



NYCLU

NEW YORK CIVIL LIBERTIES UNION

LOWER HUDSON VALLEY CHAPTER

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SEPTEMBER 2009



Meet Thomas Cahill: Author of *A Saint on Death Row: The Story of Dominique Green* (Doubleday, 2009)

HENRY SCHWARZSCHILD MEMORIAL LECTURE

Thursday October 29, 2009 · 7:00 PM

Manhattanville College

The Castle, Purchase, NY

Guest speaker: THOMAS CAHILL
Introduction by Nan A. Talese, publisher

FREE AND OPEN TO THE PUBLIC

Thomas Cahill is the author of the popular history series, *The Hinges of History*, five volumes that trace Western history through selected individuals in selected eras. The books in this series include *How the Irish Saved Civilization*, *The Gifts of the Jews*, and the most recent book, *Mysteries of the Middle Ages*. After appearing on best seller lists, these books are now part of the curriculum at many colleges.

Mr. Cahill's latest book, published this past spring, is *A Saint on Death Row: The Story of Dominique Green*. It is an extended essay on the author's unplanned meeting with Mr. Green in 2003 when he was already on death row in Texas, less than a year before his execution. In addition to a very moving, personal account of their relationship, Mr. Cahill tells Dominique Green's story. We anticipate a lively evening as Mr. Cahill speaks about the Green case, the ways capital crimes

are adjudicated in the US, and then fields questions from the audience.

Nan Talese is the senior vice president of Doubleday and publisher and editorial director of Nan A. Talese/Doubleday.



Most important of all, Ms. Talese is a graduate of Manhattanville!

This is the 11th annual Henry Schwarzschild Memorial Lecture. We co-sponsor this event with the Connie Hogarth Center for Social Action at Manhattanville College. Henry Schwarzschild was the coordinator of the national death penalty campaign at the ACLU. He was also a member of our chapter board and of the NYCLU board.

Banned Book Week

The freedom to read whatever one chooses, even on unorthodox or unpopular issues, and to possess a full array of materials to choose from, is firmly rooted in the First Amendment. Banned Books Week celebrates this civil liberty from 9/26 to 10/3/09.

Our Chapter will sponsor readings from some of these challenged books: *The Chocolate War*, *The Color Purple*, *Forever*, *And Tango makes Three*, *The Grapes of Wrath*, *1984*, *I Know Why The Caged Bird Sings*, *Brave New World*, *Catcher in the Rye*, and *Beloved*, on these dates:

Saturday, 9/26, 4 PM, Barnes & Noble, Main St., White Plains

Sunday, 9/27, 1 PM, New City Library, New City, Rockland County co-sponsored with the library, Coalition for Democracy & Freedom, Student Activists for Ending Dating Abuse (SAEDA)

Tuesday, 9/29, 4 to 7 PM, Mt. Vernon Library, 48 S. First Ave., Mt. Vernon

Thursday, 10/1, 7 PM, also at Mt. Vernon Library, with ACLU speaker, Catherine Crump

Saturday, 10/3, 1 PM, Finkelstein Library in Spring Valley – co-sponsored with the library, Coalition for Democracy & Freedom, SAEDA

All-week Exhibit:

The LOFT, The Lesbian, Gay, Bi-sexual & Transgender Community Center, 252 Bryant Avenue, White Plains, will co-sponsor with NYCLU.



View From the Chair

by Joann Prinzivalli

Today's word: *Activate!*

Most of the work done by the NYCLU comes in four flavors of *ate*: *educate*, *advocate*, *litigate*, *legislate*.

Educate: Those who don't know their rights can't stand up for them. A Bill of Rights bicentennial poll in 1991 found only a third of Americans know about the Bill of Rights, and less than a tenth know it was adopted to protect against federal governmental abuses. Our chapter works to increase public awareness and understanding of constitutional rights through programs and lectures.

Advocate: It seems as if a day doesn't pass by without some government proposal to infringe on civil liberties in the name of security. Chapter Director Linda Berns shares her current work on several local issues in her Director's

report (see page 3).

Litigate: While litigation is directed centrally from the state offices in New York City, the intake load handled by Linda Berns and volunteers in our office remains high. Court cases are only the tip of the iceberg, as many issues are resolved via phone calls or letters.

