led me to the domestic application of international human rights standards with projects partnered with the ACLU and to teaching at various New York law schools. I remain most focused on the international human rights movement, having working at international and national courts in Cambodia, Sierra Leone, South Africa and Israel, among others, as well as within the European human rights system and the public international law judicial focus of the International Court of Justice in The Hague.

As a lawyer for the United Nations based in New York, it has become ever more clear of the vital role of community-focused organizations to address civil liberties issues in my adopted city and state, and long-running associations with the NYCLU has made me so very excited about contributing substantively to all facets of the role of the Board of the NYCLU. I think the vital work of the NYCLU could be enhanced with perspectives that are continually refreshed with civil liberties ideas from across the globe as it pursues its mission in New York.

Olivier Sylvain

(Nominated by the Nominating Committee)

Associate Professor, Fordham Law School

I was a Karpatkin Fellow in the National Legal Office from 1999 to 2000. While there, I worked on a wide range of matters, including controversies regarding driving while black, funding of indigent defense offices, and New York's anti-masking statute.

My current focus as a professor and scholar at Fordham Law is on the intersection between distributional justice and communications law. I have written and publicly spoken about controversies in Internet governance, network neutrality, online privacy, and copyright. In the main, I have argued against the preoccupation among policymakers on innovation at the expense of more foundational public law values; networked communications, I have argued, are too vital to the operation of democracy to be subject to the contingent whims of the market.

I would love to help the NYCLU identify new priorities in the area of networked communications with this focus in mind. I am interested, for example, in helping to develop a strategy to protect the civil liberties of historically disadvantaged communities in the face of law enforcement monitoring of real-time and historical cell phone location data. I respectfully submit that I am ideally suited to help develop such a focus, to the extent it is not already under consideration.

I was born in Manhattan and raised in Queens by Haitian parents. Today, my wife and I live with our elementary school age children in Harlem. I have been a member of the ACLU since my fellowship days there.

Genevieve Wachtell

(Nominated by the Nominating Committee)

It has been a pleasure to serve on the NYCLU Board since 2011 and as Treasurer since 2014. What I have learned in the last four years about the NYCLU's daily and enduring impact in New York and as a national model of advocacy has been nothing short of extraordinary: As we secure victory after victory in the areas of freedom of speech and religion, LGBT rights, and police and prison reform, I am grateful and proud to be at the table supporting the NYCLU.

During my term, I have taken pleasure in participating in policy and procedural decisions around civil liber-

ties and corporate governance. I have been a member of the Nominating Committee, the Ad Hoc Governance Committee, and the Pension Committee. As of April 2014, I serve as the NYCLU's Treasurer and thus on the NYCLU Foundation Board and on the Executive Committee; I also lead the Investment Committee. As Treasurer, I take seriously my stewardship for our finances and my responsibility for tracking, analyzing and presenting our financial picture to the Board.

It would be an honor to continue to serve on the Board and in my capacity as Treasurer. I hope to be able to continue my work with the Executive Committee and Investment Committee on our longer-term organizational objectives.

Robin Willner

(Nominated by the Nominating Committee)

Director, NYS P-TECH Leadership Council

I am excited about the opportunity to serve another term on the board of the New York Civil Liberties Union. Since 2011, I have made NYCLU the primary focus of my volunteer and civic activities. I continue to bring my experience on reproductive rights and public education to the board, based on my leadership role with Planned Parenthood of NYC and more than 30 years working professionally on school reform issues. My service on multiple nonprofit boards and professional experience with nonprofit organizations has prepared for my current position as Vice President of the board. I am proud of the singular work that we undertake, often the sole voice to intervene on unpopular issues to protect the civil liberties of those without other supporters. I have learned that few of our successes are permanent and every victory spawns a new commitment to protect hard fought gains. As we expand personal liberties, we also expand our responsibilities and agenda as an organization. An effective Board of Directors is essential if we are to support our staff and engage the public and decision makers on our agenda over the long haul. I look forward to continuing to work with my colleagues to meet our responsibilities as a Board to support the mission of the NYCLU and assure that we are always prepared to respond, protect and extend civil liberties for New Yorkers.

Ulster Sheriff Agrees to Stop Running Stigmatizing Warrant Checks on People Seeking County's Help

In January, the NYCLU confirmed that the Ulster County Department of Social Services (DSS) and sheriff entered into an agreement to stop running warrant checks on every person who entered the DSS building to apply for help, ask a question, report a problem or accompany someone else who sought help. The NYCLU was the leading critic urging an end to the policy.

