



ACLU

OREGON NEWS

AMERICAN CIVIL LIBERTIES UNION
of OREGON

IN THIS ISSUE: LEGISLATIVE SPECIAL SESSION, CHAPTER UPDATES

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ACLU SPOTLIGHTS RACIAL DISCRIMINATION

ACLU OF OREGON JOINS CHALLENGE TO 'WHITEWASHED' U.S. REPORT

On December 10, 2007 – International Human Rights Day – the American Civil Liberties Union released a comprehensive analysis of the pervasive, institutionalized and systemic racism that exists in the United States.

The report, *Race & Ethnicity in America: Turning a Blind Eye to Injustice*, is a response to the U.S. report to the United Nations' Committee on the Elimination of Racial Discrimination (CERD) released last April. The U.S. report, which the ACLU called a "whitewash," completely ignored the dramatic effects of widespread racial and ethnic discrimination in this country. ACLU's report has been formally presented to the CERD Committee. The committee will use the report to help shape its questioning of U.S. government officials on February 21 and 22 in Geneva, Switzerland.

"The current administration seeks to portray America as a leader in the protection and promotion of human rights and democracy throughout the world, but our report concludes that this country is not protecting the basic human rights of its own people," said Chandra Bhatnagar, Staff Attorney for the ACLU's Human Rights Program, who was in Oregon for the release of the report. "Our message to the U.S. government is crystal clear that respect for universal human rights begins at home."

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JOHN DEAN TO KEYNOTE ACLU DINNER ON MARCH 8



John W. Dean

John W. Dean is the keynote speaker at the 2008 ACLU Foundation of Oregon Dinner, set for March 8 at Portland Marriott Downtown Waterfront.

Dean, 69, was White House Counsel to President Richard Nixon. He was involved in the Watergate scandal and became a key witness for the prosecution. Now living in Beverly Hills, he is an author, columnist and commentator on contemporary politics.

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BIGOTED SPEECH AND THE OREGON BILL OF RIGHTS

STATE V. JOHNSON RAISES DIFFICULT ISSUES FOR ACLU FROM THE EXECUTIVE DIRECTOR



David Fidanque

State v. Johnson is a Washington County case in which a driver, William Charles Johnson, apparently used some sort of amplified sound equipment to hurl both racist and anti-lesbian epithets at two women – one of them an African-American – in a vehicle that had moved

in front of his truck when the road narrowed from two lanes to one.

The Court of Appeals upheld Johnson's conviction under our state's so-called "fighting words" law, and now the Oregon Supreme Court has taken the case for review. The ACLU filed a "friend of the court" (amicus) brief in the case in November, and oral arguments took place January 7 in Gold Beach.

ACLU doesn't represent William Charles Johnson in his criminal case, and we find his words racist, bigoted and utterly detestable. Such verbal abuse causes deep and longstanding pain. It occurs far too often – in our schools, on our public streets, in our offices and homes – both casually and caustically, and its pain endures.

But words are not physical violence. Yes, words can hurt; but outrageous and even dangerous words can also create change and even have been known to start revolutions. If we allow words alone to be punished as criminal, our right to think and speak freely will be diminished. Oregon's Constitution doesn't allow it, and ACLU's mission is to uphold the Constitution.

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Article 1, section 8, of the Oregon Constitution guarantees greater free speech protection than does the federal Constitution. It provides:

"No law shall be passed restraining the free expression of opinion, or restricting the right to speak, write, or print freely on any subject whatever; but every person shall be responsible for the abuse of this right."

This provision is more protective of speech than the federal First Amendment, and Oregon courts have said that, without a credible threat of physical violence, verbal harassment – no matter how heinous or bigoted the words – cannot be made criminal in this state.

The very nature of protecting free speech is that the ACLU is often called upon to do so in extreme situations. Speech that a majority of the public would support is rarely the focus of government punishment or censorship; it is almost always controversial expression that is targeted by the government – in this case, egregiously bigoted language.

Keep in mind that criminal laws targeting speech have been used for centuries to isolate and punish disfavored minorities – including those who have organized to resist racist and homophobic laws and government policies. To give up our free speech protections based on the words used by Mr. Johnson – however foul – is shortsighted.

The ACLU has worked for decades in Oregon to end discrimination based on race, color, national origin, religion and sexual orientation. Even as we were filing the amicus brief in this case, we also were working to hold the U.S. accountable for compliance with the International Convention to Eliminate All Forms of Racial Discrimination (CERD). (See story on page 1.)

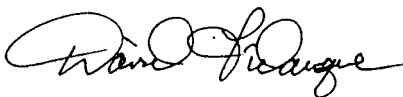
We were instrumental in rewriting Oregon's hate-crime law in 1983, known as "Intimidation," to ensure its constitutionality. In 1989, we succeeded in expanding the law to protect people targeted because of their sexual orientation. In 1992, when that law was challenged, ACLU filed an amicus brief in support, and the Oregon Supreme Court upheld it.

The Johnson case involves a different law, the so-called "fighting words" provision of Oregon's Harassment statute. That law makes it a crime to "harass or annoy ... by publicly insulting" a person using "abusive words or gestures ... intended and likely to provoke a violent response." The Oregon Court of Appeals threw out an earlier version of the law in 1984, and we urged the Legislature to repeal it in 1985. Instead, the Legislature chose to rewrite it, despite our warnings that the revisions were unconstitutional. *State v. Johnson* is the first appellate challenge in the 22 years since.

In our view, because Mr. Johnson's actions using his vehicle may have threatened physical violence, his actions could have been prosecuted as a hate crime under Oregon's Intimidation law. We don't know why the Washington County District Attorney didn't file charges under that law, but this case has illuminated a gap in the law that we intend to fix.

Johnson was charged only under the unconstitutional "fighting words" law that restricts non-threatening speech. It is not up to the criminal courts to govern language; it is up to us, as a society. We must, each of us, exercise our own power of free speech by speaking out against any and all bigotry, from the casual, so-called "joke" to the vile language used by Mr. Johnson.

In our homes, at work and school, and in our everyday interactions – that is where the struggle to address racist and homophobic speech belongs. Not in our criminal courts, unless there is actual physical violence or the threat of it.



Read more about *State v. Johnson*, including an ACLU background paper on the case, at www.aclu-or.org.

FROM THE PRESIDENT

ACLU OF OREGON LITIGATION REVIEW UNDER WAY



The ACLU of Oregon's litigation program has long been an essential part of our work to advance civil liberties and civil rights in the state. We have a history of successes that have restored people's rights and bolstered constitutional principles. I am writing now to report some important developments in the ACLU of Oregon's litigation program.

