



# NYCLU News

Spring 2007

www.nyclu.org ■ Published by the New York Civil Liberties Union ■ Vol. LIII, No. 3

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## NYCLU and *New York Times* Fight Secrecy of NYPD's Unlawful Spying Program

When the New York Police Department spies on lawful political activity and then tries to hide the evidence, who cries foul? The New York Civil Liberties Union does, of course. So does the *New York Times*.

This March the *Times* published a series of articles that raised major questions about the policing of the 2004 Republican National Convention (RNC). The articles, written from police intelligence documents that had been leaked to the *Times* by an unknown source, showed that for at least a year before the RNC the New York Police Department sent undercover officers to cities across the country, Canada and Europe to infiltrate political groups and spy illegally on people who planned to protest lawfully at the convention. This undercover surveillance force, the *Times* wrote, amassed information on plans for peaceful protest and created political dossiers on innocent individuals.

Some documents about NYPD surveillance activity were also released under seal to the NYCLU and several other attorneys by the city, as part of the discovery process in the NYCLU's RNC lawsuits. The NYCLU and the other lawyers are prohibited from releasing those documents, but the NYCLU is working together with the *Times* in a legal battle against the City of New York to make the documents public.

"Members of the public need information about the program detailed in these doc-

uments," said NYCLU Executive Director Donna Lieberman. "They have the right to monitor their government's activities, and they have the right to know whether they were the subjects of an unconstitutional and unlawful program of political surveillance."

The lead *New York Times* editorial on March 27 placed the dispute over the documents into broader context. "Unfortunately, this dispute fits a deeply troubling pattern of Mayor Bloomberg's tenure, which has been exemplary in so many other ways," the *Times* editorial board wrote. "... Mr. Bloomberg has made it no secret that he does not like protests, and it sometimes feels as if he would rather

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■ News stories revealed that individuals who planned to participate in lawful protest at the 2004 Republican National Convention were subject to surveillance by undercover members of the NYPD.

## NYCLU Helps Defeat Anti-Immigrant Ordinance in Suffolk

This March the NYCLU celebrated the defeat in the Suffolk County Legislature of a proposed loitering bill meant to run immigrant workers out of town. The NYCLU worked with advocates and allied legislators to defeat Introductory Resolution No. 1022, which would have made it unlawful for day laborers — who are overwhelmingly immigrant and Latino — to stand along county roadways to solicit work or sell services.

NYCLU Executive Director Donna Lieberman said she was pleased that the Suffolk County Legislature had chosen to reject this unlawful assault on the rights and livelihood of immigrant and Latino workers. "IR 1022 would have made 'standing while Latino' a crime — by unfairly targeting day laborers seeking to work to support their families," Lieberman said.



■ A New Yorker stands up for immigrants' rights at a May 1 rally.

In addition to being anti-immigrant and anti-Latino, NYCLU Field Director and Legislative Counsel Udi Ofer explained in testimony before the Legislature, the bill was plainly unconstitutional. The First Amendment protects the right of people to solicit work in public spaces, and IR 1022 would have unduly infringed upon this right by discriminating against day laborers' speech and preventing them from soliciting work. Similar ordinances have been struck down as unconstitutional by federal courts.

"The bill would have devastated Suffolk County residents by preventing day laborers

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## Brighton Town Council Passes Resolution Protecting Liberties Against Flawed Patriot Act Provisions

On March 28 the town of Brighton, a suburb of Rochester, became the first community in the country to pass a resolution rejecting the use of national security letters, one of the most intrusive provisions of the USA Patriot Act.

The Brighton Town Council unanimously approved the resolution, which was partly drafted by the NYCLU. The resolution emphasizes the importance of the Bill of Rights and the Constitution and rejects government abuses perpetrated in the name of national security.

Since the enactment of the Patriot Act in 2001, the Federal Bureau of Investigation has used national security letters to demand the financial, communication, library and

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by Donna Lieberman, Executive Director

# Out of the Alleyways, into the Light: Illuminating and Ending Police Abuses in New York State

In the past half-decade the police departments of New York's cities have been acting in ways that give the expression "heady with power" a whole new meaning.

Fighting the abuse of that power is a big job, and the New York Civil Liberties Union takes that job very seriously. You will see, as you flip through the pages of this newsletter, that we're using all the tools at our disposal — litigation, legislative advocacy, community organizing, and public education — to protect New Yorkers from abuse, profiling, and overreaching that violates their basic constitutional rights.

When a fast-talking, smutty-mouthed lieutenant in Martin Scorsese's *The Departed* learns that cell phones are under surveillance by a law enforcement agency, the lieutenant — played by Alec Baldwin, a dedicated civil libertarian in real life — grabs one of his officers in an affectionate choke-hold and chortles happily, "Patriot Act! Patriot Act! I love it, I love it, I love it!" Those words could very well have come from the mouth of New York City's Police Commissioner, Raymond Kelly, who, it seems, has taken his cues from that federal anti-terrorism legislation and is leading his police force in egregious abuses of power.

Need examples? Flip back to the front page for a story about the information the *New York Times* has published about the NYPD's program of surveillance and infiltration of groups and individuals who planned to engage in *lawful protest* around the 2004 Republican National Convention. This coverage, and our lawsuits on behalf of protesters arrested during the RNC, have given us a sobering look at how far the NYPD went in using and abusing their Patriot Act powers. Clearly, maximum protection of our First Amendment rights is needed today if those rights are to be exercised as they should be — without fear of surveillance or retaliation. We're lifting our voices on the streets and in court to show the NYPD that they can't pull a trick like this again.

We're also fighting the extremely aggressive and intimidating tactics that police departments use in public schools in New York City and, increasingly, New York's other urban centers. After receiving numerous complaints about police behavior in NYC schools, we surveyed 1,000 students, reviewed scads of city data, and interviewed students, parents, teachers, administrators and NYPD officials. Based on this research we issued a comprehensive report, "Criminalizing the Classroom: The Over-Policing of New York City Schools." It describes, often in the words of students and educators themselves, how schools — particularly those that are home to poor students and students of color — often have to let an aggressive NYPD run the show. Consider the following testimony from English teacher Leah Wiseman Fink:

*On this random Wednesday morning, scanners were set up in the cafeteria of the public high school in the South Bronx where I work. Students' bags were placed on a scanner, they were forced to walk through metal detectors, and any item deemed inappropriate for school — including food, keys, and spare change — were taken away. Many students were patted down, some even with their hands on a police car. An overwhelming ratio of adults to students made the cafeteria seem a lot like a police station...Can we please not treat already-struggling, inner-city teenagers who have gotten themselves to school like they've committed a crime?*

Fink's colleagues in other cities around the state are watching their students face similar experiences. In the Southern Tier, "School Resource Officers" (SROs) — members of the armed, uniformed police force assigned to schools — also use their police authority to enforce everyday disciplinary infractions. In Downsville, an SRO recently interrogated an elementary school student after the alleged theft of a pencil. (The only good part of that story is that the child's parent called the NYCLU.)

How to make change? In New York City, we're demanding the immediate reform of the school safety

regime and making a series of recommendations that, if implemented, would help eliminate the police state atmosphere and be compatible with the nurturing environment that students need in order to learn. We're hoping the NYPD can reverse the negative example it's been setting for other police forces around the state and show that measured discipline under the supervision of educators — not cops — actually increases school safety and security. You can read our report at [www.nyclu.org/policinginschools](http://www.nyclu.org/policinginschools).

Even as policing bleeds into political meeting rooms and school classrooms, policing on the streets is still trying to hide its dirty secrets. Racial profiling continues in New York City and other cities around the state in spite of intense public criticism. Sometimes its effects are lethal, as in the 2006 shooting death of Sean Bell, an unarmed African American man leaving his bachelor party with a group of friends in Queens. More often it leads to widespread violations of Fourth Amendment rights, as people of color, not suspected of any specific wrongdoing, are routinely stopped and searched. According to the NYPD's own records, 508,540 individuals were stopped and frisked in 2006, representing a five-fold increase in only three years. Eighty-six percent of those stopped were black or Hispanic. Ninety percent of those stopped were not charged with any wrongdoing. Likewise, a recent report demonstrated that the police there are using racial profiling to stop and search individuals in Syracuse. What's wrong with this picture? In Syracuse, our chapter director played a key role in getting the City Council to hold a public hearing about the report that showed racial profiling, and then organized with local human rights and civil rights leaders. In New York City, our organizers are interviewing individuals who have been stopped and searched more than once, in hopes of using their stories to make change.

All of these problems are made worse by the failures of "civilian review," that great hope of policing reform and accountability movements. New York City's Civilian Complaint Review Board (CCRB), which the NYCLU was so instrumental in setting up more than a decade ago, is failing to carry out its mandate. A new NYCLU report charges that the CCRB has been subverted and co-opted by the police department. Our criticism is based on a painstaking review of police data: even as complaints of police misconduct have increased sharply, the CCRB has been closing more than half of all complaints without even investigating them. And of those complaints the CCRB has substantiated, the police commissioner has been rejecting the CCRB's disciplinary findings and recommendations more often than not.

Fighting abusive policing requires light — lots of light. So we're working on strengthening the institutions that can illuminate police abuse. In Albany, our Chapter Director is working to strengthen the investigative capacity of the Civilian Review Board that monitors the Albany Police Department. We hope our report will shed light on the failure of civilian review and initiate reform to the civilian review process in New York City.

Ultimately, real civilian review is the key to effective policing that does not violate constitutional and human rights. With your continued support, we will work our hardest to make it a reality. ❖



**NYCLU News** (ISSN 0746-0801) is published twice a year by  
The New York Civil Liberties Union, 125 Broad St.,  
New York, NY 10004 212.607.3300 ■ [www.nyclu.org](http://www.nyclu.org)

Subscription by membership only at \$20 and up,  
of which 50 cents is for a one-year subscription

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# Supreme Court Fails New York Women by Upholding Unprecedented Federal Abortion Ban

The New York Civil Liberties Union sharply criticized the U.S. Supreme Court's decision this April to uphold the Federal Abortion Ban, which bans certain second-trimester abortions — which are medically approved procedures — even when a woman's health is in danger.

