New York is the sixth and most populous state to grant all people, including same-sex couples, the freedom to marry. More than 34 million Americans live in New York. The NYCLU and ACLU celebrated couples on the first day of marriage by providing wedding photos. (Photo by Donna Aceto)
Civil Liberties at the Ballot Box and Beyond

Following years of NYCLU advocacy, the New York City Department of Education this year began requiring sex education for all middle and high school students in the city’s public schools.

“This welcome move shows that the DOE recognizes the importance of helping students make informed, healthy choices about sex and sexuality,” said NYCLU Executive Director Donna Lieberman. “We’re working to make sure that the city follows through on this important step by ensuring that the sex ed that is actually taught in our schools is effective and is respectful of all students, and teachers are trained to effectively engage students about sexual health.”

The new requirement, announced in August, took effect this January. The NYCLU is encouraged that the DOE intends to adapt successfully models like the comprehensive sex ed programs HealthSmart and Infectious of the Rhode Island Department of Education, which are specifically designed to meet the needs of middle and high school students.

“Giving students the information they need to make healthy decisions about sex and sexuality is crucial to the public health,” said Melissa Goodman, senior health & sexuality policy counsel for reproductive rights.

For more information, please contact Jennifer Carnig at jcarnig@nyclu.org, 917.997.7422.

NYC Mandates Sex Ed for Middle and High School Students
O n Oct. 26, 2010, a doctor from Nepal was travel-
ing by bus from Chicago to New York City to inte-
sign a residency program. Border Patrol agents
boarded his bus at the Greyhound station in
Rochester, where they questioned and arrested him.

The doctor had arrived in the U.S. in March 2010
on a valid visa for treatment at a private hospital in
Connecticut. After his surgery, he began doing vol-
tunteer work with a community organization in
Rochester, where they questioned and arrested him.

From 2006 to 2009, there were 2,743 transportation
arrests, or roughly 900 arrests a year, on average.

Among the report’s key findings:
• From 2006 to 2009, there were 2,743 transportation
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• From 2006 to 2009, more than 73 percent of individu-
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than released while awaiting the adjudication of their
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While white press reports suggest that Border Patrol
operations may have declined on trains and buses since
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Patrol activities on the streets and in the city.

Agents widely violate established arrest procedures in
the course of transportation raids.

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Interior transportation raids represent the
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Occupy Wall Street: NYCLU Behind the Scenes

From the Occupy Wall Street movement’s early days, the NYCLU has been at the forefront, with our legal observers documenting the police treatment of protesters. In response, Commissioner Kelly and police officers’ abusive treatment of journalists was once again open to the public.

The next day, the barriers were removed and the park open to the public. In a victory for free speech, the NYCLU brokered an agreement between the City of Rochester and Occupy Rochester protesters on Nov. 10 that allows the demonstrators to continue their encampment in Rochester’s Washington Square Park, subject to a set of rules intended to maintain public safety and park access. In the weeks prior to the Rochester agreement, the NYCLU had sharply criticized Rochester Mayor Thomas Richards after about 50 protesters were arrested at the park—many for allegedly violating a city ordinance setting park hours. The NYCLU sent Mayor Richards a letter explaining the park-hours ordinance is unconstitutional because it gives city officials unbridled discretion to decide whether to keep the park open or closed after normal operating hours. Numerous courts have ruled that such discretion creates an unacceptable risk of content-based discrimination.

Soon after we sent the letter, the city agreed to discuss the issues. Members of the chapter’s legal committee had a key role in the negotiations. “The city and demonstrators came to the table and worked out an agreement that respects the First Amendment and allows the general public to continue to enjoy Washington Square Park,” said Kaelyn Rich, director of the Genesee Valley Chapter. “This agreement provides citizens throughout the state and nation a model on how to accommodate protest.”

In December, the NYCLU’s Western Regional Office was instrumental in negotiating a similar agreement allowing Occupy Buffalo protesters to continue camping in Niagara Square.