We are in the process of hiring our first staff attorney as Legal Director. Our excellent legal program has always relied on volunteer cooperating attorneys – and that will still be the case. But by having a lawyer head up our litigation program, we expect to expand our program to include more direct representation cases and handle more “impact” litigation designed to address systemic civil liberties and civil rights problems in Oregon. The new Legal Director will work closely with Executive Director David Fidanque and Associate Director Jann Carson who both have many years of invaluable experience running

and supervising our current program.

In conjunction with hiring our new Legal Director, I have appointed a special committee made up of ACLU cooperating attorneys and board members to do a top-to-bottom review of our litigation program. This review will analyze the current legal landscape in Oregon and recommend adjustments to our litigation priorities and strategies, as well as reviewing best practices and policies in other ACLU affiliates that we should adopt here. I have asked the committee to report its recommendations to our state board by July.

Hiring a Legal Director who is an attorney is an exciting development for us as an affiliate and one that has been a priority since 2003. We are able to take this step now thanks to a partial grant from the National ACLU Affiliate Support Department that will help subsidize this new position for the first two years. Thanks again for your support of ACLU and civil liberties. It makes a difference.

Stuart Kaplan

Board President, ACLU of Oregon

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Bhatnagar joined David Fidanque, Executive Director of the ACLU of Oregon, at a Dec. 9 public meeting in Eugene and a Dec. 10 press conference in Portland. The two also met with local racial justice and human rights activists in each city. Topics covered in the meetings included racial and ethnic profiling, immigration-related issues and a proposal that the City of Eugene formally become a Human Rights City, following San Francisco's lead in applying international treaties at the local level.

Fidanque noted that the State Department chose to highlight only four states in its report, one of which was Oregon.

“Not only did highlighting these four states not provide an accurate representation of racial discrimination nationwide, but the data used was wholly inadequate to reflect an accurate picture of racial discrimination within the four selected states – including Oregon,” Fidanque said. “This treaty requires the federal government to take responsibility for the disparate treatment of Americans because of their race or ethnic background. Unfortunately, this Administration has undermined civil rights efforts instead of being an active partner in dealing with the very real problems that exist. The ACLU shadow report is intended to set the record straight.”

The United States ratified CERD in 1994 and agreed to file compliance reports with the United Nations every two years. However, the U.S. filed only two reports, in 2000 and 2007. The State Department's report submitted to the U.N. last April was for the years 2000-2006.

The ACLU's report details the setbacks in the promotion of racial and ethnic equality, including the government's at-

tack on affirmative action and the courts' curtailment of civil rights and remedies for discrimination. The ACLU report finds that discrimination in the United States permeates education, employment, the treatment of migrants and immigrants, law enforcement, access to justice for juveniles and adults, court proceedings, detention and incarceration, the death penalty, and the many collateral consequences of incarceration, including the loss of political rights.

With regard to Oregon, the ACLU report highlights budget cuts that have greatly weakened the Civil Rights Division of the Oregon Bureau of Labor and Industries; traffic stop data that shows a disparate impact on African Americans and Latinos throughout Oregon; and disparate incarceration rates in Oregon jails and prisons.

Read more about CERD, and download the report, online at www.aclu-or.org/CERD



David Fidanque, Eugene Mayor Kitty Piercy, and Chandra Bhatnagar spoke at the Dec. 9 meeting in Eugene.

Initiative Update

The initiative process has truly become a business in Oregon, and not only are initiative petitions circulating for the 2008 election cycle, already advocates are filing initiatives for the 2010 ballot. Since many of these initiatives raise civil liberties issues, we must continually track and participate in the initiative and ballot title process (which is why, in part, we sponsored the CLE reported on page 5).

An initiative petition must first go through the ballot title process and be certified for circulation before petitioners can start collecting signatures to put it on the ballot. Oregon law does not bar a proponent from getting a jumpstart on the process. So while proponents cannot begin collecting signatures on a 2010 initiative petition until July 2008, they can go through the ballot title process prior to that, allowing them to hit the streets to collect signatures starting in July 2008. This will give them a complete two-year period to collect the required signatures.

The one piece of good news for those who often oppose initiatives is that the 2007 Oregon legislature passed a law increasing the minimum number of signatures (from 25 to 1,000) required to obtain the initial ballot title on any proposed initiative. We welcome this change because it will eliminate most ballot title “shopping,” where petitioners file multiple versions of almost-identical proposals until they get a ballot title they like.

Because this change in the law took effect January 1, we saw a flurry of almost identical initiatives filed for the 2010 cycle at the end of December, including six to amend the Oregon Constitution’s free expression provision to allow for laws prohibiting and restricting campaign contributions and expenditures. We believe the draft ballot titles issued by the Attorney General are significantly flawed and do not accurately reflect the effect of these measures. As a result, we filed ballot title comments on all six and urged rejection of two because they propose more than one change to Oregon’s Constitution, violating the separate-vote requirement.

NOVEMBER 2008 BALLOT MEASURES

Here’s a quick review of the possible ballot measures we face at the November 2008 election. But first, one measure we won’t face is yet another proposal to amend our free expression provision, Article I, section 8, to allow local governments to regulate “strip acts.” We successfully challenged the ballot title so that the fact that this measure amends our free expression provision was clearly identified to voters. On December 31, while we were in the middle of an additional challenge – that this law violated Oregon’s bar on proposing more than one change to the constitution – Kevin Mannix, the chief petitioner, withdrew this initiative. Voters have rejected three earlier ballot measures on this general topic, and we’re delighted we’ll be spared a fourth campaign on censorship.

MANDATORY MINIMUMS FOR DRUG AND PROPERTY OFFENDERS (INITIATIVE PETITION 40)

As of this writing, Mannix has already submitted the required number of signatures for this initiative to appear on the ballot. The 2008 legislative session this February will likely take up an alternative proposal that will be referred to the voters at the same election and would override Mannix’s initiative if both passed. ACLU opposes mandatory minimums because they remove the role of the judge to evaluate each case independently and provide an appropriate sentence. This is particularly a problem with drug offenses when drug

treatment, not incarceration, may be the most appropriate sanction.

ENGLISH IMMERSION IN PUBLIC SCHOOLS (INITIATIVE PETITION 19)

This measure also has qualified for the 2008 ballot. It would limit non-English speaking students who enter the public school system to not more than two years of English immersion classes (but in some cases as little as one year). This is part of a national effort to enact anti-immigration laws. This is a one-size-fits-all approach that will harm all of us. While this proposal will *not* bar English speakers from learning foreign languages, it *will* bar non-English speakers from attending language immersion schools. We believe this is unconstitutional discrimination.