The decision, the NYCLU said, is a major loss that undermines women's health and erodes the underpinnings of the historic abortion rights case *Roe v. Wade*. In the face of such a loss, the NYCLU is now exploring state legislation to protect the right to choose.

"The Federal Abortion Ban represents an unprecedented and dangerous federal intrusion into women's health," said Donna Lieberman, NYCLU Executive Director. "It threatens women in medical crises and undermines New York's ability to provide a safe haven for all women who need abortions. For a state that has repeatedly rejected attempts to keep women from having abortions, the Supreme Court's ruling is a devastating blow."

The court's 5-4 ruling rejects challenges by women's health advocates to the Federal Abortion Ban (called by its sponsors the "Partial Birth Abortion Ban Act"), which President Bush signed into law in 2003 and which is the first-ever federal law to ban a medical procedure.

The ruling came in response to two challenges to the federal abortion ban: *Gonzales v. Carhart*, brought



by the Center for Reproductive Rights on behalf of Dr. LeRoy Carhart and three other physicians, and *Gonzales v. Planned Parenthood Federation of America*, brought by Planned Parenthood Federation of America on behalf of its affiliates throughout the country. A third challenge to the ban, *National Abortion Federation v. Gonzales*, was brought by the NYCLU, the ACLU, Wilmer Cutler Pickering Hale and Dorr LLP, and the ACLU of Illinois on behalf of the National Abortion Federation and seven individual physicians. In 2006, the U.S. Court of Appeals for the Second Circuit put that case on hold until the Supreme Court issued a decision in the other two cases. The Supreme Court decision requires that the ban be

■ On the night of this spring's major Supreme Court loss, NYCLU Director Donna Lieberman spoke at a rally that the NYCLU co-sponsored with NARAL Pro-Choice New York, the Empire State Pride Agenda, and other groups.

upheld in this case as well.

In response to the ruling, the NYCLU co-sponsored a rally in New York City with NARAL Pro-Choice New York, the Empire State Pride Agenda (ESPA), and other organizations that oppose the ruling.

On April 25, Governor Eliot Spitzer announced plans to introduce the Reproductive Health and

Privacy Protection Act, based on a bill based on a proposal drafted primarily by the NYCLU. The bill would help protect women in New York in the context of federal attacks on abortion and women's health.

In a dissent to the Supreme Court's April opinion, Justice Ruth Bader Ginsburg called the ruling "alarming" and states that it "tolerates, indeed applauds, federal intervention to ban nationwide a procedure found necessary and proper in certain cases by the American College of Obstetricians and Gynecologists." ❖

MORE INFORMATION ABOUT THE LEGAL CHALLENGES TO THE **FEDERAL ABORTION BAN** IS ONLINE AT [www.federalabortionban.org](http://www.federalabortionban.org).

## On Class Trip in DC, NYC High School Class Witnesses Historic Abortion Ruling

During a trip to Washington, D.C., a constitutional law class from New York City's Urban Academy High School went to the Supreme Court to watch the arguments in *Brentwood Academy v. Tennessee Secondary School Athletic Association*. They happened to be present as well to hear the court's decision against the historic challenge to the Federal Abortion Ban. Student Myaisha Harris wrote the following response to the ruling.

I didn't just feel shocked, but felt angry, disgusted, and slightly fearful. I was angry, because this grave decision doesn't just affect those women who may desperately need an abortion for medical reasons, but negatively impacts the meaning of "Women's rights". Banning this

type of abortion given in the second trimester, is only the beginning of the road to outlaw all abortions. Then I felt disgusted and fearful, because this could only be the slow beginning to eat away woman's right and their right to do whatever she wants with her own body.

The justifications for this ban were absolutely appalling and put me in complete shock. Justice Kennedy stated that a woman might come to regret the abortion after-



■ Urban Academy students pose outside the US Supreme Court before witnessing the Court's decision to uphold the Federal Abortion Ban.

By Myaisha Hayes,  
Urban Academy

wards. Just because a woman might regret her abortion, doesn't signify as an open door for the court to make a decision on what she should do with her body. It's as if to say, she can not possible make such an adult decision, so we will make it for her.

I think the reason why I had my mouth dropped open, because I had thought that

maybe by the 21st century these sexist idea's may disappear. But clearly I was wrong. ❖

## NYCLU to New York State: Say No to Real ID

By Ari Rosmarin,  
NYCLU Field Organizer

They're at it again. The same people who brought us the USA PATRIOT Act and H.R. 4437, the harshest anti-immigrant legislation in decades, have delivered yet another piece legislation that, if implemented, could have disastrous implications for all New Yorkers: the Real ID Act.

Slipped into a must-pass supplemental bill on tsunami relief and the Iraq war, the Real ID Act was passed by Congress in 2005 and signed by President Bush without a single minute of debate. The bill requires every state to turn its state driver's license into a national identification card. Instituting impossibly specific federal guidelines about how each state license should look and function, the law requires states to completely rehaul their DMV systems — creating a fiscal, bureaucratic and privacy

nightmare for the country.

In response, the NYCLU has been working aggressively to stop New York State from implementing the wasteful and dangerous Real ID Act, which strikes a serious blow at immigrants' rights and threatens the privacy rights of all New Yorkers.

This Spring NYCLU staffers have met repeatedly with state legislators and other elected and appointed state officials to urge them to oppose Real ID. A statewide fax campaign on May 7 generated over one thousand letters to Governor Eliot Spitzer, Assembly Speaker Sheldon Silver, and Senate Majority Leader Joseph Bruno. Working closely with the New York Coalition for Immigrants' Right to Driver's Licenses (NYCIRDL), a coalition composed primarily of immi-

grants' rights groups, grassroots organizations, and labor unions from throughout the State, the NYCLU will continue to fight against Real ID with lobbying, letters, phone calls, faxes, and demonstrations until New York officially opts out of implementation.

The NYCLU's opposition to Real ID centers on five key concerns:

**1. NATIONAL ID CARD.** The Real ID Act will violate New Yorkers' privacy rights by creating, for the first time in America's history, a national ID card. The huge network of identity papers, databases, status and identity checks, and access and control points could lead Real ID to becoming an "internal passport."

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# NYCLU Board of Directors – Election 2007: Biographies and Statements of Candidates

The annual meeting of the members of the New York Civil Liberties Union will be held on June 13, 2007, at 6 p.m. at the NYCLU offices, 125 Broad Street, 19th Fl., New York City, for the purposes of electing directors, receiving the annual report and transacting any other appropriate business.

## ► WHO MAY VOTE

All members whose names appear on the NYCLU membership rolls as of May 31, 2007 may vote. Each member may vote once and only once. If you have a question about your voting status, please call the NYCLU at 212.607.3364.

## ► HOW TO VOTE

NYCLU members may vote either:

- in person, at the annual meeting (the election will take place at 6:30 p.m.); or
- by proxy, using any one of the ballots that appear in the following places:

1. printed on page 6 of this newsletter;
2. as a pull-out insert in this newsletter;
3. online at [www.nyclu.org/boardelections](http://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:

1. Complete the proxy ballot. Mail the ballot you have filled out to Arlene Popkin, Election Supervisor, New York Civil Liberties Union, 125 Broad Street, 19th Floor, New York, NY 10004.
2. 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

This year there are 18 candidates for 15 vacancies. All vacancies are for three-year terms. In accordance with the NYCLU bylaws, exactly as many candidates as there

are vacancies were nominated by the NYCLU Nominating Committee. Additional nominations by the NYCLU Chapters or by petition of 25 NYCLU members were solicited pursuant to the by laws, and 3 such nominees were qualified in accordance with this process.

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](http://www.nyclu.org/boardelections).

### **Claudia Angelos**

*(Nominated by Nominating Committee)*

NYU Law School, Law Professor; Director, NYU Civil Rights Clinic; NYCLU Board President since 2002; Secretary 1999-2002; Member since 1993

It is a privilege to serve the NYCLU, guardian of the rights of all New Yorkers. In these most difficult times for civil liberties, the NYCLU has been tireless in defense of the Constitution. During the five years that I have worked as the president of the NYCLU board, the organization has grown and the reach of its work has expanded. The reports in our newsletter and web site tell just a fraction of the story of the crucial role of the NYCLU.

We must continue to build this leadership role. Our gifted staff must grow. Our legal, educational and community programs must continue to expand throughout the state. Our passionate and distinguished board must remain committed to insuring the financial health of the NYCLU and to representing its members statewide in setting our civil liberties priorities.

I hope that I will have a new term on the board to continue to participate in this vital work. I take pride in the progress the organization has made since I have been president and am grateful for the dedication of the many volunteers who keep it going. But much more remains to be done. I look forward to supporting new board leadership and to reaching out to new communities and new generations while honoring our first principles and the steadfast people who have fought for them over the years. I pledge to help to strengthen our chapters and our statewide presence. I promise to stand with the membership, board and staff of the NYCLU in the common cause of our most fundamental freedoms.

### **Barbara Bernstein**

*(Nominated by Nassau Chapter)*

Last June when I retired after almost 32 years as NYCLU Nassau director, I failed to take the advice of some non-profit folks to “disappear for

a year.” That’s when I discovered that civil liberties was an inextricable part of my being.

Since the new director welcomed me, I started volunteering one day a week, then joined the board, organized our annual September party and now spend free time rewriting and updating our booklet, “Understanding Civil Liberties: A Guide for the Perplexed.”

I also helped write our two other 40-page booklets, “Your Rights in School and in the Community” and “Civil Liberties At Work,” updating and republishing them as needed. Over the years I have had 63 letters to the editor and four Op Ed pieces in Newsday, 11 letters in the NY Times, and now my first in Newsday as a chapter board member. We have given an in-service civil liberties course for teachers five times at Hofstra, a student rights conference twice; had spectacular guests of honor at our September fundraisers (e.g. Kurt Vonnegut, E.L. Doctorow, Anthony Lewis, Wendy Wasserstein, Arthur Miller, Seymour Hersh), and have brought over 150 lawsuits, winning most, including the landmark Supreme Court ruling in the Island Trees book banning suit.

Now with a President who acts like a king, who says we must sacrifice freedom for security and dismisses the Bill of Rights, it is more critical than ever that NYCLU enhance its statewide presence by strengthening financial support for the chapters so that they can beef up their membership drives, increase their community outreach, go into areas now lying fallow, and bring greater pressure to bear on their legislators.

