

ACLUNews

BECAUSE FREEDOM CAN'T PROTECT ITSELF



FIGHTING FOR MIA

ACLU Steps in to Stop Discrimination Against a Pregnant Teenager at Cherry Creek High School

Mia Lopez just had a baby. It's a wonderful, exciting and challenging time. A time that she, like all women, should have the freedom to fully recover from based on consultation with her doctor. When Cherry Creek High School, where Mia is a junior, learned that she was planning to have a child, they told her that she would have to return to school within three weeks of giving birth or she would suffer serious academic consequences.

Mia had done everything she could to prepare for her time away from school. She had voluntarily enrolled in summer school, gotten ahead in several classes and arranged with all of her teachers to keep up with her assignments while she was gone.



Yet, in October, the school's administrators informed Mia that those arrangements would not be honored and threatened loss of credit for work she had already completed if she took a maternity leave of longer than three weeks, a completely arbitrary timeline.

Mia believed that her rights were being violated, so she and her parents contacted the ACLU of Colorado.

Our legal team took quick action to inform the school of its legal duty to accommodate Mia's pregnancy. In a letter to the district superintendent, staff attorney Rebecca Wallace advised that federal law protects girls from sex and pregnancy dis-

crimination by requiring schools to allow an excused maternity leave "for so long a period of time as is deemed necessary by the student's physician."

According to the ACLU of Colorado's letter, "Young people have the right to complete their education regardless of their sex or whether they become preg-

nant. Instead of punishing pregnant and parenting teens, schools and their administrators should ensure that they provide the support services the young students need to complete their education."

A few days later, the school backed down from its demand that Mia return to school within 3 weeks of giving birth and agreed to a timeline based on her doctor's recommendation.

Thanks to the ACLU of Colorado's advocacy, Mia will have all the time she needs as a new mother, while still staying on track to finish her studies and graduate with the rest of her class.

"Young people have the right to complete their education regardless of their sex or whether they become pregnant."

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303.777.5482



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NOTICE

**ACLU of Colorado Annual
Membership Meeting**
February 20, 2014

This year's annual meeting will focus on the intersection of economic justice and civil liberties. More details to follow.

To learn more about the exciting work of the ACLU of Colorado and our chapters, visit our website and sign up for action alerts at aclu-co.org.

FROM THE EXECUTIVE DIRECTOR

LETTER FROM NATHAN WOODLIFF-STANLEY

Welcome to the *new* ACLU of Colorado! No, we haven't stopped fighting court battles for freedom of speech, due process, equal protection and the Bill of Rights. In fact, we are engaged in more legal cases than ever. So, what's new?

We're bigger, stronger and more effective than ever. We're using more strategies to protect civil rights and civil liberties, including legislation, education, media and mobilization, as well as litigation. We're doing more than responding to abuses of civil liberties—we are taking on ambitious goals, including: full marriage equality in Colorado, a ban on solitary confinement of seriously mentally ill prisoners, preventing courts throwing people in jail for being too poor to pay fines, ending the death penalty in Colorado, improved privacy and surveillance laws and advancing women's reproductive rights while defeating the latest fetal personhood amendment.

We have a deeper partnership and increased investment from the national ACLU, fighting together in this battleground state to win more victories and establish a larger ACLU presence in Colorado for the long run.

Already this year, we are proud of historic victories on civil unions, voting rights, free speech, drug laws, immigration reforms in Colorado, mandatory Fourth Amendment training for the State Highway Patrol, protection for nursing mothers in the workplace, an exoneration fund for the wrongfully convicted and so much more. I am even more excited about what our new ACLU can accomplish in years ahead.

But success doesn't come free. **We need your help.** To sustain this new ACLU and achieve our goals, we need to triple donations to the ACLU in our state over the next several years as the national investment phases out. Will you make a plan to increase your monthly or annual contributions to the ACLU, now and in the years ahead? Please remember the ACLU on Colorado Gives Day, December 10, in workplace giving if you can, and in your planned giving.

Challenges to civil liberties never stop. As long as there is an America, we will need the ACLU. As long as there is a Colorado, we will need the ACLU to be strong right here.

—Nathan Woodliff-Stanley



HONORING ARLETTE

When we reflect on how fortunate we are to have such valued and dedicated volunteers at the ACLU of Colorado, the name Arlette Baer always comes up.

Arlette has volunteered for the ACLU for almost 40 years. She started as an intake volunteer, answering calls from those seeking legal assistance back when our office was located in a two-story house on Pennsylvania Street.

Eventually, Arlette became the office's membership coordinator, volunteering four hours a day, five days a week. When membership soared after 9/11 to over 11,000 members, Arlette tracked every single one of them.

Before the ACLU, Arlette volunteered her time with the United Farm Workers, picketing in support of boycotts throughout the state. She also participated in anti-war protests during the Vietnam era.