This is a win-win, said John A. Curr III, director of the Western Regional Office. “We’re gratified that the city and the protesters were willing to come to the table and negotiate a reasonable deal.”

Under the deal, demonstrators agreed to leave the park during snow emergencies or for other events that would require the entire square. However, the agreement provides demonstrators an alternate public space to protest when circumstances require them to temporarily leave Niagara Square, and protects their right to return to the square after the weather condition or event has ended.

Supporting Protest One Tweet at a Time

The NYCLU’s Nov. 15 raid on Zuccotti Park triggered a period of chaos.

Demonstrators struggled to regroup after the eviction amidst a massive police presence. The NYDP had blocked reporters from covering the raid, severely limiting the amount of breaking news coming out of Lower Manhattan. News reports were sketchy.

Amidst the confusion, the NYCLU’s Twitter feed became a primary source of breaking news updates. Our staff members, who were scattered throughout the financial district, supplied real-time reports of events as they unfolded. Alberto Morales, the NYCLU’s new media associate, gathered those reports from our Twitter page throughout the day—creating a streaming news bulletin:

10:42 a.m.: Marchers now encircling park, chanting let us in.
10:44 a.m.: About 100 cops inside park. Hundreds of protesters circling around it.
10:52 a.m.: Feels like its setting in as a stand-off.

 Morales’ “live-tweeting” continued into the night, engaging hundreds of people hungry for news. It’s just one example of the important role of social networking in our response to the Occupy Wall Street movement.

From the movement’s early days, NYCLU has used Twitter and Facebook as vehicles for supporting the right to protest. Tweets and Facebook posts directed people to our online library of Know Your Rights information. “We’ve used social networking to encourage people to contact us with stories about police misconduct during the protest.”

“Twitter and Facebook are excellent tools for engaging a young and connected audience,” NYCLU Communications Director Jennifer Carrig said. “We’ve used them to lead a lively online conversation about free speech and the need to accommodate protest. It’s introduced thousands of new people to our work.”

Since the start of the Occupy demonstrations, we’ve gained more than 5,000 new followers on Twitter. Visit the NYCLU’s Twitter page at: twitter.com/nyclu. And be sure to friend us on Facebook.

NYCLU Organizer Angela Jones passes out NYCLU “Know Your Rights” information to Occupy Wall Street protesters in Zuccotti Park in Lower Manhattan. (Photo by Alberto Morales)
New Study Reveals Taser Abuse in New York State

Taser abuse endangers lives. Law enforcement agencies must adopt clear and effective Taser policies, and they must do so without delay.

The NYCLU’s report showed that New Yorkers of color face more Taser attacks than white or Asian New Yorkers. Nearly 6 in 10 Taser incidents involved individuals who were black or Latino, for the reports that noted race. Black and Latino New Yorkers together constitute less than 34 percent of the state’s total population. The report found that the absence of sound policies, training, and guidance endangers all New Yorkers at risk. With the clear exception of the NYYPD’s Taser guidelines, department policies do not comply with the recommendations of national law enforcement experts but appear to rely instead on training materials provided by the weapon’s manufacturer, TASER International—an approach that experts widely condemn.

“Incomplete and inconsistent data on Taser incidents creates a serious barrier to meaningful oversight,” said NYCLU Senior Staff Attorney Corey Stoughton, the report’s lead author. “Accurate and complete reporting of Taser incidents is essential to holding officers accountable and to protecting the public.”

Records reviewed were from Albany, Glens Falls, Greece, Guilfordland, Monroe County, Rochester, Saratoga Springs, Syracuse, Nassau and Suffolk counties, and New York City. National and local outlets reported widely on NYCLU’s Taser report, which was included in coverage in The New York Times, Wall Street Journal, Associated Press, Reuters and nearly two dozen newspapers, radio and television stations and websites.

Report Documents Anti-Muslim Hostility in New York State

The 10th anniversary of 9/11 presented an opportunity to reflect on the turbulent decade behind us, and to reconnect to the essential values that define our city and nation, including justice, equality and the rule of law.