### **Colin J. Donnaruma**

*(Nominated by Capital Region Chapter)*

Attorney; Ph.D. student; member NYCLU-Capital Region Chapter board of directors and legal committee.

As a young civil liberties attorney, and doctoral student in political-philosophy, I am strongly committed to the defense of civil liberties. I currently serve as a member of the board of directors and the legal committee for the Capital Region Chapter of the NYCLU. I believe that I

can bring a youthful perspective and geographic diversity to the state board.

First, as a person in my 20’s, I am closely connected to the struggles facing young people today. I work with students, in a legal and educational capacity, to oppose threats to their civil liberties, including restrictions on their freedom of speech, the use of so-called “free-speech-zones” on campuses, and the release of their personal information to military recruiters.

Second, as a life-long resident of upstate New York, I am keenly aware of the unique issues facing smaller rural communities. Too often inadequacies in judicial and law enforcement training in these areas lead to violations of civil liberties in communities with the fewest resources to respond to them. I believe that providing outreach and legal support to these areas is vital to building a robust statewide presence.

These issues are microcosms of the larger attack on civil liberties that we are presently experiencing. The NYCLU plays an indispensable role in protecting our civil liberties from such attacks, and I would welcome the opportunity to further support the NYCLU’s efforts by serving on the state board.

### **Rivona Ehrenreich**

*(Nominated by Nominating Committee)*

Impartial hearing Officer for Children with Disabilities; current NYCLU Board Member; Member of the Chapter Committee, Privacy Issues Committee, Aid in Dying Committee, Education Committee, Past Chair and Co-Chair Nominating Committee, Committee on Free Speech in the Workplace, and Privacy Issues Committee.

There is a critical need to preserve our civil liberties, especially at this time, with the Patriot Act, and other attempts to encroach upon our civil liberties. We need to continue to confront the emerging issues, such as electronic surveillance violating our privacy issues. Creativity, courage, and leadership are needed in our mission. I welcome the opportunity to participate in meaningful efforts against all forms of discrimination and any attempt to intrude upon our constitutional rights.

### **Thomas R. Frey**

*(Nominated by Nominating Committee)*

Attorney, retired from Harris Beach, Rochester. Member of the NYCLU Board since 1999, Member of the Executive Committee, Chaired or Co-Chaired Nominating Committee five years, Member of Executive Director Search Committee, Member of the Statewide Presence Committee, the Personnel Committee, the Education Committee and the Legislation Committee.

I served on the Rochester School Board, in the New York State Assembly, and was Director of State Operations under Governor Hugh Carey. I was also a member of the New York State Board of Regents and was County Executive of Monroe County. I am a member of the Board of the Campaign for Fiscal Equity which brought the law suit which this year gained more State education aid to school districts with high needs. The last few years has been a time of peril for the civil liberties of the citizens of this country, during which, it is not an exaggeration to say, those liberties have been more threatened than at any time in our history. It is more important than ever that we support the efforts of the NYCLU to protect and expand the Bill of Rights for all of our citizens. It has been very gratifying to participate in those efforts and I look forward to participating in those efforts in the future.

### **Margaret Fung**

*(Nominated by Nominating Committee)*

Attorney; Executive Director, Asian American Legal Defense and Education Fund; NYCLU staff, 1973-75; NYCLU Board, 1978-present; Board Committees: Executive, Finance, Long Range Planning, Director Search, Judicial Selection, Privacy, Audit and Oversight; ACLU Nominating Committee, 2004.

In this post-Sept. 11 era, we have witnessed the most serious attacks on our civil liberties in recent history. The 2006 elections, and the change in leadership in Washington, D.C. and Albany, have created some opportunities to reverse this erosion of civil liberties. NYCLU is most effective when it blends lit-

# NYCLU Board of Directors – Election 2007: Biographies and Statements of Candidates *(Continued)*

igation with education and community organizing at the grassroots level, and this is also the time to focus on legislative advocacy.

NYCLU's lawsuit challenging the NYPD surveillance of protesters exercising their First Amendment rights revealed that the issue of police accountability must remain a top priority. Immigrant communities continue to be targets of racial and ethnic profiling by local police, and these practices must end.

To protect the fundamental right to vote, NYCLU should monitor the state's selection of new voting machines, as required by federal law. Language minority voters and voters with disabilities must not be disenfranchised, and the electorate must have confidence that their votes will count. NYCLU should also advocate for a fair and transparent redistricting process, meaningful changes in the judicial selection process, and other election reforms that promote greater civic participation.

I would like to continue serving as a Board member in order to make NYCLU a stronger and more vibrant organization.

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## **Nancy Hollander**

*(Nominated by Nominating Committee)*

I have proudly served on the NYCLU Board for nine years. The organization has always been important to me, but never more so than now as we witness the continued erosion of civil rights. It is imperative that the NYCLU continue to be vigilant and aggressive in protecting individual rights and challenging further attacks on civil liberties. In the last several years, those liberties have come under fire not just nationally, but also within New York. Locally, subway searches, military recruiting at high schools, criminalization of school infractions and increased racial profiling have increased the demands on the NYCLU's resources.

I take my role as a board member seriously and consider my role to include both operational and policy responsibilities. I currently serve on both the Education and Finance committees and have co-chaired the development committee, been a member of the Lasker Callaway and Harvey Milk committees and was a member of the committee that selected Donna Lieberman to be the executive director.

As a non-lawyer, I bring a different perspective to some issues. I am currently working on a doctorate in psychology, having earned both a Masters degree in Education and an MBA in finance. I would like to continue contributing to the ongoing expansion of the organization, to ensure its presence and ability to meet the ever-changing challenges to civil rights. I will continue to be actively involved in both policy issues and the on-going health and growth of the NYCLU.

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## **Jonathan Horn**

*(Nominated by Nominating Committee)*

Attorney; NYCLU Secretary 2003 - 2005; Member of Executive Committee 2003 - Present; Chair of Office Space Committee; Member of Development Committee; Member of Statewide Presence Committee; Member of Board Retreat Committee;

Delegate to ACLU Biennial Conference 2003 & 2005; NYCLU Board Member since 2001.

The NYCLU has been a tireless advocate for the rights of all in New York State. We have much work still to do. We must continue to protect the rights of dissenters. We must likewise remain vigilant that "heightened security" does not become a smokescreen for abusive police and governmental practices, particularly against immigrant communities and people of color. To do this and more, Board Members must do more than set policy. We must roll up our sleeves and assist our staff throughout the State in growing our legal, educational and community programs.

I have been privileged to serve on this Board since 2001. I have tried to honor that privilege by being a very active Board Member, serving on numerous committees, helping to raise needed funds and doing what I can to help the NYCLU move forward. I hope to continue that work during the crucial years ahead.

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## **Miriam Hyman**

*(Nominated by Petition)*

Attorney, Bryan Cave LLP; Executive Director of Nassau Chapter, 1969-1973; had served on NYCLU Board for six years; elected Secretary and Vice President; member of the Executive and Audit Committees; current member of Internal Governance Committee.

The Bill of Rights is as vulnerable today as ever, and the NYCLU is one of only a few organizations devoted to its defense. I am seeking election to the Board because of my concern that the NYCLU has become less visible and its message less frequently heard; I am committed to maintaining the organization's role and effectiveness: Members of the Board should have a strong understanding of the relevant principles of law, a willingness to advocate publicly against infringements of civil liberties and a willingness to contribute actively towards achieving the NYCLU's mission. I believe I have these qualifications.

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## **Steven Hyman**

*(Nominated by Nominating Committee)*

Attorney, McLaughlin and Stern LLP.

Since the civil rights movement in the late '60's, I have been an ardent supporter of the NYCLU. Over the years I have been a cooperating attorney, chapter board president and ultimately, president of the NYCLU for 7 years. At present, I am chair of the Board's Legal Committee. My commitment to civil liberties remains undiminished.

I am running for re-election to the Board because I want the NYCLU to maintain its leadership and reputation as the most critical state wide organization dedicated to the preservation of our most fundamental liberties. In recent years our membership has increased as has our budget, but as laudable as those accomplishments may be, the true measure of the success of our organization is not what it looks like on paper, but what it has accomplished protecting civil liberties in the

court room, in the legislatures and in the public perception of who we are and what we stand for.

In recent years, I believe that we have, too often, failed to take on the challenges to our core principles that confront us in this post 9-11 environment. For example, when bike riders are arrested for exercising their constitutional rights, or when NYC enacts an onerous parade permitting scheme, or the mentally ill are deprived of their right to care and housing, we should have, but did not, take the lead to prevent such abuses. I hope, if re-elected, to try and influence the priorities of the organization to re-focus our approach on such issues.

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## **Lesly I. Lempert**

*(Nominated by Nominating Committee)*

Consultant on human rights and civil liberties in Israel, Gaza and the West Bank to a wide range of organizations; was Executive Director of the American-Israeli Civil Liberties Coalitions for eight years; past president of the New York Civil Liberties Union; Chairperson of the Tompkins County office of the NYCLU; former member of the Texas Civil Liberties Board of Directors for six years; Chair of the Lasker/Callaway Committee; lectures on civil liberties at Cornell University and Ithaca College; wrote a series of articles on the subject of computer access and confidentiality of patient records; speaks frequently on the Patriot Act. Lesly is the institutional memory of the NYCLU.

The ACLU has long defended the traditional civil liberties issues of First Amendment, due process, free speech, freedom of expression and association and separation of church & state. In recent years, electronic methods for invading privacy have been added. With the passage of the Patriot Act the means for surveillance at many levels have been widely expanded resulting in the loss of personal privacy. I am particularly concerned about the vulnerability of our private lives associated with that issue.

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## **Edwin J. Lopez-Soto**

*(Nominated by Nominating Committee)*

Attorney; Vice President, NYCLU Board.

I come from a legal services background. While working in New York State's legal services support center, the Greater Upstate Law Project, I brought and won over a dozen class actions on behalf of the rights of disabled individuals. I was also co-counsel in a class action on behalf of the 37,000 children of the Rochester City School District. Unfortunately, that case lost. Notwithstanding, I am still working behind the scenes to convince our surrounding suburban schools that money alone won't remedy the problem but deconcentration of poverty along with money might.