DRIVER LICENSE AND VOTER REGISTRATION RESTRICTIONS AND REPEAL OF ORS 181.850 (INITIATIVE PETITION 112)

Anti-immigrant forces have proposed a measure that would prohibit anyone who cannot prove that they are lawfully present in this country from obtaining a driver license; require specific types of proof of citizenship to register to vote; and, finally, repeal any law in Oregon that prohibits or limits any public official or public employee from cooperating with enforcement of federal immigration laws. We oppose all parts of this initiative.

As we write in our piece on the 2008 legislative session (see page 8), the purpose of driver licenses is to ensure that individuals know the rules of the road, are licensed and insured. By limiting access to licenses, we do nothing but harm communities by pushing people to drive illegally and forcing everyone else to pay even more for our car insurance to cover the damage caused by uninsured drivers.

With respect to the voter registration requirements in this proposal, a person already is required to be a citizen to register to vote, and there is no evidence that there has been an abuse of this law. This proposal could have the effect of making it harder for citizens to register and fully participate in our electoral system, thereby disenfranchising many voters.

This measure would repeal ORS 181.850, which prohibits law enforcement from assisting in enforcement of federal immigration laws unless the person is arrested or detained by law enforcement for other reasons. Put another way, if a person is arrested for a crime (and being present in this country in violation of federal immigration law is not in and of itself a crime) and law enforcement has a reason to believe the person is not lawfully present in this country, nothing in Oregon law prohibits contacting Immigration and Customs Enforcement.

This law continues to be a necessary protection against racial and ethnic profiling by law enforcement and prohibiting them from demanding that you “show your papers.” ORS 181.850 is supported by law enforcement, and they were instrumental in helping us preserve this law after 9/11. This law encourages community policing by creating an environment where it is safe for anyone to report criminal activity to police. The best example is that this law has allowed women who are victims of domestic violence to report their abuse, regardless of their status in this country. It prevents the abuser (or any other criminal) from using the threat of deportation against a victim or against someone who knows of ongoing criminal activity if they go to the police.

ACLU OFFERS CONTINUING LEGAL EDUCATION

On January 23, ACLU of Oregon held a Continuing Legal Education (CLE) seminar on the nuts and bolts of the Oregon initiative process, including ballot title comments and procedural challenges.

The seminar was conducted by some of the leading experts on this area of law. Margaret Olney and Charlie Hinkle (who frequently provides comments on initiative petitions on behalf of the ACLU) provided the advocates’ perspective, and Philip Schradle and Paul Smith from the Oregon Department of Justice provided the state’s perspective.

About 50 attorneys attended the three-hour program, and a number signed up to assist ACLU in future ballot measure work.

The ACLU of Oregon also co-sponsored – with Basic Rights Oregon – two other CLEs, one in Eugene and another in Portland. Both were designed to provide legal background and guidance regarding two new laws:

- The Oregon Equality Act (Senate Bill 2), which took effect Jan. 1 and which prohibits discrimination against lesbian, gay, bisexual and transgender Oregonians in housing, employment and public accommodation; and
- The Oregon Family Fairness Act (House Bill 2007), which provides legal recognition for same-sex couples and their families through domestic partnerships.

Why Do You Support the ACLU?

“I wanted to work with the ACLU because I aspire to be a lawyer, and working with the ACLU of Oregon has given me the opportunity to encounter real legal issues that impact people and society. Not only have I gained knowledge and experience that will help me accomplish my career goals, but I have also gotten the chance to work with great people who share my interest in protecting civil rights and civil liberties.”

stacey chau

a Reed College student and ACLU of Oregon intern



Stacey Chau

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His most recent book is *Broken Government: How Republican Rule Destroyed the Legislative, Executive, and Judicial Branches*. Other titles include *Worse than Watergate: The Secret Presidency of George W. Bush* (2004), *Conservatives Without Conscience* (2006) and *The Rehnquist Choice: The Untold Story of the Nixon Appointment that Redefined the Supreme Court* (2001).

Dean fielded a few questions from the ACLU of Oregon prior to the dinner engagement:

ACLU OF OREGON: You're a registered Independent, and the ACLU is a nonpartisan organization. 2008, though, is steeped in partisan politics. Beyond Democrats vs. Republicans, how should a civil liberties-minded voter approach this election year?

JOHN W. DEAN: Look at the record. The GOP has no interest in civil liberties, other than lip-service. As I have written in *Broken Government*, Republicans simply cannot be trusted to protect the rights and liberties of Americans. In fact, it is going to take several presidential election cycles to repair the damage they have done.

ACLU: What's the biggest loss, in terms of civil liberties, of the past several years? And what can we do to repair the damage from that loss?

JWD: George Bush and Dick Cheney, with a compliant Congress and Judiciary, have done so much damage it is difficult to know how to rank what might be the biggest loss. Indeed, I filled a book with examples. Very generally speaking, under Republican rule the Legislative Branch does not follow "regular order," so there has been a breakdown in the legislative process; the Executive Branch has not merely returned to the imperial presidency but is heading toward even more excessive powers; and the Judicial Branch has been tilted so far right that it is out of balance – all of these broken processes have been at the expense of a long list of civil liberties. The fix? Voters must be particularly concerned about "process" in 2008, 2012 and 2016, because the government is broken.

ACLU: Consider how the Bush Administration has handled public dissent over the past several years. What does that say about our current state of affairs? And what role

STUDENT PLAINTIFFS HONORED WITH ACLU'S STEVIE REMINGTON AWARD ATHLETES CHALLENGED SCHOOL DRUG-TESTING POLICIES



James Acton

The ACLU of Oregon's Stevie Remington Award is given to an individual or group who, by significant personal sacrifice, contributes to the advancement of civil liberties and civil rights for everyone.

This year, the Remington Award is being given to James Acton and his mother, Judy Acton, of Vernonia; and Ginelle Weber and her mother, Shannon Weber, formerly of Oakridge. Both families,

in separate cases, challenged local school district policies that required student athletes to submit to urinalysis testing for drugs. The schools' policies were mandatory, random, and not based on any individualized suspicion of wrong-doing.

By choosing to challenge the policies, both families suffered harassment, endured threats and were ostracized by their communities.

The Stevie Remington Award was created in 2005 and presented for the first time in 2006 to Nancy Powell and her son, Remington Powell. Nancy and Remington were ACLU clients for nearly 10 years in the ACLU's challenge to the Portland School District's policy of allowing the Boy Scouts to recruit elementary-age school children during the school day even though the Scouts membership requirements are dis-

criminatory and not all boys are allowed to join.

James Acton was a seventh-grader who wanted to play football. He was a good student who was not involved with drugs and didn't think he should have to take the test. It was the "intrusion" of it he didn't like. He told a reporter: "I was like one of the smartest kids in class. I never got a referral (to the principal's office) – and I thought that was proof enough for them to see I wasn't taking drugs. I didn't want to be forsaken from sports and decided I should do something."