In October, the Ulster County sheriff began requiring that every person who entered the DSS building, which also houses the county's Office for the Aging and the U.S. Social Security Administration satellite office, to produce identification and be subject to a check for outstanding warrants.

In response to complaints from people who routinely relied on access to DSS, objections from community civil rights activists and media reports, the NYCLU sent a letter jointly with the National Center for Law and Economic Justice asking the county to rescind the policy. The NYCLU later filed a Freedom of Information Law request asking for policy documents related to the warrant checkpoint.

"Stressful police encounters should not be a condition of access to constitutionally guaranteed government services," said Daniel Berger, director of the NYCLU's Lower Hudson Valley Chapter. "Singling out those in need of a helping hand for intrusive warrant checks is a particularly shameful and damaging policy, stigmatizing aid recipients while erecting a sizable barrier to critical government programs, like child care, food stamps and emergency assistance. Taking this policy off the books is a major victory for all Ulster residents."

New Records Reveal Erie County Jail Must Do More to End Abusive Conditions

In February, the NYCLU released the first in a series of reports documenting prisoner conditions at two Buffalo-area jails. The NYCLU won the release of the reports following a two-year legal battle with Erie County, and the documents reveal that while the county has made progress on conditions in the jails, improvements have been inconsistent and slow in coming.

“After years of violence and abuse in Erie County’s jails, as well as costly litigation, the county has clearly made efforts to change policies and protect the people it incarcerates,” said NYCLU Senior Staff Attorney Corey Stoughton. “No one should be under any illusions that these changes will come overnight; they will require a sustained effort. Public scrutiny is important to ensuring that the county remains committed to reform, which makes the NYCLU’s work to bring information to the public all the more important.”

For years, Erie County had aggressively resisted

investigations and subsequent legal challenges by the state and federal government regarding inhumane and unconstitutional conditions at its two county jails.

“After years of violence and abuse in Erie County’s jails, as well as costly litigation, the county has clearly made efforts to change policies and protect the people it incarcerates.”

Investigations and legal complaints initiated by the U.S. Justice Department and the State Commission of

Corrections included allegations of inadequate medical care, violent treatment by prison personnel, and poor efforts to protect suicidal prisoners.

In 2012, the NYCLU sued the county for the public release of compliance reports filed every six months following a 2009 lawsuit brought by the Justice Department’s Civil Rights Division. The reports are filed by physicians hired to monitor the county’s compliance with reforms to improve conditions at the facilities.

“Erie County fought tooth-and-nail to avoid the public release of these reports, but the release showed that the county’s reasons for fighting disclosure were completely unjustified,” said John A. Curr III, director of the NYCLU’s Western Regional Office. “The public has a right to see how far the county has to go to fix the jails, including ending the physical and sexual abuse against prisoners that led to a rash of suicides.”

Onondaga County Legislature Improves Jail Oversight

After years of organizing and the deaths of two prisoners in the Syracuse jail, the Onondaga County Legislature in January voted unanimously to create a new jail oversight committee tasked with protecting the basic rights of incarcerated people.

In partnership with the United As One Coalition, the NYCLU spearheaded calls for increased oversight after the deaths of Chuniece Patterson and Raul Pinet Jr., two prisoners who died while in custody at the Onondaga County Justice Center.

“This new and sorely needed jail oversight committee will promote the kind of transparency and accountability we expect from our criminal justice system,” said Central New York Chapter Director Barrie Gewanter.

“This (oversight committee) will promote the kind of transparency and accountability we expect from our criminal justice system.”

“It is an important step toward ensuring that people housed at the Onondaga County Jail are safe and treated

with basic human dignity.”

The new jail oversight committee will review serious incidents that occur in the Justice Center as well as complaints from prisoners and other interested parties. It is empowered to investigate and make conclusions about related circumstances and forward recommendations to the sheriff and Onondaga Legislature. The committee’s recommendations will focus on related enhancements to policy, procedure and training, and should assist the Legislature to more effectively direct resources to prevent or reduce serious incidents and tragic outcomes within the county jail.

The legislation will allow the committee to access reports, recordings and other materials from the Sheriff’s Department that it determines necessary for review. Findings and recommendations will be shared with the sheriff, and must be discussed by the Legislature’s Public Safety Committee. In addition to the investigation of individual incidents and complaints, the committee will produce an annual report and hold meetings that are open to the public.

“Tragically, we have seen how a stay at the Onondaga can become a death sentence for those housed there awaiting trial or serving time even for the most minor offenses,” Gewanter said. “We are hopeful that this new jail oversight committee will lead to better policies, practices and procedures to guide law enforcement in the jail.”