I spent nine years on the Board of the NYCLU because I felt it was the most important "watch-dog" organization in terms of our civil rights and civil liberties. I left the Board for two years as I am a firm believer in term limits and felt it necessary to put my money where my mouth was. You

reelected me to the Board three years ago.

Today, more than ever I feel that the NYCLU has become the defender of those rights. Rather than defend the core liberties and rights that have made our country great, the current administration appears ready to sacrifice our civil rights in the name of homeland security. Think about what the misnamed USA PATRIOT ACT and other federal orders allow law enforcement officers to secretly do: enter our homes, tap our conversations, invade our houses of worship, spy on us without proof of wrongdoing, detain citizens without regard to our constitutional rights and round up and hold immigrants in secret or deport them without hearings or due process. We need to educate the public about these infringements on our rights. I can't think of lending my energy and skills to a more important organization.

Finally, for the past year, I have been chairing the Statewide Presence Committee, which is charged with ensuring that the entire organization, both downstate and upstate, works as one. I consider this work amazingly important as I am hoping that we can relieve the burden of the chapters to spend too much of their precious time just raising money to put a roof over their head. I am also hoping that we can work to spread the great work of the NYCLU to parts of the State that currently have little or no presence.

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## **E. Christopher Murray**

*(Nominated by Nominating Committee)*

Attorney, First Vice President and Associate Legal Director of the NYCLU Nassau Chapter

I would greatly appreciate being re-elected to the NYCLU Board. During my initial term I represented the NYCLU at the 2005 bi-annual conference in New Orleans and served as a member of the Audit Committee. One of my goals if re-elected is to help re-activate the NYCLU's Mental Health Committee. There are many critical issues concerning the treatment of individuals suffering from mental illness, and my experience as an attorney involved in disability discrimination lawsuits, as well as my service with local mental health organizations, provides me with a unique perspective to assist with the NYCLU's activities to protect the rights of this very vulnerable population.

In addition to my service on the state board, I have been very active as a cooperating attorney for the NYCLU, including representing: 19 students of Indian decent arrested for trespassing on school grounds, while Caucasian students who were also present were permitted to leave; a student who was suspended for writing a "scary story", as well as a fifth grade student who had been suspended for a year for writing a poem critical of his fourth grade teacher; a volunteer fire fighter who was expelled from a fire department for writing a letter critical of the Chief of the Department; and a female fire fighter subjected to discriminatory conduct.

I have enjoyed my initial term as a board member and I respectfully request your support.

*continue on next page*

**Amanda Oren**

(Nominated by Nominating Committee)  
 Monroe County Assistant Public Defender; GVCLU Board; Liberty! Conference Coordinator.

Educating youth about their civil liberties must be a primary goal for this organization since the defense and survival of civil liberties statewide, as well as nationally, depends upon their active involvement.

Last fall, I organized GVCLU's first student conference to educate and inform 400 local high school students about civil liberties. In joining the NYCLU Board, I look forward to continuing this focus on youth involvement and education to foster the next generation of civil libertarians.

I am also excited to contribute toward NYCLU's efforts on behalf of GLBT persons as we fight for true civil rights for all New York citizens. Being of

Middle-Eastern descent, I am proud of the organization's advocacy for those targeted since 9/11 and welcome the opportunity to join that fight.

Protecting civil liberties has been a lifelong endeavor, and my past experience includes internships at the ACLU of Texas and the British Civil Liberties Union. Professionally, I have concentrated on civil rights work, representing plaintiffs in discrimination and civil rights cases and serving the indigent community. Given my previous residence in downstate New York City and my current stay in "upstate" Rochester, I am dedicated to the organization becoming a true "state-wide" entity. I am confident that my experience will enable NYCLU to continue its success in protecting civil liberties for all New Yorkers.

**Lara M. Rios**

(Nominated by Nominating Committee)  
 Attorney Cravath, Swaine & Moore LLP; former President of the Board of the Chicago Law Foundation; Member of the Interim Board of Directors for the Yale Latino Alumni Association of NYC; NYCLU member

As a native New Yorker I've always believed that what happens in New York sets the tone for the rest of the nation. That is why the work of NYCLU is invaluable. I believe that it is incumbent on all young people to be involved in this organization – leading the fight for and defense of our civil liberties. As a law student I helped lead a campaign against military recruitment on campus, lobbying the law school's administration to defend its own non-discrimination policy against the Solomon Amendment, a law which had conditioned school funding on the granting of full campus access to the military. My involvement in protesting military recruitment culminated in my participation in an amicus brief to the Supreme Court in *FAIR v. Rumsfeld* in the fall of 2006. As a student I also assisted the Southern Center for Human Rights in their representation of a death penalty inmate seeking appellate relief in Georgia. As a lawyer, I believe that the right to due process and equal rights under the law is a fundamental component to a fair and just legal system. Too often are both denied. I hope to be able to help the NYCLU in accomplishing its vision in tackling some of the most difficult issues facing our city and state today, namely the right to privacy and free speech in war time, equal rights for the LGBT community, and the protection of immigrants, who are all too often subject to racial profiling by the government. Thank you.

**Ron Tabak**

(Nominated by Nominating Committee)  
 NYCLU faces crucial challenges and opportunities, dealing with a federal administration that rarely encounters a civil liberty it doesn't wish to curtail, a new state administration that may support bills protecting crucial rights, and many county and local governments that undercut basic rights of disfavored residents.

I have tried to help NYCLU deal with these situations in various ways, including service on the Executive Committee and as Secretary. As Board Governance Committee chair, I helped prepare

new policies comporting with best practices, and have tried to ensure our avoiding the ACLU board's difficulties.

As a Statewide Presence Committee member, I have participated in many detailed discussions with chapter directors, chapter board members and statewide NYCLU staff regarding crucial activities throughout the state and many areas for improvement. In particular, we should improve our ability to handle civil liberties matters throughout the state (including through pro bono counsel) and have a more effective legislative effort, with grassroots activity coordinated through key people from each chapter. We must assure chapters of substantial funding and enhance their ability to undertake meaningful local initiatives. I hope if re-elected to help complete the Committee's work and help implement new policies.

My civil liberties involvement includes being President of New York Lawyers Against the Death Penalty, PRLDEF's Secretary, leader of the ABA Individual Rights Section's death penalty committee and past City Bar Civil Rights Committee Chair, and often finding pro bono lawyers for NYCLU.

It would be a privilege to be re-elected to the NYCLU board.

**M.D. (Lita) Taracido**

(Nominated by Nominating Committee)  
 Attorney/Businessperson: NYCLU Board Member and Member of the Finance and Governance Committees; Board Member, Volunteers of Legal Services; Emeritus and Founding Member of the Hispanic Federation; and Member of the Community Investment Committee of the United Way of New York City.

I have long been active in organizations that work to empower minorities and the disadvantaged. During my tenure on the NYCLU Board, I have seen the NYCLU become more sensitive to the concerns of these populations. I have supported the need to address the issues that impact on them and would like to continue to do so. Moreover, in this post 9/11, Patriot Act era, it is of vital importance to be ever-diligent in addressing the on-going assault on civil rights and civil liberties that have resulted in unwarranted surveillance, wire-tapping, rounds-ups and detentions. I am proud of the work the NYCLU has done to address these issues. I would like the opportunity to continue to work with the Board not only to stem the erosion of our rights, but, more importantly, to advance them.

**Vincent F. Wright**

(Nominated by Nominating Committee)  
 Educator-Professor of Visual and Performing Arts at C.W. Post Campus of L.I.U.; Board Member Nassau Chapter and State NYCLU.

Civil liberties must exist whether or not our nation is in crisis. Currently citizens are being arrested in direct violation of their civil liberties as guaranteed in our Constitution. The ACLU has never been more necessary as one of the very few agencies in our country who seeks to protect our citizenry from returning to barbarism.

**PROXY VOTING INSTRUCTIONS:**

**COMPLETE THE PROXY BALLOT**

Mail the ballot you have filled out to Arlene Popkin, 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 18 candidates for 15 positions. You may vote for no more than 15 candidates. Ballots seeking to vote for more than 15 candidates will be invalidated. To vote for a candidate, mark the box next to that person's name.

NOTE: There are two columns of boxes. If you have a single membership, mark only boxes in one 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](http://www.nyclu.org/boardelections).**

**PROXY BALLOT**

**TO: Arlene Popkin, Election Supervisor**

**NYCLU • 125 Broad Street, 19th Floor, New York, NY 10004**

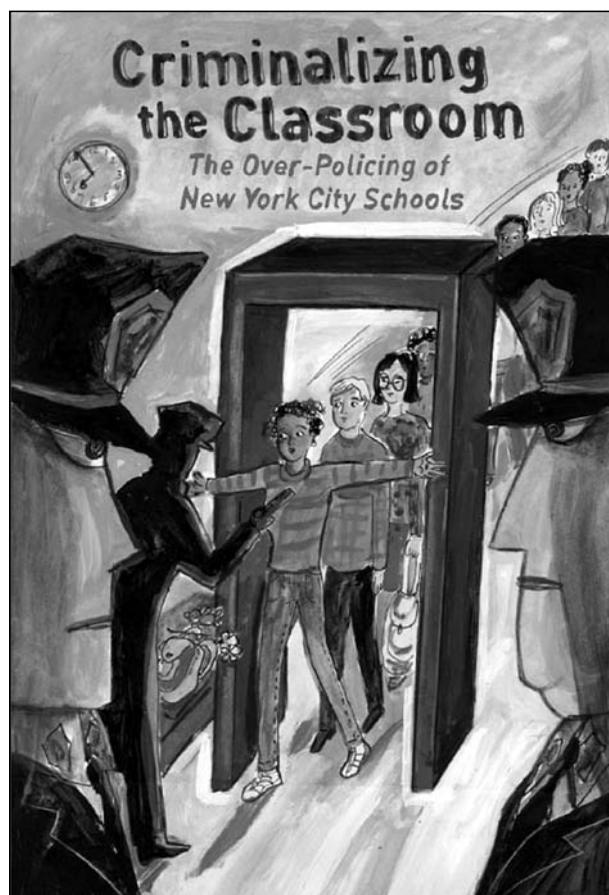
You are hereby authorized as my proxy to cast my votes as indicated below at the annual meeting of the New York Civil Union to be held on June 13, 2007, at 6 p.m. at the NYCLU offices, 125 Broad Street, 19th Fl., New York City, for the election of directors, with the same power I would possess if I were personally present.