In that spirit, the NYCLU in late August released a briefing paper examining the rise of anti-Muslim sentiment and anti-mosque activities throughout New York State over the past year.

“Government policies that cast blanket suspicion on all Muslim residents are misguided and divisive,” said NYCLU Advocacy Director Udi Ofer, an author of the paper. “Religious profiling was unconstitutional before 9/11, and it’s unconstitutional after 9/11. Our elected officials must stand up for religious freedom and ensure that New Yorkers treat each other with respect and understanding.”

The NYCLU offered recommendations to federal, state and local public officials to protect religious liberty while also respecting the First Amendment rights of those who oppose mosque projects.

Central New York Chapter Plays Key Role in Reforming Police Oversight in Syracuse

The Central New York Chapter played a key role in a successful effort to revive Syracuse’s Civilian Review Board, an independent oversight committee that investigates allegations of police misconduct.

The Syracuse CRB was established through legislation in 1993, but was never able to fulfill its mission. It faced opposition from the police union, lacked support from the mayor’s office, operated largely in isolation and lacked oversight from the City Council. Over time, the CRB became dysfunctional, ineffective and largely irrelevant.

In May 2011, after consulting with Chapter Director Barrie Gewanter, Syracuse Common Councilor Pam Hunter established a legislative advisory committee to draft revisions to the 1993 CRB legislation. The revisions added three members to the board and required more clarity for key rules and processes, and provide a better foundation for community confidence and engagement.

Gewanter was appointed to the advisory board and played a key role in its work. She then served as a resource to legislators as they began to consider the legislation in early November.

On Dec. 29, the Common Council unanimously approved the final revisions to legislation. “These legislative revisions are the result of a thorough deliberative process that included input from a diverse group of relevant stakeholders,” Gewanter said. “I’m proud to say that the NYCLU was a key player in this process.”

The reforms streamline the process of reviewing complaints and require information sharing between the CRB and police investigators. For instance, the CRB now has 60 days in which to complete its investigation and inform the police chief of its findings and recommendations.

The CRB and the Police Department are now required to inform each other of every formal complaint received, and they will initiate their investigations simultaneously. Previously, the CRB was required to wait for the Department to complete its investigation of alleged misconduct before launching its own inquiry.

The police chief must wait 60 days, unless the

CRB issues its decision earlier, before finalizing officer discipline.

The revised legislation also:

• Requires the CRB to engage in community outreach and public education.

• Establishes a five-person panel including mayoral, Common Council, and CRB representatives to evaluate the performance of the CRB administrator. Previously, the CRB had sole authority over the administrator.

• Lays out procedures to ensure that vacancies on the 11-member CRB are filled within 60 days after notice of an open position. In the past, vacancies remained unfilled for long periods of time, denying the CRB the quorum it needed to conduct business.

“The enactment of this revised legislation represents a fresh start for police accountability in Syracuse,” Gewanter said. “These reforms should give residents confidence that the CRB will actively investigate police misconduct complaints, and provide carefully considered recommendations to the police chief.”
For Ninth Year, Broadway Stands Up for NYCLU Youth Programs

A star-studded lineup of award-winning performers brought down the house on July 25 at Broadway Stands Up for Freedom—the New York Civil Liberties Union’s annual benefit concert. “We set a record this year for show-stopping numbers,” NYCLU Executive Director Donna Lieberman said. “Every year, Broadway stars share their time and talent to celebrate the vital link between the arts and civil liberties. We deeply appreciate their generosity and support.”

Proceeds from the show, held at NYU Skirball Center for Performing Arts in Manhattan, benefit the NYCLU’s youth programs, including its work with LGBT teenagers; its Teen Health Initiative, which educates teenagers on their rights to access health care in New York City; and its work to stop overly aggressive and military recruiting in the city’s public schools.