Solitary Confinement Reforms at Rikers

From page 1

has ever been, yet simultaneously, there is a historic opportunity for reform,” said Senior Staff Attorney Taylor Pendergrass. “We have developed a coordinated campaign across departments to seize this window of opportunity. As we are working to address the urgent human rights crises at Rikers, we are also focused on permanently and comprehensively transforming the City’s incarceration practices, by diverting people from Rikers entirely, making Rikers the most transparent of any urban jail in the country, and addressing the inhumane conditions, including solitary confinement and the abysmal state of medical and mental health care.”

Under the new rule, solitary confinement will be prohibited for more than 30 consecutive days at Rikers Island, after which time prisoners must be allowed to spend at least seven days back in the general prison population before returning to isolation. No person will be subject to more than 60 days of solitary confinement total in a six month period. This is a significant departure from past practices where some prisoners spent months and even years in isolation. Mental health experts and research showed the adverse impacts of solitary increase based on the number of days, which is why international human rights organizations advise no more than 15 consecutive days in solitary confinement.

“To its credit, the city has put forward innovative reform proposals in many areas, and in the last few months we’ve already seen some remarkable and nationally unprecedented commitments to reduce the use of solitary confinement,” Pendergrass said. “It will be critical that we support and hold the city accountable to these stated goals, and at the same time push even further for decreasing the use of incarceration overall and increasing the use of humane, non-punitive evidence-based practices both on and off Rikers Island.”

These rules accompany the creation of enhanced supervision housing, a new housing unit, as an alternative to solitary confinement for prisoners who are considered a serious threat to safety. The new housing unit will hold up to 250 people who may be locked in their cells up to 17 hours a day, including night time hours. The housing unit began as a pilot project and requires the Department of Correction to present evidence about its effectiveness to the Board before it can be reauthorized. In December, the NYCLU submitted testimony with recommendations for how to ensure the housing unit does not become a backdoor to solitary confinement, including meaningful oversight and accountability.

“Seeing and working with other jail reform advocates to promote these historic changes has been inspiring,” said Organizer Deandra Khan. “Our work involved closely monitoring the Board of Correction’s rule making process and responding with analysis and advocacy rooted in constitutional and human rights. Major challenges to ending the culture of brutality on Rikers remain, but with continued advocacy and rigorous oversight, we hope these changes will apply to all people in New York City jails.”

Police and Transgender Rights: Progress in Albany

A few years ago, a transgender individual was arrested by the Albany Police Department and confined at Albany County Correctional Facility. Upon release, they immediately contacted local Albany LGBT support group In Our Own Voices to disclose the disrespectful and dangerous conditions they experienced while in custody.

Along with In Our Own Voices, the NYCLU and other organizations formed a coalition to work with the jails, the sheriff’s department and the courts to rewrite policies on interacting with the transgender community.

The first step is already underway. The Police Transgender Coalition has been working with Albany jails in order to update policies and come into compliance with the Prison Rape Elimination Act (PREA). The coalition’s next step has been working with the police department to change policies on arrests and searches to better recognize the issues for transgender people in these circumstances.

While the police department was amenable to recognizing and recording people’s gender rather than sex assigned at birth, progress stalled when it came to requiring that strip searches be conducted by an officer of the choice of gender of a transgender person

rather than the same sex assigned at birth. In response, the coalition focused on a new strategy – community outreach.

“We’ve had gatherings with police department and transgender people in the community so that they could get to know each other – the people they might be interacting with,” said Melanie Trimble, Capital Region Chapter Director. “It went a long way in reducing fear held by both sides.”

After a recent meet-and-greet on March 10, Trimble has heard reports from the police department that changes to the strip search policy are now down the road. “Hopefully by Pride Week in June, strip searches will be conducted according to the choice of the transgender person being searched,” she said.

The coalition is now embarking on its third and last step -- outreach to judges regarding gender and documentation in the courtrooms. It is lobbying for policies including using the correct pronouns and names of transgender people, and guidelines for judges when the pronoun and gender of a transgender person in their courtroom does not match with their documentation, such as their driver’s license.

NYCLU Victory in NYPD Quota Case Protects Speech of Officers, Public Employees

In February, the NYCLU celebrated a victory for the free speech rights of police officers and all public employees. A federal appeals court ruled that when an NYPD officer and whistleblower exposed an illegal quota system in his Bronx precinct, his speech was protected.

Officer Craig Matthews, a 17-year veteran of the NYPD, had been subject to a wide range of retaliation after he repeatedly reported a detailed quota system in the 42nd Precinct in the Bronx to his supervisors. In retaliation, he was given punitive assignments, denied overtime and leave, separated from his longtime partner, given poor evaluations, and was subjected to constant harassment and threats.