Ginelle Weber was 16 years old when her school in Oakridge decided to participate in an OHSU study designed to determine whether mandatory drug testing of student athletes was an effective deterrent. She had been invited to play volleyball by the coach and already was involved in other sports, including track and basketball. She was a member of the Student Council, was the student representative to the Oakridge School Board and was a good student. School officials admitted that they had no reason to believe that Ginelle used drugs. But once she refused to submit to the urinalysis test, Ginelle was excluded from all sports.

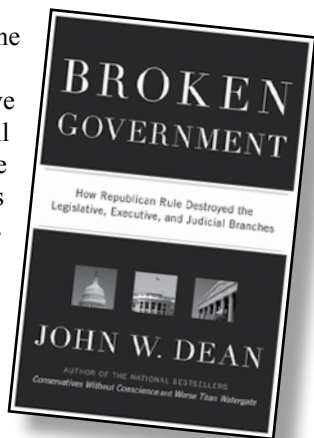
The Acton case made it all the way to the U.S. Supreme Court, where a disappointing ruling said the 4th Amendment did not prohibit the school's policy because student athletes have fewer privacy rights, and that school districts have an overriding interest in deterring drug use among student athletes.

should civil libertarians take, in the name of dissent?

JWD: Two of the most effective means to correct and protect civil liberties are the ballot box and the courts. The ACLU offers citizens a means to protect their rights and liberties through the courts. This is the practical – rather than philosophical – reason I support the ACLU by bringing its important work to the attention of others.

ACLU: And the philosophical reason you support the ACLU?

JWD: On many issues I consider myself a “Goldwater conservative,” which means that I believe the constitution must be honored. Today, the ACLU is one of the most conservative organizations in the nation for it has an over-riding interest in honoring the constitution.



Weber’s case was challenged in state courts. Unfortunately, the Oregon Court of Appeals ruled that the school’s policy did not constitute an unreasonable search under the Oregon Bill of Rights, and the Oregon Supreme Court denied review of the case.

Later, Ginelle had this to say: “While my act of standing up for civil liberties has denied me any athletic scholarships I might have received, I feel I have gained something more important. In these perilous times, I have learned I can defend others and myself from future civil liberties injustices. Despite having been publicly ridiculed by teachers, harassed by friends, and having my beliefs insulted by strangers, I still feel I would have made the same decisions.”

In a bittersweet irony, in October 2007, OHSU released the results of its study on the effectiveness of drug testing of student athletes. The study showed that the drug testing programs were not a deterrent and, in fact, increase some risk factors for future substance abuse.

Thomas M. Christ of Portland was the ACLU cooperating attorney for both the Acton and Weber cases.



Ginelle Weber

YOU’VE JOINED US IN THE STRUGGLE TO PROTECT CIVIL LIBERTIES... NOW JOIN US FOR DINNER

Please join us on Saturday, March 8, for the 2008 ACLU Foundation of Oregon Dinner. The dinner will be held at 7 p.m. on the Ballroom Level of the Portland Marriott Downtown Waterfront, 1401 S.W. Naito Parkway, Portland. The dinner is preceded by a pair of receptions at 6 p.m.

This event is a chance for our supporters to celebrate the accomplishments of the ACLU Foundation of Oregon over the past year (and to raise a little money to support our work). We will also be presenting the Stevie Remington Award (see related story).

Tickets are available online at www.aclu-or.org, or call Teresa Domka at (503) 227-6928. Tickets for the dinner and general reception are \$125 per person. Tickets for the dinner and hosted reception with John Dean are \$200 per person. Seating is limited to 450 guests, and we expect the event to sell out – so if you plan to attend, purchase your tickets soon!

UNION REQUEST PROMPTED HOTEL SHIFT

In December, the ACLU Foundation of Oregon changed the venue of our annual dinner from the Portland Hilton to the Portland Marriott Downtown Waterfront. We took this action in response to a call for support from the Hilton’s unionized hotel workers, members of UNITE HERE Local 9, who are engaged in a struggle with Hilton management.

The employees are asking the company for a fair workload to avoid dangerous injuries, family-supporting wages, job security, and an increase to their pension.

With no other viable union venue options, we rebooked our dinner event to the Portland Marriott Downtown Waterfront, one of the alternative venues suggested by UNITE HERE.

While we incurred additional expenses for cancelling our contract with the hotel, this action was a relatively easy choice for us to make. It reaffirms our commitment to one of the bedrock principles upon which the ACLU was founded: freedom of association and the right to organize.

Legislative Roundup

A LOOK AT THE 2008 'SUPPLEMENTAL' SESSION

As you read this, the Oregon Legislature will be in the middle of its February 2008 “supplemental session.” It’s the first step in Oregon’s attempt to hold annual sessions, similar to Washington and many other states (long session in odd years, short session in even years). The promise is that this session will be limited to February. Another pledge had been that this session would not include divisive issues but would focus on must-pass legislation. Even before session started, that pledge had been broken, with two divisive issues promising to be front and center: driver licenses and medical marijuana.

DRIVER LICENSES (SENATE BILL 1080)

Last fall, Gov. Kulongoski issued an Executive Order requiring DMV to rewrite its rules related to what types of documents are needed to obtain a driver license (or identification card). In doing this, he instructed DMV to write the rules in such a way that persons who cannot prove they are lawfully present in the country cannot obtain a driver license. He argued that Oregon was becoming a “magnet” for criminal organizations in and out of the state, although he failed to provide any evidence.

ACLU testified against the draft rules issued by DMV. Not only do the rules require DMV to verify your Social Security number (SSN) with the Social Security Administration (SSA), they require any new applicant or person seeking a replacement driver license to produce either a certified birth certificate or U.S. passport, as well as original documents reflecting any name change from your birth certificate (marriage, divorce, adoption decree, name change). If your full name or birth date does not match the DMV database, you will not be able to get a license.

DMV refuses to recognize the problem this will pose to many of us. If you have to go to the SSA to fix their error, for example, you will need picture identification to enter the federal building. But if you do not have a driver license or even a temporary license with a photograph, you may not be able to access SSA.

These rules go well beyond verification of a SSN – the rules allow those without an SSN to obtain a license only if they produce specific certified federal immigration documents – and will place insurmountable hurdles on the most vulnerable in our community. Those who are homeless, who are in crisis or transition, the elderly and those who are low income will face significant obstacles in obtaining the required documents.

These rules went into effect on February 4. Assuming that you are able to secure the needed documents and get a license from DMV, if your license is stolen or lost (something that could happen to any of us, but those who are homeless are particularly susceptible), you will need to obtain your certified documents once again to get a replacement license. This is very different from the current rules, which allow you to rely on various other documents *and* your DMV photograph to

confirm your identity.