Dozens of Broadway’s finest graced the stage—including renowned playwright and director Moises Kaufman, Tony-winner Nikki M. James of The Book of Mormon, Tony-winner Beth Leavel of Baby It’s You, Nellie McKay (I Want to Live!), Daphne Rubin-Vega (Rent), Erin Bergen (Jersey Boys), John Tartaglia (Avenue Q), Gavin Creel (Hair), Christina Sajous (American Idiot), Lindsay Mendez (Everyday Rapture), Celia Keenan-Bolger (Spelling Bee), Carly Rose Sonenclar (Wonderland) and founding performer Liana Stempel with Clinton Curtis. Seth Rudetsky, host and musical director, guided the show with a light touch and quick wit. Daniel Goldstein, who will direct the upcoming Broadway revival of Godspell, directed.

Ms. James and Gbenga Akinnagbe (The Wire) recited winning entries from the NYCLU’s annual Freedom of Expression contest, which invited young people in New York City to lend their voices and creativity to the struggle for social justice. Also during the show, Assembly Member Daniel O’Donnell thanked the NYCLU for its tireless and effective advocacy of the Marriage Equality Act—the law giving gay and lesbian couples the freedom to marry in New York State. O’Donnell, who sponsored the Marriage Equality Act, presented Lieberman with one of the pens that Governor Cuomo used to sign the bill into law.

NYCLU Challenges Banishment Measures in Suffolk County

Suffolk County has asked a State Supreme Court judge to grant an injunction that would ban 37 individuals, alleged gang members, from gathering in certain public spaces in the hamlet of Wyandanch. The proposal would forbid the individuals from meeting at any time for any purpose in the designated areas, including religious worship, political gatherings or random contacts.

“The Constitution does not permit the government to banish people from public streets,” said Amol Sinha, director of the Suffolk County Chapter. “The police should absolutely enforce the law—and they have tools at their disposal to do so if and when laws are broken. But it’s unconstitutional and unwise to arrest people simply for entering public places before they’ve ever done something wrong.”

The NYCLU submitted an amicus brief in September asserting that the proposed ban would violate the constitutional right of freedom of movement because it sanctions the arrest of individuals simply for entering public spaces, without evidence of intent or criminal activity. New York’s courts have previously struck down comparable proposals. In 2000, the NYCLU thwarted New York City’s attempt to obtain a similarly misguided injunction.

On Dec. 1, acting State Supreme Court Justice Jeffrey A. Spina, citing his belief that any decision he issued would affect thousands of New Yorkers statewide, elected to permit the NYCLU to take part as a neutral party in the civil proceeding.

Spina said that the expertise of the NYCLU would help the court evaluate the proposal and how it might affect other residents’ constitutional rights to free assembly and due process. Senior Attorney Corey Stoughton will participate on behalf of the NYCLU, along with cooperating attorney Frederick Brewington.

“Suffolk County wants to preemptively arrest people it thinks are prone to criminal activity. It’s like some-thing out of Minority Report,” said Stoughton. “But no one has a crystal ball to predict who will break the law. It is fundamentally inconsistent with our justice system to assume that someone will commit a crime and punish them before they’ve ever done something wrong.”

Hearings were held in early December to weigh the county’s request. Of the 37 men named in the proposed ban, only five attended the December hearing, raising questions whether most of the individuals named in the ban—who would be subject to punishment if the ban is enacted—are not aware of the ban itself, their proposed involvement, or the risks it may entail.
Mark Sakitt: Scientist, Activist, Advocate

A s a preschoo ler in Brownsville, Brooklyn, Mark Sakitt remembers standing in the voting booth with his father. “I was very, very small, maybe 3 years old,” he says. Franklin Delano Roosevelt was running for president, for the last time, Sakitt said. In that darkened booth, the little boy got an impromptu lesson in democracy. How, Sakitt asked his father, can any one run against FDR? He’s a hero.

“My father explained what a democracy was,” Sakitt recalls. FDR may be a hero, his dad said, but this is America where anybody can run for office, even against heroes.

“I was a standard red-diaper baby,” Sakitt said of his family’s progressive politics.