Her daughter Simmie, herself a dedicated juvenile defense attorney, says of her mother's experience at the ACLU of Colorado: "The ACLU was my mother's home away from home. From the time it was an office of three people, through its many transitions and buildings, she considered everyone her family and made sure she got to the office by 7 in the morning to make coffee. Her decades at the ACLU provided her friendship, purpose, and the good fight!"

At this year's Annual Meeting in February, in honor of Arlette, whose health no longer allows her to volunteer with the ACLU, we will give out the first-ever Arlette Baer Volunteer of the Year Award.

OUT OF SIGHT, OUT OF MIND:

New ACLU of Colorado Film Exposes Colorado's Use of Solitary Confinement to Warehouse Mentally Ill Prisoners

On October 29, the ACLU of Colorado premiered a new original film, *Out of Sight, Out of Mind: The Story of Sam Mandez*, at Su Teatro Cultural and Performing Arts Center in Denver. The film, produced by the ACLU of Colorado, tells the true story of a man who has spent more than 15 years in solitary confinement in Colorado's prison system and now suffers from severe mental illness as a result. Close to 250 people attended the premiere, including Colorado Department of Corrections Director Rick Raemisch. More than 15,000 people have watched the film so far online. **Watch it today at vimeo.com/78840078.**



ACLU AROUND COLORADO

ACLU AT THE CAPITOL

IT'S BACK! GEARING UP TO FIGHT YET ANOTHER PERSONHOOD INITIATIVE.

Despite being rejected by Colorado voters in 2008 and 2010 and failing to get enough signatures to be on the ballot in 2012, we're sad to say that the personhood amendment will be back on the ballot in November 2014.



We will be working closely with coalition partners and our members to make sure that the third time is not the charm for personhood and that Colorado families retain their right to make healthcare decisions for themselves.

STANDING UP AGAINST DENVER'S MARIJUANA RULES

In October, the City of Denver proposed an ordinance that would essentially re-criminalize the use of marijuana anywhere it could be smelled by passers-by, including in your own back yard. The proposal would have also made it a crime to carry marijuana in your pocket while walking on the Sixteenth Street Mall or any park, trail or bike path, in obvious defiance of voters who approved Amendment 64.

We gathered over 12,000 petition signatures from around the country and sent hundreds of emails to City Council members protesting the irrational overreach. As a result, some of the most egregious pieces of the ordinance have been discarded and we continue to work to improve the rest.

LOOKING FORWARD TO THE 2014 LEGISLATIVE SESSION

The 2014 legislative session kicks off in January and it's shaping up to be another important year for civil liberties. We've spent the last few months planning our legislative strategies and have several exciting things planned. We are currently working with state lawmakers on new privacy bills, legislation to get the mentally ill out of solitary confinement, and more!

To stay up to date and learn how you can help, sign up for action alerts at aclu-co.org.

ACLU IN THE COURTS

REPRODUCTIVE HEALTH // The ACLU has requested an investigation into Mercy Regional Medical Center, a Catholic hospital in Durango that prohibits doctors from discussing the option of terminating a pregnancy with a patient, even when that patient's life is at stake.

Dr. Demos, a cardiologist at the hospital, was admonished by the hospital for explaining to a patient that she might have a condition that would be life-threatening if her pregnancy were carried to term, and if so, the proper standard of care would be to recommend terminating the pregnancy.

Colorado law prohibits hospitals from interfering with a doctor's treatment of a patient. The ACLU has asked the state to determine whether the religiously-motivated policies of the hospital violate the law and unnecessarily put the health of its patients at risk.

POLICE ACCOUNTABILITY // The ACLU filed suit to uncover police reports and internal investigation documents related to an incident in which a Castle Rock police officer put innocent civilians at risk by recklessly firing several shots from a semi-automatic rifle at the vehicle of an unarmed burglary suspect in a suburban neighborhood.

DEATH PENALTY // A successful ACLU lawsuit required prison officials to make public the policies and procedures that are used to carry out an execution so that they can be evaluated against the 8th Amendment's ban on cruel and unusual punishment.

ACLU IN THE COMMUNITY

This year, we've ramped up our education and outreach programs around the state. Along with more than 40 speeches and presentations by our Speaker's Bureau, we've hosted two film screenings, underwrote a film in the *Starz* Film Festival, and the Boulder Chapter sponsored *Red, Hot Patriot: The Kick-Ass Wit of Molly Ivins*.

ACLU volunteers and staff also taught elementary, middle, and high school classes on the Bill of Rights on Constitution Day, and we reteamed up with a local law firm to teach weekly civics classes at Cheltenham Elementary School, where children plan and put on skits around the rights that matter most to them.



THANK YOU to the supporters, honorees, and sponsors of our 2013 Carle Whitehead Bill of Rights Dinner.

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Honorees Kevin Paul, Kevin Williams and Claire Levy at the Carle Whitehead Bill of Rights Dinner



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SAVE THE DATE COLORADO GIVES DAY IS TUESDAY, DECEMBER 10

Colorado's Statewide Day of Philanthropy

Help us protect Coloradans' civil liberties by visiting coloradogives.org/aclu-co to schedule your donation today.

Thank you for your support!