Those of you who follow ACLU legislative action over the years may recall that in 2005 we opposed SB 640 which, among other things, required DMV to use biometric facial recognition software. This was touted as a way of ensuring that people will not be able to assume someone else’s identity. We opposed this because the limited studies on this form of technology show that the accuracy rates diminish based on the size of the population and the number of years between photos. With an eight-year renewal cycle for driver licenses in Oregon, there is a strong likelihood that DMV will reject your renewal because you no longer match your own photo.

Despite our opposition, the legislature passed this bill. But even with this new security feature, DMV’s new rules do not allow you to rely on your DMV photograph when you have to replace a lost or stolen driver license – even if the DMV photo was taken days, weeks or a few months ago. As best we understand DMV’s new policy, your biometric photograph will be good enough to prove who you are *not*, but not good enough for you to prove who you *are*.

That brings us to this February, when the legislature plans to change Oregon law to bring the statutes in harmony with new DMV regulations. But the proposed legislation (being introduced in both the House and Senate transportation committees) goes well beyond the change of requiring verification of SSN. Instead, in addition to allowing DMV to restrict the use of your photograph for replacement licenses, it also establishes a new SSN database of all our numbers; requires DMV to verify every document you produce with the issuing agency (verification databases do not exist for birth certificates, legal documents, proof of residency); fails to take into account the problems that people will have if their name or birth date do not match the SSA data; and provides no recourse if you are turned away.

Going well beyond the intended target of this legislation – persons who cannot prove lawful presence – this legislation will target everyone in the community. As a result, many will be turned away from DMV because of errors on the part of the SSA or DMV. For many it may mean driving illegally or not at

all, creating serious burdens on people who must rely on driving for their job, for their children, for food and for medical services. For others, it may mean they cannot get services, such as access to shelters, housing and other critical resources.

Both the intended and unintended consequences of this legislation and the change in DMV rules are damaging to all of us. While you may be reading this article in the middle of February, it will most likely not be too late to make sure your voice is heard in Salem. **Contact your state representative and senator and urge them to oppose SB 1080. And join our action alert (www.aclu-or.org) to stay involved on a more regular basis.**

MEDICAL MARIJUANA (HOUSE BILL 3635)

In 2007, ACLU and other allies successfully fought the passage of legislation that would allow employers to discriminate against Oregon Medical Marijuana cardholders. Specifically, SB 465 would have allowed employers to fire medical marijuana patients from their jobs simply because they are cardholders rather than based on any actual impairment at the job site during work hours.

ACLU believes that a person who shows up to work and is actually impaired (from lawful or unlawful drugs, alcohol, emotional distress or any other reason) can be sanctioned by an employer. And employers who utilize high-risk equipment should be using on-site, performance-based testing to determine the ability of employees to operate the equipment that day, for any reason. Instead, employers have relied on random urinalysis data, which can take days to get results and does not address the actual issue of impairment. (Urine tests detect only the residue metabolites of marijuana that are stored in fat cells and can remain in the system up to 30 days.)

Despite the opposition of many House Democrats to discrimination against medical marijuana patients, the leadership agreed that a modified version of the bill could be introduced during the special session. It now appears that this bill – HB 3635 – will be opposed by the proponents of last year's bill that failed. We expect that HB 3635 will die in Committee, but there is always a chance that it could come back to life in this session or in 2009. We will continue to oppose any bill that would allow medical patients to be fired unless there is reliable evidence that the worker is in a safety-sensitive job and is impaired in the workplace.

ACLU LOBBYING LEADS TO CHANGE IN PORTLAND POLICE PRACTICES

New Rules Protect Death with Dignity and Medical Marijuana Acts

As a result of ACLU of Oregon lobbying efforts with Portland Mayor Tom Potter, Portland Police Chief Rosie Sizer issued a Nov. 29, 2007, executive order that specifically prohibits any police assistance with investigations or prosecutions for persons who are acting under the authority of Oregon's Death with Dignity or Medical Marijuana acts.

Directive 315.00 was amended to prohibit Portland police officers from taking any actions contrary to Oregon law and the Oregon constitution.

"We're pleased that Mayor Potter and Chief Sizer listened to our arguments and took steps to make sure that Portland police will follow Oregon laws in their enforcement practices," said Andrea Meyer, Legislative Director for the ACLU of Oregon. "This prevents the federal government from using Portland police to make an end-run around Oregon laws."

In 2003, the Portland City Council amended a joint City of Portland and DEA Task Force agreement, removing language that required Portland officers to comply with Oregon law. The new language required Task Force members to "adhere to the DEA policies and procedures." Failure to comply was grounds for dismissal. This change was put on the Council consent agenda with no discussion or debate.

Under that language, to our alarm, Portland officers could be used by the DEA to assist in investigations against persons lawfully acting under either the Oregon Death with Dignity Act or the Oregon Medical Marijuana Act.

Oregonians passed the Oregon Death with Dignity Act in 1994 and defeated a repeal attempt in 1997. Similarly, the Oregon Medical Marijuana Act was approved in 1998.

At the time Council amended the DEA Task Force Agreement, then-U.S. Attorney General John Ashcroft had attacked both laws, threatening enforcement by the federal government. Although Ashcroft is gone, the federal government continues to oppose these two Oregon laws. Voters in Oregon have spoken, and, consistent with that vote, ACLU urged that no city resources be used to assist the federal government in going after Oregonians' lawful use of either law.

After our success in urging Portland to leave the FBI Joint Terrorism Task Force in 2005, the ACLU of Oregon urged Mayor Potter to address the flaws with the DEA agreement. He shared our concerns. Because the DEA agreement has expired, Mayor Potter and Chief Sizer agreed that this new directive would be issued prohibiting any Portland officers from participating in enforcing laws contrary to either Oregon laws or the Oregon constitution.

The new directive adds the following language:

"Members may not take action or exercise authority if the action or exercise of authority is prohibited by Oregon statute, the Oregon constitution, or Oregon decisional law. Specifically, members will not assist in the investigation or prosecution of any drug use, manufacturing, possession, delivery, prescription, administration or sale that is authorized by Oregon's Death with Dignity Act (ORS 127.800 et seq.) or Oregon's Medical Marijuana Act (ORS 475.300 et seq.)."

WHAT WILL YOUR LEGACY BE?

According to a 2007 poll by Harris Interactive, 55 percent of adult Americans do not have a will. Are you part of that 55 percent? Are you comfortable with the plan that the state has for distributing your assets if you die without a will? Generally, Oregon law would distribute your estate in the following order:

- spouse
- children
- parents
- siblings
- grandparents
- aunts, uncles and cousins
- and finally, the State of Oregon

Is the state's plan identical to how you want your estate distributed? If not, you need to have an estate plan that clearly outlines your wishes.