Sakitt’s father, trained as a lawyer, worked mainly as a labor activist for the Postal Workers Union—and the surrounding neighborhood was filled with Eastern European émigrés who brought their left-wing politics with them to the U.S. But the awareness that people can disagree, and that conflicting views don’t undermine democracy, informs Sakitt’s core understanding of American culture and upholds his lifelong commitment to free speech and civil liberties.

Sakitt’s political activism began in the 1960s, when he participated in marches, rallies and other campaigns against the war in Vietnam. (As a doctoral student in nuclear physics at the University of Maryland, Sakitt was called up for a physical by his local draft board—but a note from the department chair explaining, “this guy is valuable for national defense, exempt him,” protected him from conscription.) A member of the ACLU and NYCLU since the early 1970s, Sakitt has served on the NYCLU’s Suffolk County board and the NYCLU board, respectively.

In 1970, the NYCLU’s contributions to New York’s historic vic tory for fair marriage and our ongoing work to challenge the federal Defense of Marriage Act.

But there’s more than public policy and politics about: The program also showcases the NYCLU’s 60th anniversary gala in March, hosted by The Daily Show’s Jon Stewart.

Sakitt takes pride in the Suffolk County Chapter’s opposition to former County Executive Steve Levy’s anti-immigrant policies and rhetoric.

At Brookhaven, Sakitt says, his work bridges two worlds—the top-secret domain of nuclear nonproliferation and counterterrorism research, and the congenial, international mix of scientists working on Brookhaven’s nuclear accelerator.

“The fine line between offense and defense,” he said. “But I feel very comfortable doing this, moving between two different worlds, one open and one closed.”

That said, Sakitt says that threats to civil liberties since 9/11 are at their worst levels since the Palmer Raids in 1920. “People think you have to give up personal civil liberties to preserve freedom, but there should be no conflict between civil liberties and national security,” he said.

Despite stepping down recently from the NYCLU board, Sakitt says that he “will continue as a strong supporter, no doubt about it.”

(Almost) Live from New York: It’s NYCLU TV

Cable television stations across New York City and the state have added a smart new program to their regular lineups: Project Liberty, the NYCLU’s own television program.

The show’s second episode debuted this fall. This episode focuses on the NYCLU’s 60th anniversary and its relentless fight for fair marriage laws in New York State and nationwide.

Written and produced by NYCLU’s New Media Associate Alberto Morales, the show features coverage from Occupy Wall Street and snapshots from July 4, 2011, when New York first permitted all couples to marry.

Executive Director Donna Lieberman talks about the NYCLU’s contributions to New York’s historic victory for fair marriage and our ongoing work to challenge the federal Defense of Marriage Act.

But there’s more than public policy and politics about: The program also showcases the NYCLU’s 60th anniversary gala in March, hosted by The Daily Show’s Jon Stewart and featuring a performance by the hip-hop band The Roots.

ACLU Executive Director Anthony Romero makes a cameo to congratulate the NYCLU on its 60th.

The show so far has aired in four New York City boroughs and in Rochester. NYCLU produces new episodes four times a year.

Segments of the show are posted on the NYCLU’s website. See how you stack up in the Battle of the In terns! (It’s not as simple as it seems.)

Hempstead resident Oscar Parraga wanted to serve in his community as a volunteer firefighter—but the Long Island village’s volunteer fire department did not allow non-citizens to serve as firefighters.

Parraga, a legal resident from Ecuador and an experi enced firefighter, contacted the NYCLU’s Nassau County Chapter concerning the fire department’s citizenship rule. Following the NYCLU’s advocacy, the Hempstead Volunteer Fire Department amended its admission requirements in July to allow non-citizens to serve as volunteer firefighters.

“We are gratified that the Fire Department recognized that discriminating against citizen volunteers pointlessly exclude highly qualified and motivated people from service, and quickly moved to fix the problem,” said Samantha Fredrickson, chapter director of the Nassau County Chapter. “NYCLU advocates for communities with large immigrant communities should encourage all residents to participate in civic life.”