Barbara Bernstein	<input type="checkbox"/>	<input type="checkbox"/>
Jonathan Horn	<input type="checkbox"/>	<input type="checkbox"/>
E. Christopher Murray	<input type="checkbox"/>	<input type="checkbox"/>
Lara Rios	<input type="checkbox"/>	<input type="checkbox"/>
Lesly Lempert	<input type="checkbox"/>	<input type="checkbox"/>
Margaret Fung	<input type="checkbox"/>	<input type="checkbox"/>
Steven Hyman	<input type="checkbox"/>	<input type="checkbox"/>
Nancy Hollander	<input type="checkbox"/>	<input type="checkbox"/>
Edwin Lopez	<input type="checkbox"/>	<input type="checkbox"/>
Rivona Ehrenreich	<input type="checkbox"/>	<input type="checkbox"/>
Myriam Hyman	<input type="checkbox"/>	<input type="checkbox"/>
Ron Tabak	<input type="checkbox"/>	<input type="checkbox"/>
Claudia Angelos	<input type="checkbox"/>	<input type="checkbox"/>
Vincent Wright	<input type="checkbox"/>	<input type="checkbox"/>
Tom Frey	<input type="checkbox"/>	<input type="checkbox"/>
Colin Donnaruma	<input type="checkbox"/>	<input type="checkbox"/>
M.D. (Lita) Taracido	<input type="checkbox"/>	<input type="checkbox"/>
Amanda Oren	<input type="checkbox"/>	<input type="checkbox"/>

# NYCLU Report Targets Over-Policing in New York City Schools

Thousands of New York City students — predominantly students from low-income and minority communities — arrive at school each morning only to be being treated like dangerous criminals, a report recently released by the NYCLU charges. Over 93,000 children are subjected to metal detector scans, bag searches and other invasive practices everyday as they try to enter their schoolhouse doors.

The report, *Criminalizing the Classroom: The Over-Policing of New York City Schools*, was compiled after months of research and thousands of



■ Cover art for the report was provided by Ulysses Kalladaryan, who had to stand in line to be scanned as a condition of entering his high school every day.

interviews with students, teachers and administrators, and current and former city education officials. It documents the aggressive and unchecked practices of the New York Police Department's School Safety Division, which has had control over school security since 1998. The NYCLU collected countless reports of abusive behavior by School Safety Agents (SSAs): SSAs yelled and cursed at children, confiscated lunches and school supplies, and sent at least one terrified student to the hospital after burning his

eyes with pepper spray.

"Children have the right to learn in a safe environment, but making schools feel like jails promotes neither safety nor education," said NYCLU Executive Director Donna Lieberman. "New York City public schools are becoming hostile and dysfunctional learning environments that damage students and disempower educators."

The enormous police presence in New York City Schools has been the source of tremendous controversy since the NYPD took control of school safety in 1998. The NYPD's School Safety Division numbers nearly 5,000, many of whom are armed — making it the tenth largest police force in the country. While the number of police personnel in schools has skyrocketed, SSAs remain untrained to work successfully with students and promote a healthy learning environment.

*Criminalizing the Classroom* offers a set of reforms to return control of school safety to educators and administrators; to adequately train school safety agents to work in a school environment; and to create effective mechanisms for families and educators to report complaints against school security personnel.

The report was a collaboration between the NYCLU and the ACLU Racial Justice Project. Karpatkin Fellow Elora Mukherjee was its principal author. The report was made possible by the generosity of the Karpatkin family, which sustains the Karpatkin Fellowship.

*Criminalizing the Classroom: The Over-Policing of New York City Public Schools* is available online [www.nyclu.org/policinginschools](http://www.nyclu.org/policinginschools), along with a tool kit of resources for students, parents and educators who want to take action to fight over-policing in their own schools.

## THE STUDENTS: Young People Breaking the Silence about Aggressive Policing in Schools

The following students shared stories about their experiences with school safety agents at a press conference held March 18 to announce the release of the report.

**Jonathan Clark** is in the eleventh grade at Aviation High School in Queens. He is a member of his school's honors society and participates in a number of extracurricular activities, including the robotics club, leadership club and science honors society. On October 24, 2006 Jonathan arrived to school to see police officers swarming his campus, searching students and forcing them through metal detectors. "After we went

through the metal detectors, the officers began to search through our book bags," Clark remembered. "They went through my folders, pulled out all my papers and confiscated my drawing supplies. They decided that my six-inch ruler was 'a hazard to society,' even though it's sold at school and required for class. I began to

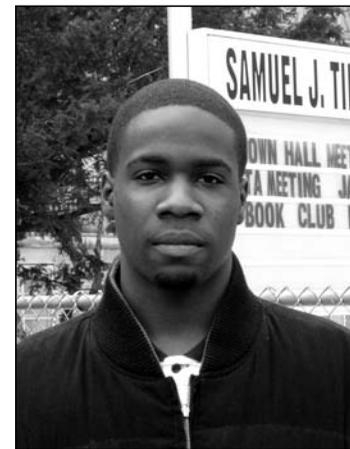


■ Jonathan Clark

wonder what else they would take from me... There should be officers that are trained to work with kids. We shouldn't be treated like criminals until proven innocent. And I don't think the metal detectors are necessary unless it's warranted by the school. It's one thing if they're trying to protect our safety, but keeping everyone out of class doesn't make a lot of sense."

**Biko Edwards**, a seventeen-year-old eleventh-grader at Samuel J. Tilden High School in Brooklyn, was walking to Chemistry Lab in January when he was stopped for being in the hallway in between class periods.

Instead of being allowed to pass, he was arrested by a nearby school safety agent. "[The officer] grabbed me and slammed me against a brick door divider, which cut my face. I was bleeding. Officer Rivera then sprayed Mace in my eyes and face, then called for back-up on his radio and handcuffed me," Edwards explained. He ultimately spent 28 hours in police custody — including two hours spent handcuffed to a chair in hospital, bleeding and unable to contact his panicking mother.



■ Biko Edwards

**Ryan Kierstedt** described the "school-to-prison pipeline" as experienced by so many students in the city's public school system. "The scans make you feel like an animal, like less of a person. You even start to become suspicious of yourself, because the officers treat you like a criminal. Each morning, I thought, 'this is not a school anymore — it's a future prison. They're preparing us for prison.'" ❖



■ Ryan Kierstedt

**BECOME AN NYCLU E-ACTIVIST!**

**Take action for civil liberties by joining the NYCLU's e-activist list.** We need your help to respond powerfully and immediately to threats to civil rights and liberties as they emerge. Joining the NYCLU's e-activist list you will ensure that you receive civil liberties updates and alerts on issues that directly affect **your local community.**

**Join our team to defend your rights in New York!**

[www.nyclu.org/join\\_email\\_list.html](http://www.nyclu.org/join_email_list.html)

# NYCLU and *New York Times* Fight Secrecy of NYPD's Unlawful Spying Program *(continued from page 1)*

that everyone just fall in step and keep quiet. During his tenure, the city has lost its best forum — Central Park's Great Lawn — for the large demonstrations that once defined New York as a center of free speech. New Yorkers expect the Police Department to keep them safe, but not at the cost of their constitutional rights.”

Meanwhile, the NYCLU continued to pursue both its lawsuits on behalf of people arrested during 2004 Republican National Convention protests and its long-running lawsuit, *Handschu v. Special Services Division*, challenging NYPD surveillance of political activity. Public revelations of the NYPD spying program came in the wake of a major court decision in *Handschu* in March, in which a federal judge strengthened the prohibition against NYPD investigation of political activity when there is no indication of unlawful activity on the part of the individual or organization to be investigated.

“Individuals who choose to engage in peaceful protest activity should not have to pay the price of finding their photographs in a police dossier,” said Arthur Eisenberg, NYCLU Legal Director. “The recent *Handschu* decision should guard against that circumstance and restore reasonable restraints upon police surveillance tactics.”

The NYCLU will continue to pursue information about the NYPD's pre-RNC spying program and to work to hold the department accountable to the guidelines established by the *Handschu* case. ❖

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## NYCLU to New York State: Say No to Real ID *(continued from page 3)*

National IDs will facilitate government tracking of citizens' movements. New Yorkers must reserve the right to come and go when and where they please without the fear that their government is watching their every move. A massive web of identity databases and security checkpoints shared between the private and public sectors would be simply un-American.

**2. BUREAUCRATIC NIGHTMARE.** For New Yorkers the Real ID Act will mean higher fees, greater inconveniences, and logistical nightmares. Every citizen who wants to use a Real ID driver's license will have to appear —in person — at the DMV to prove his or her identity and citizenship. Because of the new demands on DMV staff, New Yorkers will confront much slower service, longer lines, vastly increased number of technical glitches, and the likely need for repeat visits to the DMV. Moreover, thousands of unlucky citizens will undoubtedly find themselves caught in a bureaucratic mess and lose their driving privileges because they do not have the proper documentation needed to obtain a Real ID.

**3. IDENTITY THIEVES' DREAM.** The creation of a single interlinked national ID database, as well as the requirement that each DMV store copies of every birth certificate and other sensitive document presented to it, will create a one-stop shop for identity thieves. The risk of identity theft would be higher under the Real ID database scheme, as there would be more access points around the country for thieves to exploit. Also, the requirement for all IDs to contain machine-readable barcodes would make it easy for the private sector or enterprising criminals to snap up the data contained in Real IDs.

**4. ATTACK ON IMMIGRANTS.** Under the Real ID Act, DMV agents will be responsible for making complicated judgments about a person's lawful status in the United States. This is an inappropriate and dangerous function for state government. The DMV should not be in the business of enforcing federal immigration law. Moreover, restricting immigrants' access to driver's licenses is bad public safety policy, as it creates large numbers of unlicensed and uninsured drivers and sends immigrants further into the shadows, keeping them distanced from public safety and law enforcement officials.