Legislate: With the prominence of litigation, the NYCLU is often seen as a public interest law firm (and it is) but litigation is only part of its work. Many federal courts interpret the Federal Constitution as if we were living in the 1870s, so we must work to improve federal, state and local laws to expand and protect our civil liberties.

The Reproductive Rights Project is working to enact the Reproductive Health Act (S. 5808 in the New York State Senate for 2009/10) sponsored by State Senator Andrea Stewart-

Cousins and others. With the U.S. Supreme Court precariously close to reversing *Roe v. Wade*, enactment of state-law protections becomes a greater priority.

After successfully tackling Rockefeller Drug Law reform, the NYCLU's Activist Task Force currently focuses on fixing America's immigration system. For other projects and issue areas you can check out our website at: www.nyclu.org/issues.

For those who'd like to do more, there's one additional *ate* to consider:

Activate: Our Chapter offers many opportunities for volunteer work such as answering the phone at our office and contacting elected officials. There's also a legislation/lobbying committee that needs volunteers to help with immigration, voting, and more. *Activate* yourself to be a part of the solution on issues you care about.

Bill of Rights Day Event Scheduled for 12/15/09

by Joann Prinzivalli

This year our Chapter's annual Bill of Rights Day program for high school students at St. Paul's National Historic Site in Mount Vernon will be taking place on Tuesday, December 15, from 10 AM to noon. The theme will focus on student rights and will feature students reading the Bill of Rights.

Essay contest for students

The theme of our annual Bill of Rights essay contest will be based on a scenario created especially for the contest by Pace Law School Professor Ralph Stein, a member of our Chapter Board. Students will be asked to react to and analyze the constitutional implications of a case in which a high school student, writing in a personal newsletter

distributed via email at home, criticizes her school's principal and is suspended as a result.

Winners will be announced at the Bill of Rights Day program.

Contest rules and details will be posted on our website, distributed to the social studies and English departments of over one hundred high schools in our seven-county region, and will be available from local public libraries.

Lobbying for Equality

by Linda S. Berns

Chapter Director, Linda Berns and Chapter Chair, Joann Prinzivalli joined a contingent from the NYCLU and 2,000 other activists in Albany on April 28 to lobby for the marriage bill, GENDA and DAS.

Joann led a GENDA workshop. Linda met with Assemblyman Ken Zebrowski, 94th District, and State Senator Thomas Morahan, 34th District (who claimed to have been unaware that 1,324 rights accompany marriage). Senator Morahan said he would support legislation granting those rights without giving same-sex couples the ability to marry.

Speaking to a NYCLU gathering, Assemblyman Daniel O'Donnell, the sponsor of the marriage bill, said: "I don't seek to [intrude] in your church or synagogue. When a couple marries, the person administering the ceremony states, 'By the power vested in me by the State of New York'—not God, not the federal government. Under the Marriage Equality Bill no religious institution is forced to marry Jews or Muslims. No house of worship is threatened."

Director Defends Rights

by Linda S. Berns

The fundamental mission of our organization is to ensure that all citizens are afforded the same constitutional rights whether or not we share their values; if one group is denied the right to assemble, all are threatened. Locally, we continue to testify against restrictive “child safety laws.” Here are some of our other recent cases:

First Amendment issue, Rockland County: Nyack Library. Responding to requests from “9/11 truth,” I explained to the library director that he could not ban a group from the library based on the content of a film that they planned on showing there. Public libraries may control “time, place and manner” but not content. The group was allowed to show the film.

Second Amendment, Orange County. I assisted a man who was accused of target shooting and had his guns confiscated for one year. Upon completion of his sentence, two of the three guns were returned. I succeeded in getting

the police chief to get a county judge to order the release of the third. Who says we hate the Second Amendment? **Neon signs selectively prohibited,** in Village of Pelham, Westchester. The village’s sign code requires that indoor neon signs be turned off when a business is closed. We were contacted by a man who owns a beauty salon who claimed that the law was being selectively enforced. I spoke to the deputy mayor who raised the issue at a subsequent board meeting. The sign code is no longer selectively enforced.