In March, the NYCLU wrote to the Fire Department on Parraga’s behalf. Parraga owns and operates a local fire-protection business and graduated from college with specialized studies in fire protection. The NYCLU had advised the Fire Department that excluding non-citizens from volunteer service was unconstitutional and additionally weakened the pool of eligible, qualified volunteers.

It argued that such discriminatory policies needlessly isolate the immigrant community and create distrust between public officials and the people they serve.

After the citizenship policy was changed, Parraga submitted his application to the Fire Department. Village board approved his application in October, making him the village’s first non-citizen firefighter.

“I appreciate the Fire Department’s willingness to change its policy and give me the opportunity to serve in my community,” Parraga said. “I look forward to using my experience and expertise to help protect my neighbors.”

Parraga, who plans to apply for U.S. citizenship, was profiled in a Newsday article in September.

The NYCLU is leading a new grassroots campaign, Communities United for Police Reform (CPR), to address unjust, overly-aggressive NYPD practices that target New Yorkers of color and undermine community-police relations. The NYCLU belongs to the group’s steering committee. NYCLU representatives additionally serve on the group’s legislative committee, taking a leading role in crafting legislation to stop bias-based policing and increasing community empowerment.

“Policing in New York City aggressively targets black and brown New Yorkers, along with the homeless, the poor and immigrants to our city,” said NYCLU Lead Organizer Candis Taylor. “The NYCLU is fully committed to a campaign that will, in time, achieve real and lasting justice for all New Yorkers—and hold police accountable for their actions.”

The campaign’s goals include legislative reforms at the city and state level, including working to pass the Civil Rights in Policing Act and advocating for a state inspector general’s office to regulate police conduct.

Community-based efforts will include training 5,000 New Yorkers in vulnerable communities about their rights during police encounters, via a “Train the Trainers” public education program to increase access to practical civil rights information.

Cop Watch teams will be formed in neighborhoods to monitor and record stop and frisk actions on public streets, both as a way to document NYPD practice and potentially deter egregious oversteps by law enforcement.

CPR estimates that its work will take at least five years, and will include making justice in policing a central issue in New York’s 2013 mayoral election.

For more information, write jastopolicingny@gmail.com.
HAD the 2011 state legislative session concluded on schedule on June 1, the record on civil liberties would have been blank. And then on June 24, in the closing hours of the session, the Republican leadership in the Senate brought to the floor a bill that would recognize the legality of a marriage performed in New York—no matter the gender or sexual orientation of the spouses.

A “relatively stress free” affair, observed a New York Times columnist. Give the governor credit here; he issued the governor credit here; he issued

Governor Cuomo has acknowledged the power of incumbency, gerrymandering—the the power of incumbency, gerrymandering—the 2011 State Legislative Overview: The Civil Liberties Agenda

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**NOTICE REGARDING BOARD NOMINATIONS**

The annual meeting of the members of the NYCLU will be at 6 p.m. on Wednesday, June 13, 2012 at 125 Broadway, New York NY for the purpose of electing directors, receiving the annual report and transacting any other appropriate business.

All directors are elected by a vote of the statewide membership. This year there are 13 vacancies to be filled. The Nominating Committee will nominate its slate of nominees. If you are interested in finding out who the nominees are, please write to Donna Lieberman, Executive Director, 125 Broadway, New York NY 10004.

The governing board of each NYCLU chapter is entitled to nominate one representative. Nomination may also be made by petition of at least 25 members.

Nominations must be filed with Executive Director Donna Lieberman by April 15, 2012, 60 days prior to the annual meeting, at 125 Broadway, New York NY 10004.

A proxy ballot, along with biographical information and supporting statements of each of the candidates, will be published in the next issue of the NYCLU News.