**5. GIANT PRICE TAG.** The Real ID Act is an unfunded mandate for New York State that will likely divert crucial homeland security funds away from other key security functions. The Department of Homeland Security has estimated the cost for Real ID nationwide to be \$23 billion, but the federal government has provided little funding to pay for implementation costs.

The NYCLU is pushing Governor Spitzer to announce his opposition to implementing the Real ID Act. Such an announcement would place New York in a growing list of states across the country, including Arkansas, Idaho, Maine, Montana and Washington, that have passed legislation or resolutions opting out of Real ID implementation. So far, nearly thirty states have introduced legislation against Real ID, creating a massive national movement led by ACLU affiliates throughout the country to force Congress to repeal the Real ID Act or significantly amend it to address its myriad problems. ❖

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FOR MORE INFORMATION ON THE NYCLU'S WORK ON THE REAL ID ACT AND HOW YOU CAN HELP US WIN THIS FIGHT, VISIT [www.nyclu.org/realid](http://www.nyclu.org/realid).

# NYCLU Helps Defeat Anti-Immigrant Ordinance in Suffolk *(continued from page 1)*

from supporting their families and putting food on their table,” Ofer said. “It was an attempt to stifle the economic opportunities available to immigrant and Latino workers.”

The bill's defeat was a crucial victory against anti-immigrant and anti-Latino sentiment in Suffolk County and across the nation. The NYCLU will continue to work to protect the constitutionally protected rights of all New York residents, using the Suffolk win as an important strategy model in the fight to defend immigrants' rights. ❖

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## Brighton Town Council Passes Resolution Protecting Liberties Against Flawed Patriot Act Provisions *(continued from page 1)*

travel records of United States citizens. Individuals served with national security letters are forbidden from discussing them, according to Section 215 of the Act. Congressional and judicial review of the program are minimal at best. In March 2007 the US Department of Justice released a report revealing the widespread FBI abuse in the issuing of national security letters.

“While there is still much work to be done in protecting civil liberties in this climate of fear, the passage of the Brighton resolution is a key victory in this battle and a model for communities around America,” said Barbara de Leeuw, NYCLU Genesee Valley Chapter Director.

The NYCLU, in collaboration with the Rochester Civil Liberties Coalition, proposed the measure to Brighton before the reauthorization of the Patriot Act last year. Brighton joins 409 municipalities to have passed resolutions against the Patriot Act; the resolutions were a major success of the grassroots campaign started by the Bill of Rights Defense Committee in 2002. Brighton, however, is the first to focus on national security letters.

In 2005, the NYCLU's Rochester Chapter helped found the Rochester Civil Liberties Coalition (RCLC) to encourage local governments in Monroe County to pass anti-Patriot resolutions during the reauthorization process of the USA Patriot Act. The Brighton victory was a result of the tireless efforts of coalition members, lead by NYCLU legal counsel Scott Forsyth and Lee Price and Nancy Braiman of the RCLC. The Coalition worked with the Brighton town board to craft the resolution after a year of lobbying, generating media coverage and mobilizing public support. ❖

## SAVE THE DATE!

**On June 26, 2007, thousands of ACLU members will rally in Washington, DC in a Day of Action to Restore Law and Justice.**

For the past seven years, George Bush has repeatedly violated the Constitution. Even worse, Congress let it happen. This isn't our America. It's time to take action.

**For more information, to sign the petition, and sign up for the event, visit [www.aclu.org](http://www.aclu.org).**

# NYPD's Stop-and-Frisk Data Indicate Profiling, NYCLU Charges

By Chloe Dugger, NYCLU Field Organizer

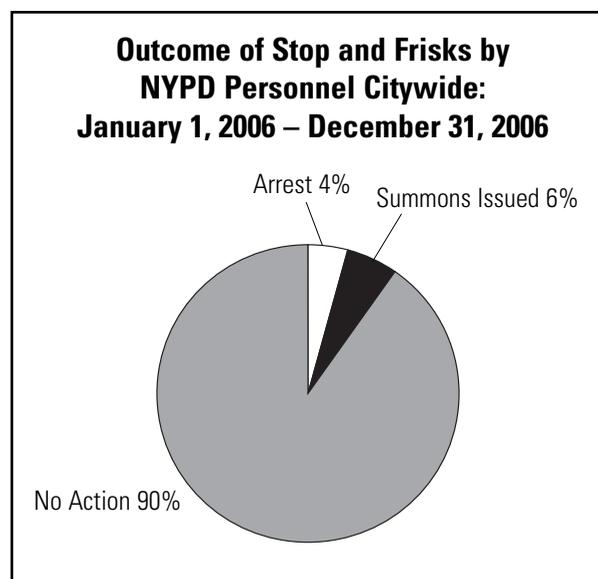
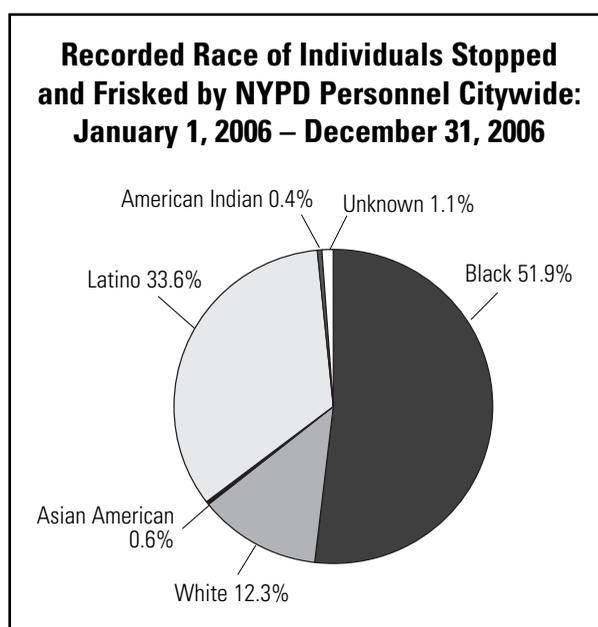
The New York Police Department's much-delayed release of its 2006 "stop-and-frisk" data confirmed what many in communities of color across New York City have long known: the police are stopping more and more people on New York's streets every year, and the great majority of those stopped are people of color.

In 2006 alone the NYPD stopped, questioned and/or frisked over 508,540 people, an increase from just 97,296 in 2002. 86.4% of those stopped were black or Latino. And only 10% of 2006 stops led to summonses or arrests. The overwhelming majority of New Yorkers questioned and frisked by the NYPD were engaged in no criminal wrongdoing.

The NYPD tried its best to conceal this data. Although since 2002 the Department has been legally required to report data on stops four times a year to the City Council, the last set of data released before this February was from 2002. The NYPD's failure to provide the data surfaced in October when the NYCLU approached the City Council for the stop-and-frisk data from a particular Transit District after a reported incident of racial profiling in a subway stop.

In the wake of the Sean Bell shooting, the NYCLU wrote to Police Commissioner Raymond Kelly and the City Council demanding that the NYPD produce the stop-and-frisk data. The NYPD did not respond. In the following months, Chris Dunn, NYCLU Associate Legal Director, worked closely with the New York Times to develop a story on the NYPD's failure to comply with New York City law on stop-and-frisk data reporting. A day before the article was slated to run, the NYPD rushed the data to the City Council. Since then the City Council and the NYCLU have finally been able to examine the long-overdue data.

Several serious issues have already emerged from the analysis. First, the reasons officers gave for stopping people raise serious questions about the constitutionality of many of the stops. Officers who stop individuals are required to justify their stops by checking off one or more check-boxes on a recording form. The



check box most commonly chosen as a justification for a stop is "area has a high crime incidence." It is listed in 53% of stops and is often the only reason given. However, presence in a high crime area alone cannot be

the basis for an investigatory stop, according to two Supreme Court rulings, 1979's *Brown v. Texas* and 2000's *Illinois v. Wardlow*. Although it can be considered along with other factors such as fleeing from an officer, mere presence in a particular neighborhood does not warrant a stop. Therefore, if even a fraction of 2006 stops were carried out based only on an individual's presence in a certain neighborhood, hundreds of thousands of stops were in fact illegal.

The second major issue raised by the data is the NYPD's maintenance of a massive stop-and-frisk database. According to an internal NYPD operations order, the NYPD has been maintaining a database of the names of all individuals stopped by the police since March of 2006. This searchable database of over half a million New Yorkers, 90% of whom were engaged in no criminal wrongdoing and 86% of whom are black or Latino, raises serious privacy concerns and may be illegal. By including the names of New Yorkers who have never been arrested or given a summons, the stop-and-frisk database circumvents a New York State law requiring that the police records of people arrested but whose cases are later dismissed be sealed. In addition, the database directly conflicts with this law if people who are stopped and arrested and whose cases are later dismissed are not then removed from the database.

The NYCLU is moving forward with legislative and legal advocacy on this issue. The organization will maintain its focus on the issues of racial profiling, unconstitutional stops and privacy concerns raised by the data. In addition to interviewing individuals who have been stopped and frisked, organizers continue to provide "Know Your Rights" trainings to New Yorkers, particularly youths, on what to do if stopped by the police.

"In reviewing the data, we're seeing what appear to be massive racial disparities in the Department's stop-and-frisk practices," said Chris Dunn, NYCLU Associate Legal Director. "This has serious implications for the fair distribution of justice in New York City. The NYCLU will continue to pressure the police to serve and protect all New Yorkers equally." ♦

## NYCLU Rallies to Protect Right to Arraignment within 24 Hours of Arrest

The NYCLU held a rally this March on the steps of New York's City Hall to urge the City Council pass legislation that would ensure that people arrested in New York City are arraigned within 24 hours of arrest.

The March rally marked the sixteenth anniversary of a New York Court of Appeals decision that a person as a legal right to an expeditious arraignment. Despite this ruling, each year tens of thousands of New Yorkers are held for 30, 40, or even 50 hours after arrest before seeing a judge.

After the rally the NYCLU delivered a petition signed by over 1,200 New Yorkers and 15 civil rights organizations in support of the "Charge or Release Bill" (Intro. 53), which would bring New York City in line with state law by ensuring that individuals are arraigned within 24 hours of arrest.