Police give a woman the runaround, Spring Valley, Rockland County. A resident tried to file complaints against her landlord and a police officer who shook her son. The Police Department refused to accept her complaint. After I spoke with the police chief and a lieutenant, they agreed to accept the woman’s complaints.

Public comment curtailed, Spring Valley, Rockland County. A speaker was interrupted and cut off at a school board public hearing by the chairman. The Chapter sent a letter objecting to this.

Surveillance cameras open to neighborhood watch, Unionville, Orange County. We received several complaints from residents that members of a local neighborhood watch have access to the surveillance footage. The main monitor is inside the Village Hall. Legal restrictions on recording and keeping the surveillance tapes are compromised once private citizens have viewing access. The chapter sent a letter to the village mayor and board voicing our concerns.

March permit, White Plains, Westchester: We helped a coalition of groups marching in White Plains for immigration reform. More than 300 people marched peacefully one Saturday in the business district.

Immigration rallies: I participated in an April 17 rally with Board member Ceil Lavan and a number of social justice groups in Nanuet in Rockland County after a Latino student at Suffern High School was beaten to the shouts of “white power.” Previously, I supported Latino taxi drivers at a rally after a driver was badly beaten.

Immigration Reform Initiative

NYCLU has chosen immigration as our next statewide initiative. Our Chapter-activated task force has 11 volunteers in our seven-county area. Ari Rosmarin, senior advocacy coordinator, conducted a training session in our White Plains office on Sept. 13.

Our immigration system is broken, After decades of ignoring the problem, our country faces the reality of tens of millions of documented and undocumented immigrants facing routine violations of their basic human and civil rights. With so many forced to live in society’s shadows, the NYCLU supports a comprehensive reform of our immigration system that will finally respect fundamental civil rights and liberties for all. *Congress must:*

Create a meaningful path to legal

status for the millions of undocumented immigrants in the U.S. With families torn apart, due process and fairness ignored, and millions denied basic rights and services, a path to legalization is the only way to ensure our country does not create a permanent underclass of second-class residents.

Restore basic fairness into the immigration system. Laws regulating immigration passed before and after 9/11 have worked to build a system where judges are prevented from hearing certain immigration cases, immigrants—documented and undocumented—are held for years or deported without a hearing and without access to lawyers, children are torn from their parents, and individuals are held in jails under inhumane conditions.

End local enforcement of federal im-

migration law. The trend of local law enforcement agencies enforcing federal immigration law is dangerous. There is a troubling record of racial profiling, an increase in costly mistakes and the creation of a climate of fear that discourages immigrant communities from sharing information with law enforcement.

Prevent backdoor efforts to create a national identity card. Leading lawmakers, including Senate Immigration Subcommittee Chairman Charles E. Schumer (D-NY), have proposed requiring every American worker, citizen and non-citizen, to apply for a “forgery-proof” worker ID card with biometric data such as fingerprints or iris scans. Such a card would lead to the creation of a national ID system, a concept that would seriously threaten all New Yorkers’ privacy.



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Annual Election of NYCLU/LHV: Nomination Process

The annual election for officers and members of the board of directors of the Lower Hudson Valley Chapter of the New York Civil Liberties Union (LHV-CLU) is held on a date in the first quarter of each year — usually in the second half of March. The positions to be filled are the chairperson, two vice-chairpersons, secretary, treasurer, and ten (or more in the case of temporary vacancies) non-officer members of the board of directors.

The LHVCLU Board of Directors has appointed a nominating committee for the next Chapter election. The nominating committee is required to report its nominations no later than two months before the date selected for the annual meeting. In addition, at any time from three months to seven

weeks before the date of the annual meeting, any member in good standing may be nominated for any of the aforementioned positions by a petition bearing the signatures of seven members in good standing. The petition must be delivered, either directly to the secretary or to the secretary via the Chapter office, no later than seven weeks before the date of the annual meeting, together with a request that the name of the nominee and the office shown on the petition be submitted to the membership.

Written communications concerning this process should be addressed to LHVCLU, Suite 217, 297 Knollwood Rd., White Plains, NY 10607. The LHV-CLU office telephone number is 914-997-7479.

LHV Board

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Director

Linda S. Berns