Typically, when you are determining who will be the beneficiaries of your estate, you look at those who are close to you. Of course, you should take care of family and those who are dear to you, but have you considered the charities that you support? Would you be willing to designate even a small percentage of your estate to continue supporting the charities you supported while you were alive? You could also list charities as a contingent beneficiary in case one or more of your other beneficiaries predecease you.

If you are considering making the ACLU Foundation of Oregon a beneficiary in your will, your timing couldn't be better. The Robert W. Wilson Charitable Trust renewed the Legacy Challenge last year.

Any donor who notifies us for the first time that a planned gift has been established is eligible for a matching donation of up to 10 percent of the future gift's value, with a maximum match of \$10,000. This allows the ACLU Foundation to receive a present-day gift just with your commitment to make a future gift. Once you have made your estate plan that includes the ACLU Foundation, all you need to do is fill out a one-page form to qualify for the match.

If you would like more information, you can visit www.legacyaclu.org for estate planning checklists, gift calculators, step-by-step instructions, articles and more information about the Legacy Challenge itself.

You also can contact James K. Phelps, J.D., CFRE, Development Director, ACLU Foundation of Oregon at (503) 552-2101 or jphelps@aclu-or.org; or the national ACLU Planned Giving staff at (877) 867-1025 (toll-free) or legacy@aclu.org for further assistance.

NSA SPYING UPDATE

PUC DENIES REQUEST TO MOVE FORWARD ON VERIZON CASE

The Oregon Public Utilities Commission in January denied ACLU of Oregon's request to move forward on our inquiry into whether Verizon illegally turned over the private calling records of Oregon telephone customers to the National Security Agency.

More than 30 civil actions – all similar to the Oregon request for information regarding phone records that may have been illegally turned over to the government – had been transferred to the U.S. District Court for the Northern District of California. Because of that, *ACLU of Oregon v. Verizon Northwest Inc.* has been held in abeyance “until such time as the 9th Circuit provides clear direction as to appropriate Commission action,” the PUC said in a Dec. 11, 2006, order. The ACLU of Oregon believes that many factors now provide that clear direction, and it's time to move forward on this case:

- A U.S. government official has disclosed additional information about its electronic surveillance program;
- Verizon has revealed details about its cooperation with government investigations;
- A U.S. District judge has ruled that the Supremacy Clause and the foreign affairs power of the federal government – including so-called “state secrets” – do not prohibit state or private investigations of telecommunications companies; and
- The Vermont Public Service Board has allowed discovery of two telecommunications companies (including Verizon) to proceed.

Despite our arguments, the case remains in a holding pattern. Additionally, the PUC denied our specific request that Verizon be ordered not to destroy any records pertinent to the case, stating that Oregon law already requires Verizon to preserve such records.

“Oregonians deserve to know if Verizon broke the law and gave their private, personal calling records to the National Security Agency,” said David Fidanque, Executive Director of the ACLU of Oregon. “The ‘state secrets’ defense should not apply in this case; Verizon and the U.S. government have shown they are more than willing to talk about their program when it serves their own interests. We’re asking them to be as forthcoming in telling us whether they allowed the NSA to illegally invade the privacy of Oregon telephone customers.”

The ACLU of Oregon has joined more than 20 other ACLU affiliates in seeking to find out whether telecommunications companies bowed to NSA demands and provided private calling records to the government.

ACLU cooperating attorneys on this case are **Keith Dubanevich** and **Mark Friedman** of Garvey Schubert Barer.

A copy of the ACLU's motion to lift the abeyance order is available online at www.aclu-or.org. It outlines, in detail, the bulleted items above.

Why Do You Support the ACLU?

“Without the ACLU, the civil rights gains going back to *Brown v. Board of Education* and beyond would have been reversed, and my right to free association, vote, public accommodation, etc., would be under a greater threat than it is today. Not only do I feel that I must be part of the fight to keep those gains, but I am obligated to do my part to advance and preserve those rights and protect our civil liberties emblazoned in the constitution.”

Henry (Hank) Miggins

a home loan specialist with extensive experience in government and municipal management who serves as treasurer of the statewide Board of the ACLU of Oregon



Hank Miggins

ACLU OF OREGON OFFERS NEW ONLINE DATABASE OF CHALLENGED AND BANNED BOOKS



Lois Lowry

Last fall, as part of an extended Banned Books Week celebration, ACLU of Oregon Executive Director David Fidanque was invited to introduce special guest Lois Lowry, a two-time Newbery Award-winning children's author visiting from Massachusetts.

At the event, Lowry shared a story of a reader's father who wrote to her complaining that her books explored themes – death and loss, for example – that he felt were inap-

propriate for his young son.

Lowry, author of "The Giver," the Anastasia Krupnik series and "Number the Stars," is no stranger to controversy. Her books have been challenged and sometimes banned in libraries and schools across the country, including in Oregon.

Lowry agreed to let us publish the letter she wrote in reply to that father's concerns. It speaks eloquently about the power of literature and the importance of intellectual freedom. It begins:

I'm sorry you and your son had a bad experience with one of my books.

I don't know what the procedures are in your school district for the challenging of a book, but certainly every parent has the right to institute those procedures. I'm always impressed and pleased when parents take an interest in what their children are reading; and books, good or bad, can be a wonderful vehicle for discussion between kids and adults.

Actually, I am a parent myself. I care a great deal not only about my own children, but about yours. They are growing up in a very complicated and difficult world and they will have tough decisions to make throughout their lives. Literature plays an important role in teaching them what the world is like. Curled up at home in a comfortable chair, reading, is the best – and safest – possible place to begin that formative process.

I am going on too long, but let me tell you one more thing which will graphically describe what I am trying to say. The summer before last, I lost a child. My blond, blue-eyed, happy-go-lucky son was killed instantly in a hideous accident. As a parent, you can imagine what that was like. At first I felt that there was no possible way for me to get through and survive such a loss. But of course I did. One of the reasons I did – in addition to all the more obvious reasons of family, friends, and church – was because all my life,

since age 4, I have read. Some of those books, dating back to my childhood, dealt with terrible loss; one that I remember most vividly, and which affected me profoundly when I was young, was Steinbeck's "The Red Pony." Another was John Gunther's book "Death Be Not Proud," about the death of his own son.

My mother might very well have objected to my reading those books when I was 8 and 9 and 10. She didn't. Left on my own to read whatever I wanted, at a time when I was young and open to knowledge, I absorbed every experience that I found in books; I sifted through them in my subconscious and – combined with what I was learning and experiencing at home – they determined how I would react to things for the rest of my life. I learned – from writers – about grief; and it affected the way I would grieve.