Joining the NYCLU in front of City Hall was Elizabeth Harris, a working student and mother of four,

who was held for 40 hours after being arrested. She was forced to leave her four children — the youngest of whom was eight years old — with a neighbor for nearly two days while she sat in detention, unsure when she would be able to see her family again. Harris was ultimately released without ever being charged.

"The problem of prolonged detention without arraignment will not go away unless the City Council acts to fix it," said Udi Ofer, NYCLU Legislative Counsel. "The recent rise in the number of arrests in New York City only exacerbated the problems in an already broken arrest-to-arraignment system that needs legislative mending."

So far, twenty-four City Council Members have pledged their support for the Charge or Release bill.

"New York City has continued to violate people's right to be arraigned in a timely manner, sixteen years after the Court of Appeals ruled that arrestees see a



Manhattan resident Leonard Peters discusses his experience of being detained for over 40 hours before arraignment.

judge within 24 hours of their arrests," said NYCLU Executive Director Donna Lieberman. "At this crucial moment in police-community relations, the City Council can no longer afford to ignore its responsibility for a criminal justice system that routinely forces thousands of innocent individuals to spend over 24 hours in jail because they are accused of minor offenses. Time is long overdue for the Council to hold a hearing on the Charge or Release bill." ♦

# Around the State: Updates from the NYCLU's Regional Chapters

## >> In **Central New York, Chapter** Defends Tenants' Right to Speak Freely

Since 2004, tenants in the Midtown Towers public housing complex in Watertown have experienced numerous civil liberties violations. Now the NYCLU's Central New York Chapter is standing up for those residents' rights.

Chapter Director Barrie Gewanter intervened after tenants reported violations by the management of the Watertown Housing Authority (WHA), including harassment, restrictions on tenant gatherings and visits by non-residents, disregard for disabled tenants' rights, and retaliation. In early 2007, Gewanter sent a letter to a supervising office of the Department of Housing and Urban Development in Buffalo, describing such incidents over a two-year period.

In response to the letter, the office of the New York State Attorney General has launched a broad investigation of the management practices and oversight by the Watertown Housing Authority. The Attorney General's office recently made a formal demand that the WHA cease this conduct under threat of fines and serious legal action.

## >> **Western Regional Office** Broadens Reach of Popular Civil Liberties Radio Show

Radio Civil Liberties, the weekly radio show produced and hosted by Western Regional Office Director John Curr, is back on the air from its new home in Buffalo's Olivencia Hispanic Community Center. The show will be switching to a bilingual format in coming weeks to better reach all Western New Yorkers. It can now be heard on Fiesta Latina, WBBF-AM 1120kHz, following Amy Goodman and Democracy Now! every Wednesday at 9 am.

The show continues to air up-to-the-minute interviews with civil liberties' leading lights and newsmakers, such as former US Army soldier and conscientious objector Kyle Snyder; author, activist, and professor Howard Zinn; and NYCLU Executive Director Donna Lieberman. More information and podcasts are available, as always, at [www.acluradio.com](http://www.acluradio.com).

## >> **Suffolk Chapter** Achieves Victory for Peace Group Faced with Speech Limitations

The Suffolk County Chapter is working to protect the First Amendment rights of the Mastic-Shirley-Moriches Peace Group. Upon beginning to fill out an application for meeting space in the Mastics-Moriches-Shirley Community Library, the group found that the application contained a requirement that handout materials or promotional releases used by the group in advance of the meeting be pre-approved of the library's Executive Director.

In a letter to the library's director, Chapter Board President Stan Gewanter argued that the restrictions put an undue burden on free speech and were therefore unconstitutional. The library director acquiesced and waived the application requirements for the peace

group, and the library's Board of Trustees will review the application and make appropriate changes so that other future applications are not subject to these restrictive requirements.

## >> **Marriage Equality Legislation** Takes Center Stage for **Nassau Chapter**

In collaboration with Empire State Pride Agenda (ESPA), the Nassau County Chapter is pushing for state legislation establishing marriage fairness for all New Yorkers.

At the chapter's annual winter meeting in February an audience of members, students and other interested citizens heard from ESPA Marriage Ambassadors Lauren Fortmiller and Pam Thiele, a Long Island couple who made a persuasive case for fair access to marriage by recounting their experiences with discrimination. In one instance, Fortmiller suffered a seizure and needed Thiele to speak for her at the hospital, but Thiele was denied access to the emergency room because she lacked a legal relationship to the patient. Thiele and Fortmiller, a former mayor of Sag Harbor, have a civil union in Vermont but stressed that only legal marriage would insure equal treatment in their own state. "An alternative or parallel universe isn't adequate," Thiele said of civil-union status. Also addressing the gathering was NYCLU Legislative Director Bob Perry, who said most members of the Senate and Assembly were disinclined to lead on the contentious issue but might be swayed upon hearing the personal stories of constituents.

Those attending the meeting were urged to lobby for marriage fairness with their Assembly and State Senate representatives, and NYCLU-Nassau's Executive Director, Tara Keenan-Thomson, followed up with lobbying training sessions for the chapter's legislative action team.

## >> **Lower Hudson Valley Chapter** Defends Rights of Students Censored After Reciting "Vagina Monologues" Passage

The Lower Hudson Valley Chapter has been fighting the censorship of student speech in the Lewisboro/Katonah school district in Westchester County. Three young women were threatened with suspension for use of the word "vagina" at an after-school open-mic event in March. Although the Supreme Court has upheld the authority of school officials to prohibit "vulgar and lewd" speech, in this case the students' speech was not vulgar; in fact, it was part of an artistic monologue from Eve Ensler's *The Vagina Monologues*.

Chapter Director Linda S. Berns argued that it was unacceptable that school administrators would object to the public performance of a renowned literary work simply because it contained the name of a body part — especially given that Eve Ensler's work explicitly seeks to counter the fear, self-loathing and shame that many girls and women feel about their bodies — and that the district's response to the young women's performance embodied the very problems that the play aims to expose and disarm. The Chapter sent a letter outlining the NYCLU's objections to the administration, and

Galen Sherwin, Interim Director of the NYCLU's Reproductive Rights Project, participated along with Eve Ensler in a panel held at the school. The students received national publicity, appearing on the "Today Show" and many other news programs. Their suspensions were ultimately revoked.

## >> In **Genesee Valley, Chapter** Fights Censorship-Based Threats to Library Funding

The Genesee Valley Chapter, led by Director Barbara de Leeuw and legal counsel Scott Forsyth, is spearheading a task force to protect internet access at Rochester's main public library.

Monroe County Manager Maggie Brooks instigated the controversy when she threatened to remove seven and half million dollars of county funding from the library budget upon learning that the library allows adult patrons to unblock and view web sites that could be deemed inappropriate. Brooks demanded that filters remain on at all times if the library wished to protect its vital funding.

The library's thoughtfully constructed policies are consistent with federal child-protection requirements and with the current Supreme Court rulings, de Leeuw countered. The policies have been successfully in place for over nine years protecting children from inappropriate material while allowing adults' unlimited access.

"Libraries are an important resource in any community and are a vital source of knowledge, ideas, and education for the underserved and inner city population of Rochester," de Leeuw said.

Chapter staff and board members are leading community allies to ensure public access to indispensable and crucial information.

## >> **Capital Region Chapter** Advocates for Rights of Individuals Charged with Racketeering

The Capital Region Chapter is acting as a liaison in the case of 29 men and one woman arrested last October for gang-related activities. Federal authorities claim the thirty are "gang members or associates" and have charged the defendants — almost all of whom are between the ages of 18 and 24 — under racketeering conspiracy, drug conspiracy and gang enhancement statutes. The complex nature of such racketeering charges leaves much room for abuse and confusion.

In hopes of ensuring that the individuals charged receive a sound legal defense, the Capital Region Chapter is working to pair Albany Law School students with the defendants' federal public defenders to provide added resources for research. The Chapter is also maintaining close contact with defendants' parents, who, because their children are more than 18 years old, often have trouble obtaining information in such cases.

Maximum penalties for those charged could include life in prison or fines of \$4,000,000. Statutory minimums run to ten years in prison with five years of probation, and those minimums double for defendants with previous drug felony convictions. ❖

# NYCLU Stands Up for the Right to Counsel in New York State

By Corey Stoughton,  
NYCLU Staff Attorney

Earlier this year a commission chaired by New York State Court of Appeals Chief Judge Judith S. Kaye declared that New York's public defense system "is both severely dysfunctional and structurally incapable of providing each poor defendant with the effective legal representation that he or she is guaranteed by the United States Constitution and the Constitution and laws of the State of New York." Now the NYCLU is preparing a lawsuit to force the overhaul of that fundamentally flawed system.

Judge Kaye's blunt diagnosis came after a two-year in-depth study of the provision of public defense services across the state. The study revealed systemic violations of the fundamental right to counsel for people who are accused of criminal activity and are unable to afford a lawyer.

Judge Kaye's admonition is the latest in a long line of indictments of the State's failure to provide mean-

ingful and effective assistance of counsel to indigent defendants. The problem dates back to the 1960s, when the New York state legislature abdicated its public defense responsibilities to each of New York's 62 counties, leaving it to cash-strapped and politically minded county governments to design, administer and fund their own systems for fulfilling the right to counsel. The resulting patchwork system virtually ensures that indigent criminal defense providers are under-resourced, unsupervised and lack the institutional independence they need to provide meaningful and effective representation to their clients.

There is a consensus building in support of the Kaye Commission's call for the state to recognize its responsibility for funding and overseeing the provision of public defense services in New York and create an independent, state-wide commission on public defense.

Now is the time for action, and the NYCLU is leading the effort.

Despite the Kaye Commission report's clear call, Governor Spitzer and the legislature have not begun the process of creating a state-wide body that has the authority and resources to fix New York's broken public defense system. Where political will fails, litigation is often necessary to vindicate fundamental rights, including the right to counsel.