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**Unfinished business in 2011:** A civil liberties agenda for 2012

- Redrawing election districts
  - New York has an ignominious record of carving up election districts to protect incumbency. Call it what you will—the power of incumbency, gerrymandering—the practice subverts democracy. New maps will soon be created based upon the 2010 census. Governor Cuomo has boldly asserted that he will veto a redistricting map that is not drawn by an independent commission; but the legislature failed to pass a bill creating such a commission. The NYCLU supports the adoption of a set of universal standards for sexuality and sexual health instruction taught in New York schools, to ensure every person educated in our public school system obtains the skills and knowledge they need for a healthy future.

- End discrimination based upon gender identity or expression
  - Civil rights laws are intended to protect those we marginalize, who become vulnerable to the most virulent forms of discrimination. Transgender and gender non-conforming New Yorkers are often the targets of such discrimination, but there is little recourse in state law, which does not prohibit discrimination based upon gender identity or expression. The consequences of this omission are greatly underappreciated. Transgender individuals are routinely denied housing, employment and medical care, resulting in elevated levels of homelessness and suicide. The need for explicit legal protection is imperative. It would be provided under the Gender Expression Non-Discrimination Act.

- Paid Family Leave
  - The federal Family and Medical Leave Act allows employees 12 weeks of unpaid leave, but many families cannot afford to lose the pay—the family leave benefit is no benefit at all. A proposed state law would provide financial support and up to 13 weeks of job leave when an employee must care for a newborn or a seriously ill family member. Cost implications are minimal. The family leave benefit would be administered through the existing Worker’s Compensation program—paid for by employers through small payroll deductions (less than a dollar per week for each employee). Paid family leave would provide direct support to the most vulnerable in a punishing economy: low-income workers, the young, people of color. Employers also benefit. Studies demonstrate that the availability of paid family leave helps businesses retain valued employees, reduce turnover, and increase loyalty and morale among workers.

- Reproductive freedom
  - Following last year’s Congressional elections, anti-choice legislators across the country took aim, with apparent vengeance, at programs that provide reproductive and contraceptive care to women. This political backlash follows a number of Supreme Court rulings that have weakened the right to reproductive choice. It’s not difficult to imagine a scenario in which a state law challenging the authority of Roe v. Wade makes its way to the Supreme Court. The right of reproductive choice must be secure in New York law. The proposed Reproductive Health Act would establish in state law a woman’s affirmative right to make private medical decisions without government interference.

- Medically accurate, age-appropriate sex education
  - New York is among the states with the highest rates of unintended pregnancy and sexually transmitted infections among teenagers. One study found that New York State spent $507 million in 2004 to address issues related to teen childbearing. The NYCLU supports the adoption of a set of universal standards for sexuality and sexual health instruction taught in New York schools, to ensure every person educated in our public school system obtains the skills and knowledge they need for a healthy future.

- Fair labor practices for farm workers
  - The reality of New York’s agriculture economy depends on the labor force that works the farms. And yet the state’s labor laws exclude farm workers from the protections afforded other workers—including the rights to bargain effectively, and to protect themselves from dangerous work conditions. The work of farm laborers is often grueling. The hours are excessive. And farm workers are routinely expected to do work that places their safety and health at risk. The Farm Workers Fair Labor Practices Act would give farm laborers the right to fair pay and basic protections of health and safety on the job.

- Occupy!...
  - The Occupy Wall Street movement has given new voice to a narrative of economic justice. This narrative involves the notion of a social compact; it’s a story that implicates constitutional liberties because it speaks to the ways in which economic status intersects with one’s demographic status—such as race, ethnicity, gender.

The following week the governor and legislators will negotiate a budget that is expected to cause further hardship. The question becomes: Will the economic pain (and opportunity) be distributed in a manner that recognizes and respects the interests of all those who are a part of the social compact?

Governor Cuomo has acknowledged the power of this narrative. His end-of-year tax legislation addressed the issue of progressivity in the tax code. Assembly Speaker Sheldon Silver, in remarks preceding the governor’s State of the State address, announced that it’s time to increase the minimum wage—implicitly suggesting that perhaps what he ought to be talking about is a living wage.

The occupy forces have been bootied out of city parks across the country. But they have returned to Zucotti Park. As The Nation magazine observed, “You can’t evict an idea.”