I learned, from books, about loss and about love and about good and evil and everything in between. Your son is doing the same thing. I encourage you to let him continue learning in that way.

Lowry's appearance in Eugene coincided with a new online offering from the ACLU of Oregon.

We have compiled the state's most complete list of challenged or banned books in Oregon – listing all recorded challenges, from a variety of sources, in both libraries and schools. It's presented as a database in both Excel and PDF formats, both of which are searchable. The database, which now covers the period of 1979-2007, will be updated annually.

The database represents the work of many individuals and organizations committed to intellectual freedom.

We worked with volunteers and staff members from the Oregon Library Association Intellectual Freedom Committee, the American Library Association's Office for Intellectual Freedom and the Oregon Association of School Libraries Intellectual Freedom Committee. Former ACLU of Oregon state Board President Candace Morgan was a key player in the creation and launch of the database, as were the ACLU of Oregon's Development and Communications staff and interns.

To explore the new online database – including the unsuccessful challenge to Lowry's "The Giver" in 1995 in Oregon – visit www.aclu-or.org/bannedbooks

ACLU OF OREGON'S 2008 BOARD SLATE

We would like to welcome the nominees for the ACLU of Oregon's Board of Directors. There are nine at-large positions to be filled in 2008. (In a separate process, our three Chapters each elect two voting representatives to serve on the statewide board, as well. Those chapters are the Benton-Linn Counties Chapter, Lane County Chapter and Southern Oregon Chapter, serving Jackson, Josephine and Klamath counties).

Eight positions are for three-year terms and one position is for a one-year term to fill an unexpired vacancy. Ballots will be mailed to all current statewide members in early April and are due in the Portland office no later than 5 p.m. on May 5, 2008.

NOMINEE FOR 1 YEAR TERM:



DAVID L. SILVERMAN (Portland)

Current ACLU Board member and volunteer attorney; attorney at Stoel Rives, focusing on licensing of intellectual property and technology, Internet/e-commerce law, franchising and product distribution; counsels clients in these areas and on advertising, data privacy and security, antitrust and trade regulation matters; serves as the Secretary to the Executive Committee of the Oregon State Bar Section on Antitrust and Trade Regulation and on the Lawyers Committee of the ACLU of Oregon.

NOMINEES FOR 3 YEAR TERMS:



CAROL ADLER (Portland)

Current ACLU Board member, serving on the Development Committee. Long-time ACLU supporter and community activist.



SALLY ANDERSON-HANSELL (Hermiston)

A Hermiston, Oregon, native; undergraduate degree from University of Oregon; law degree from University of Oregon School of Law; civil practice attorney in Hermiston, Oregon, whose work includes agriculture, small business, real property, estate planning and probate matters; serves on the boards of Oregon Women Lawyers and Umatilla-Morrow County Head Start, Inc.; is the Treasurer for the Oregon Business Law Executive Committee and a delegate to the Oregon State Bar House of Delegates.



MATT FRIDAY (Eugene)

Member of the ACLU-Monterey County Chapter Board in Monterey, California, for 13 years, including four years as chair of that chapter (2001-2005); led the Lane County Steering Committee in re-establishing the ACLU-Lane County Chapter (then chaired the first year of its operation); volunteers with Basic Rights Oregon Eugene-Springfield Action Team and the Democratic Party of Lane County (where he serves as the DPLC-LGBT caucus vice chair).



ANNABELLE JARAMILLO (Philomath)

Former ACLU Board member; Benton County Commissioner since 2001; member of the Oregon Law Enforcement Contacts Data and Policy Review Committee, which oversees efforts to deter racial profiling; was a member of Governor Kulongoski's

The Nominating Committee has selected the following nominees. Additional nominees may be made by petition of any 10 members. A petition shall state the term for which a candidate is nominated; it shall also include the candidate's background and qualifications and a signed statement expressing the nominee's willingness to serve if elected. Such a petition must be received in the Portland office no later than 5 p.m. on March 24, 2008.

In addition, we would like to thank outgoing board members **Harriet Merrick** and **Ellen Lowe** for their long-time service and dedication to the ACLU of Oregon.

Task Force on Equality in Oregon, which recommended legislative adoption of the sexual orientation non-discrimination and domestic partnership laws; served as president of the Oregon Commission on Hispanic Affairs and the Oregon Women's Political Caucus.



STUART KAPLAN (Portland)

Current ACLU Board President; former member of National ACLU Board; member of the National ACLU Data Privacy Committee; ACLU representative to the Oregon Legislature's Advisory Committee on Genetic Privacy and Research; Associate Professor and Chair, Department of Communication, Lewis & Clark College.



CANDACE MORGAN (Portland)

Former ACLU Board member and past president; vice president of the Freedom to Read Foundation and former chair of the American Library Association's Intellectual Freedom Committee; served as Director of Community Library Services for Fort Vancouver Regional Library District for 21 years and currently is an adjunct faculty member at Emporia State University School of Library and Information Science and Portland State University Public Administration Division; recipient of the ACLU of Washington William O. Douglas Award in 2004; editor and contributing author of the 7th edition of the American Library Association's Intellectual Freedom Manual.

JUDITH H. UHERBELAU (Ashland)

Attorney in general practice from 1981-2006, now retired; served in the Oregon House of Representatives from 1995-2001; Registered Nurse and Nursing Instructor from 1961-1973; Peace Corps Volunteer; member of the Ashland Community Hospital Board from 1990-1996; elections supervisor in Bosnia in 1995-1996; recipient of an ACLU of Oregon Commendation from the Jackson County Chapter in 1998 in recognition of her 100 percent ACLU voting record in the state legislature. (No photo available.)



JANET WEBSTER (Newport)

Current ACLU Board member and Vice President for Policy; head librarian at Oregon State University's Guin Library at the Hatfield Marine Science Center in Newport; member and past president of the Oregon Library Association; active in the International Association of Aquatic and Marine Science Libraries and Information Centers.

COMMUNITY PROTEST MARKS A SOMBER ANNIVERSARY

How Are You Planning to Exercise Your Free Speech Rights?



Claire Syrett

January 11, 2008, marked the sixth anniversary of the first prisoners being brought to Guantánamo Bay prison. Across the country, people organized demonstrations, rallies and teach-ins to demand Guantánamo be closed down and those held there given access to fair trials. The dramatic sight of shackled “detainees” dressed in orange jumpsuits and wearing black hoods was a key feature of these events. At the U.S. Supreme Court, more than 70 “detainees” were arrested when they entered the building to highlight the fact that the men held in Guantánamo have been denied access to justice there. About 100 organizations, including ACLU, sponsored this day of action, with events held worldwide.