NYCLU staff attorneys Jeff Fogel and Corey Stoughton, as well as new paralegal Demetrius Thomas, have been traveling across New York in preparation for filing a lawsuit against the state on behalf of indigent criminal defendants. The lawsuit will challenge the state's unfunded mandate to the counties to provide for public defense services and will demand adequate state funding, state oversight and state standards for measuring quality defense services. ❖

## Legal Victory Protects Students against Unlawful Military Recruitment Tactics

The NYCLU achieved a victory for student privacy in January, when the Department of Defense (DoD) agreed to settle a NYCLU lawsuit by making major changes to a massive military recruiting database containing information about millions of high school students. The changes will protect the privacy of students' personal information and give them and their families more tools to exempt themselves from aggressive military recruitment.

Last year the NYCLU sued on behalf of several high school students after the DoD's billion-dollar Joint Advertising and Market Research Studies (JAMRS) program began collecting and distributing their personal information — and that of millions of other high school students — in a rogue database. To settle the NYCLU's suit, the DoD agreed to stop disseminating student information to law enforcement, intelligence or other agencies and instead limit use of the JAMRS database to military recruiting; limit the time the DoD retains student information; stop collecting student Social Security numbers; and establish and clarify procedures by which students can have their information removed and block the DoD from entering their information into the database.

Despite agreeing to these major changes, the DoD refuses to stop collecting information about students' race and ethnicity. The NYCLU believes the DoD's resistance stems from the military's on-going efforts to target racial and ethnic minorities, especially from African-American and Latino communities, for aggressive recruitment campaigns, and will continue to tackle these issues.

In the meantime, getting word out about the newly clarified opt-out procedures is essential. Students should know that, in addition to sending an opt-out form to their high school, they should send an opt-out letter directly to the DoD to ensure they stay out of the JAMRS database, which collects information not only from schools but from commercial list buys, state DMVs, and other sources.

The lawsuit was a major victory for high school students nationwide. It was also an important experience for the young people who participated as plaintiffs.

"I got involved in this lawsuit because I just wanted the military to leave me and other students alone," said Hope Reichbach, who joined the list of plaintiffs when she was a student at Hunter College High School in Manhattan after trying and failing to have her name removed from the lists and databases that subjected her to repeated phone calls from military recruiters. "I feel like we sent that message, and the DoD stood up and listened." ❖

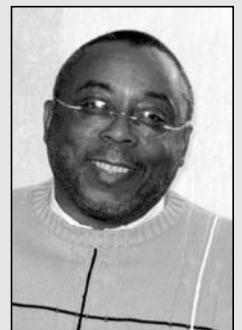
More information and a model opt-out form are available at [www.milrec.nyclu.org/](http://www.milrec.nyclu.org/)

## New Staff Join NYCLU Ranks

### DERRICK SHAREEF (Controller)

Derrick Shareef comes to NYCLU as an accounting professional with approximately twenty-five years of work experience in accounting and financial management for progressive not-for-profits, including the Boys and Girls Harbor (as CFO), the National Urban League (as Director of Finance), and several other organizations for which he served at the senior management level.

Shareef received his B.A. in Accounting from the New York Institute of Technology and his M.P.A. in Management from Bernard Baruch College. Originally from Tallahassee, Florida, he has three grown children and enjoys traveling, most recently to the Dominican Republic.



■ Derrick Shareef

### DEMETRIUS THOMAS (Paralegal)

Demetrius Thomas graduated from Columbia University with a dual Bachelor's degree in Economics and Political Science and a concentration in American politics. Before coming to the NYCLU he worked as a litigation paralegal at Nixon, Peabody LLP. He has also worked with Senator Hillary Clinton on women's rights issues, No Child Left Behind and prisoners' rights.

Thomas lives in Harlem. He has traveled throughout the Caribbean and to Burkina Faso.



■ Demetrius Thomas

### CHLOE DUGGER (Field Organizer)

Chloe Dugger joins the NYCLU's Field Department as an organizer working on policing issues. She comes to the NYCLU from the Excellence Charter School in Bedford-Stuyvesant, Brooklyn, where she taught first grade.

Dugger is a graduate of Brown University, having received her B.A. in Ethnic Studies and written a senior thesis entitled *Killing Men of Color: Narratives of Masculinity and Racial Violence*. She hails from Boston and currently lives uptown. She has studied in both Cairo and Paris, and she enjoys the flying trapeze. ❖



■ Chloe Dugger

# Experts, Public Debate Warrantless Surveillance at Packed Town Hall Meeting

What do government spying and secrecy mean for American democracy? Prompted by revelations of the National Security Agency's warrantless wiretapping program and other federal incursions into private affairs, the NYCLU brought together a panel of experts to debate this issue at a Town Hall meeting this winter.

The standing-room-only event, held at New York University Law School, produced open dialogue on the implications of domestic surveillance for civil liberties.

NYCLU Executive Director Donna Lieberman and Field Director Udi Ofer opened the meeting by encouraging New Yorkers to engage in informed debate about liberty and security. "With our government conducting



Arguing for warrantless wiretapping were Timothy Bakken, Professor of Law at West Point; Andrew McCarthy, former supervisor of the U.S. Attorney's Anti-Terrorism Command Post in New York City; and Tim Connors, Director of the Manhattan Institute's Center on Policing Terrorism.

so much of its work these days in *secret* meetings and *secret* trials and signing *secret* executive orders and issuing *secret* gag orders," Lieberman told the audience, "we thought it appropriate to provide a forum where New Yorkers could discuss these important issues in a free, *open*, public forum."

The evening began with short talks by a panel of experts — some critical of the programs in question, some supportive of those programs — and then transitioned into an open conversation between the panelists and the crowd. Two lively hours later, the dialogue was still going strong.

Panelists and audience members made connections between warrantless wiretapping and recent revelations that the Bush administration has assumed expanded power to open American's personal mail and collect citizens' private financial records.

Congressman Jerrold Nadler, Chair of the U.S. Representatives Constitution Subcommittee, joined the panel via digital video. Nadler suggested that the president's usurpations of power may "constitute high crimes and misdemeanors in the Constitutional sense" and promised that the U.S. House of Representatives Constitution Subcommittee, which he chairs, would hold investigations into the warrantless domestic surveillance program.

Ann Beeson, lead attorney in the American Civil Liberties Union's case against the NSA and newly appointed Director of U.S. Programs at the Open Society Institute, spoke alongside Tara McKelvey, a plaintiff in *ALCU v. NSA*. McKelvey, a senior editor at *The American Prospect* and a political journalist, said



NYCLU President Claudia Angelos moderated the panel at the NYCLU's Town Hall meeting on the implications of domestic surveillance for civil liberties.

she joined the lawsuit after realizing that she could not promise her interviewees confidentiality in their telephone conversations.

Arguing in favor of warrantless wiretapping was Andrew McCarthy, former supervisor of the U.S. Attorney's Anti-Terrorism Command Post in New York City. McCarthy argued that the Fourth Amendment only prohibits "unreasonable" search and seizure and that, in a time of war, warrantless domestic surveillance is a reasonable practice. Also making the case for the NSA's warrantless surveillance program, and other federal incursions into private activities in the name of national security, were Timothy Bakken, Professor of Law at West Point Military Academy, and Tim Connors, Director of the Manhattan Institute's Center on Policing Terrorism.

A video recording of Congressman Nadler's remarks, photos and bios of the speakers, and a timeline of the history of NSA warrantless wiretapping are available online at [www.nyclu.org/nsa\\_spying\\_campaign.html](http://www.nyclu.org/nsa_spying_campaign.html). ❖

## > COMING UP >

### NYCLU to Honor Allan Rosenfield and Roberta Kaplan and Tenth Anniversary of NYCLU's Teen Health Initiative at Annual "Stand Up for Choice" Benefit

The NYCLU will honor Dr. Allan Rosenfield, Dean of Columbia University Mailman School of Public Health, and Roberta Kaplan, Partner in the Litigation Department at Paul, Weiss, Rifkind, Wharton & Garrison LLP, at its annual Reproductive Rights Project cocktail party on May 22 at the Rubin Museum of Art in New York City.

The benefit will also celebrate the NYCLU's Teen Health Initiative, which has educated and empowered thousands of culturally and economically diverse teens to exercise their reproductive health rights. One of THI's most engaged Peer Educators, eighteen-year-old Kristen Liu, received the ACLU's 2007 Youth Activist Scholarship for her committed advocacy efforts for comprehensive sex education and youth rights.

For tickets and information, please visit [www.nyclu.org](http://www.nyclu.org) or call Ariel Samach at 212.607.3339.

### Plan to Join us for our Annual Benefit Concert ... Tony Kushner Returns to Host "Broadway Stands Up for Freedom!"

Now in its fifth year, *Broadway Stands Up for Freedom!* benefits the youth programs of the NYCLU. This year's event promises to be more exciting and entertaining than ever.



Last year's cast of "Broadway Stands Up for Freedom!" included stars from a dozen hit Broadway plays and musicals.

Tony Kushner has signed on again as honorary chair of the evening. The concert will feature Tony Award winners and stars: Michael Cerveris (*Sweeney Todd*, *Assassins*), Daphne Rubin-Vega (*Les Misérables*, *Rent*), Debra Monk (*Curtains*, *Chicago*), Celia Keenan-Bolger (*Les Misérables*, *Spelling Bee*), Cheyenne Jackson (*All Shook Up*), Julie Halston (*Hairspray*, *Gypsy*), Jenn Colella (*High Fidelity*), Todd Buonopane (*Spelling Bee*), and founding performer Liana Stampur. Seth Rudetsky will be musical director, and Daniel Goldstein will direct.

This year's benefit will take place on **July 16, 2007**. For details, please check [www.nyclu.org](http://www.nyclu.org) in the coming months or contact **Jackie Stoll** at 212.607.3343 at any time. ❖



Help the NYCLU continue to fight for individual freedoms and democratic principles. Help us advance a civil liberties agenda in Albany. Help us to ensure your freedom and the freedom of every New Yorker.

Your contribution will enable us to:

- Oppose government surveillance and secrecy
- Protect New Yorkers against abusive police tactics
- Guarantee women's reproductive freedom
- Ensure competent legal representation to the indigent through New York State

We cannot do less. And we're hoping you'll help us do more.

Enclosed is my check payable to the **NYCLU Foundation** in the amount of:  
 \$500  \$250  \$100  \$50  Other \_\_\_\_\_

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Please charge \$\_\_\_\_\_ to my  AmEx  Visa  MasterCard

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