"Quotas lead to illegal arrests, criminal summonses and ruined lives. They undermine the trust between the police and the people they are supposed to be protecting and serving," said Associate Legal Director Christopher Dunn, lead counsel in the case. "This is an important win not only for Officer Matthews but for government accountability."

The NYCLU filed suit on Matthews' behalf in 2012. A federal judge last year ruled that his speech was not protected by the First Amendment, however, because he spoke as a public employee and not a citizen.

The decision by the Second Circuit Court of Appeals reversed that decision, which allows the NYCLU's case to proceed.

"As was true with Officer Matthews, government employees often are the only ones who know about government misconduct," Dunn said. "It is essential that the First Amendment protects their right to speak out so misconduct does not remain hidden from public view."

The 42nd Precinct's quota system reflects a wider problem within the NYPD. For years, the Department has been mired in scandals about its use of quotas that lead to unjustified stops and arrests of innocent people. Starting in May 2010, the *Village Voice* ran a series of articles exposing a quota system in the 81st Precinct in Brooklyn as revealed by audio tapes secretly made by Officer Adrian Schoolcraft. A police officer in Queens admitted that the use of enforcement quotas led officers to plant cocaine on innocent people in order to boost arrest numbers.

In August 2010, then-Gov. David Paterson signed legislation that expanded protections for police officers under the state's anti-quota statute to ban retaliation against officers for not meeting quotas for tickets, summonses, arrests, and stop-and-frisk encounters. Previously, the quota law only covered traffic violations.

Police Body Cameras Usher in New Opportunities for Improved Accountability and Transparency

Police body cameras have been making headlines across the country for their potential to greatly improve the accountability of police officers to the communities they serve.

In New York, Rochester is emerging as leader in reform. Mayor Lovely Warren recently announced that the city's entire police force will soon wear the cameras in effort to help mend police-community relations after high-profile incidents of deadly force by cops. The announcement makes Rochester among the largest forces in the state to adopt the technology wholesale.

"Body cameras give our city many reasons to be hopeful," said NYCLU Genesee Valley Chapter Director KaeLyn Rich. "Communities, advocates and elected officials all agree they can help mend police-community relations damaged after high profile incidents of deadly force by cops. But much responsibility comes with being a leader—privacy and accountability considerations must not be overlooked."

NYCLU Advocacy Director Johanna Miller was invited to testify before a White House hearing on 21st century policing on these very concerns.

"We are acutely aware of the need to balance the promise of emerging technologies in law enforcement with the privacy rights of everyday people," Miller said. "It is essential that there is a thoughtful discourse, rigorous research, continued oversight and clear best practices guidance on the use of these cameras to ensure the vital positive impact of this technology on police-community relations."

The NYCLU is working across the state to ensure that any legislation or policy passed on police body cameras be broad enough to accommodate the rapidly changing technological landscape and allow for adjustments informed by on the ground experience.

Protecting Immigrant Children's Right to an Education

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state and the school district's administrator, the district failed to acknowledge that students were being denied access to education.

In November, the State Education Department issued a report charging Hempstead with failing to address its persistent enrollment and registration issues, as well as programming deficits. Suddenly, students who had previously been told the district didn't have space for them were and were sent home every day were required to sit in an annex building for their school days. There, they were given work far below their actual learning level, including high school students who were told to cut out letters from the alphabet. Students also reported they were denied hot lunches and had no access to the extra-curricular activities enjoyed by their peers. At the same time, students who tried to enroll in school in the district were prevented from doing so and were put on a "wait list."

"We effectively became the eyes and ears on the ground for the state," Starr said. "The Education Department and Attorney General's office relied heavily on us and what we were hearing from internal school officials, students and parents to inform their conversations with district administrators about how to best address the is-

ssues regarding immigrant enrollment and programming."

It took until the New Year, but after sustained advocacy by the NYCLU and other organizations, both the State Education Department and Attorney General's office issued individual orders of enforcement against the district, with the Education Department conducting weekly check-ins to ensure the district is meeting its obligations and following the law. The district is now required to modify its enrollment materials and policies, develop new enrollment procedures, and provide ongoing training to relevant personnel. Hempstead must also retain an independent monitor to ensure it is fulfilling its obligations and that all children can access their right to an education.

"We are happy that the students are finally getting the appropriate instruction in all of the necessary subject areas," Starr said. "Hempstead is becoming an increasingly diverse school district and it's important that schools are equally open and accessible to all young people regardless of their background or immigration status. We thank the Attorney General's Civil Rights Bureau and the State Department of Education for their work to promote equal education opportunity."

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