Oregon was part of the action that day, with a demonstration in Corvallis. With Leah Bolger serving as lead organizer, Veterans for Peace Chapter 132 held a simple but powerful rally that featured speakers, poetry and the dramatic visuals offered by the orange jumpsuits. They did all the things necessary for any good community demonstration: secured a prime location (a central spot on the Oregon State University campus, with a march to downtown Corvallis); ordered the orange jumpsuits from one of the national sponsors’ websites; coordinated advance publicity for the event; and contacted local media for coverage. To find their speakers, they contacted an OSU peace studies professor and the Benton-Linn ACLU chapter, which is how I came to take part.

The result was a great event with more than 70 people. Television and newspaper reporters were there to capture the drama of hooded and shackled “detainees.” The Raging Grannies started us off with songs of protest. I followed with a speech detailing the legal labyrinth created by the Bush Administration to ensnare those held at Guantánamo. At the end of the event, we marched the “detainees” through downtown Corvallis, turning heads as we passed. There, at a busy intersection, we continued to call for the closure of Guantánamo.

We can all take inspiration from the Corvallis activists. As your solo field organizer with a large territory to cover, I am relying on you to take the initiative and seize opportunities, such as this recent day of action, to hold events in your communities.

Whether you are in Klamath Falls, Bend, Newport or North Bend, you can get active in a way that works for you and your community. It could be a public protest, a community panel discussion or a small house party. What matters is that you take those first steps to action. I am eager to support your efforts and participate directly if I am able. In addition, national ACLU has toolkits and other resources to get you started. Together we can rally our friends and neighbors to stand up for justice so that next year January 11th will be a day of celebration, not a day of mourning.

Contact Southern District Field Organizer Claire Syrett at csyrett@aclu-or.org.



Volunteers donned prison uniforms and black hoods to depict the plight of Guantanamo prisoners during a Jan. 11 rally in Corvallis.

ACLU OF OREGON WELCOMES NEW VOLUNTEER COORDINATOR/OFFICE MANAGER



Pooja Bhatt

Pooja Bhatt started as the ACLU of Oregon's new Volunteer Coordinator/Office Manager in October. She works out of the Portland office.

Though Pooja is new to the ACLU of Oregon, she is not new to the ACLU.

Pooja began her activism in civil liberties after the passing of the PATRIOT Act, when she felt compelled to restore the basic rights the Act jeopardized. Working with a grassroots organization, she was involved in encouraging the

City of Pittsburgh to pass a resolution opposing provisions of the PATRIOT Act.

She later interned with the ACLU Greater Pittsburgh Chapter, and continued as a volunteer until she moved to Portland in 2004.

Since her move, Pooja has been working in the labor movement but is very excited to be back with the ACLU.

Pooja holds a bachelor's degree in Sociology and Political Science from the University of Pittsburgh. In her spare time, she enjoys snowboarding and watching bad Lifetime movies and HGTV.

IN THE CHAPTERS

A CLOSER LOOK AT ACLU OF OREGON'S REGIONAL CHAPTERS

BENTON-LINN

The Benton-Linn Chapter's Annual Meeting, held in November, drew a small crowd to the OSU Humanities Center in Corvallis. ACLU of Oregon Executive Director David Fidanque provided an update on the ongoing struggle at the national level to rein in warrantless wiretapping, end the use of torture and hold government officials and others accountable. A spirited Q-&A followed.

In the days following the meeting, chapter board elections were held via a mail-in ballot. A full slate of directors was elected to the Benton-Linn Chapter board, and the chapter plans to hold public meetings every other month beginning in February. The next meeting is set for 7:30 p.m. February 20 at the OSU Humanities Center, 811 S.W. Jefferson, Corvallis. Call (541) 754-2522 for information.

LANE COUNTY

The Lane County Chapter board will hold its Annual Meeting, including board elections, from 2-4 p.m. February 24 at First Congregational Church, 1050 E. 23rd Ave., Eugene. The meeting is free and open to the public. Garrett Epps, Lane County Chapter board member and distinguished University of Oregon law professor, will be the keynote speaker.

The Nominations Committee, led by Bob Weiss, worked hard over the past months to fill board vacancies from last year. As a result the chapter has welcomed Guadalupe Quinn, Garrett Epps, Dan Bryant, Andy Meakins and Greg Flint to the board. These folks will stand for election this year in order to begin their first full term of service.

The chapter is developing a local speakers' bureau, drawing on the expertise of board members to offer presentations on immigrant rights, church/state issues, GLBT issues, free speech and other civil liberties topics. If you are interested in having a speaker for your classroom, church or civic group in Lane County, please

contact Southern District Field Organizer Claire Syrett at csyrett@aclu-or.org.

SOUTHERN OREGON

The Southern Oregon Chapter held its Annual Membership Meeting on October 21 in Ashland, drawing almost 80 members, as compared to the usual 30 or 40. The contested election resulted in six new members gaining seats on the chapter board: Bill Mansfield, Jaelle Dragomir, Steve Ryan, Nancie Ozinkowski, Eric Niemeyer and Derek Volkart. On December 8, at the first meeting of the new 15-member board, new officers were elected: George Converse, chair; Ralph Temple, vice chair; Steve Ryan, secretary; Ralph Temple and Jaelle Dragomir, chapter representatives on the state affiliate board; and Anita Ward, at-large member of the Chapter Executive Committee.

The chapter, working as part of the Southern Oregon Community Coalition, has been seeking greater community involvement in local government decisions, focusing on those areas with the greatest impact on civil liberties, such as Ashland's hiring of a police chief and city attorney.

On November 29, a group of volunteers and board members joined Southern District Field Organizer Claire Syrett and Executive Director David Fidanque for a three-hour training on how to be a civil liberties "reporter." This marked the launch of a pilot project designed to evaluate the effectiveness of using volunteers to track and report on local civil liberties issues. Volunteers will monitor local developments, investigate possible violations and provide reports to the affiliate staff and chapter board. Volunteer reporters will monitor the five largest cities in southern Oregon: Ashland, Medford, Central Point, Grants Pass and Klamath Falls. A volunteer reporter is still needed for Klamath Falls. Please contact Claire Syrett, Southern District Field Organizer, at csyrett@aclu-or.org if you are interested.

SAVE THE DATE

ACLU of Oregon has two events planned for May 17, 2008...

Annual Membership Meeting in Portland

Topic: Privacy & Technology: How Much Are We Giving Away?

Time and location: TBA

House Concert featuring Makana in Portland

Makana is a Grammy-nominated Hawaiian slack-key guitarist. His latest album, "Different Game," features a mix of acoustic blues, folk and alternative rock. This intimate concert will be held at the home of one of our board members. Seating is limited.

Tickets go on sale March 1, 2008, online at www.aclu-or.org.

Find out more about these events and other ACLU of Oregon activities at www.aclu-or.org