

ACLUNEWS

BECAUSE FREEDOM CAN'T PROTECT ITSELF



MAKING HISTORY AT THE LEGISLATURE

Two groundbreaking victories, both the result of years of research, education and advocacy by the ACLU of Colorado, highlighted the 2014 legislative session. Republicans and democrats came together to ban the cruel and inhumane practice of warehousing prisoners with serious mental illnesses in long term solitary confinement. Both parties also overwhelmingly voted to end modern day debtors' prisons by stopping local courts from jailing people who are too poor to pay fines.

Last year, the ACLU of Colorado compiled a comprehensive report, chronicling our state's long history of warehousing prisoners who suffer from mental illnesses in long-term 23 hour-a-day solitary confinement. The report was followed by *Out of Sight, Out of Mind*, a film produced by the ACLU of Colorado, that told the story of Sam Mandez, an inmate who spent more than 15 years in isolation and now suffers from debilitating mental illness as a result. The film premiered at an event attended by more than 250 people, including Colorado Department of Corrections Director Rick Raemisch.

Raemisch and legislators, including State Senator Jesse Ulbarri, worked with the ACLU of Colorado to draft new legislation banning the use of long-term solitary confinement on prisoners like Sam Mandez, who suffer from serious mental illness.

The legislation passed both houses of the legislature with overwhelming support. It's an important first step toward our goal of ending the use of long term solitary confinement in all forms in Colorado's prisons.

Similarly, the legislature, led by Representative Joe Salazar, rallied around the story of Jared Thornburg, a Colorado man who was jailed for ten days after he had lost his job and could not afford to pay a traffic ticket. Jared's story is not unique. Thou-



sands of Coloradans have spent time in jail for minor offenses, like driving a defective vehicle or having a dog off-leash, because they lacked the financial means to pay the resulting ticket.

The ACLU of Colorado Legislative Team convinced the legislature that throwing a person in jail because they cannot pay fines is bad policy. Not only does the debt go uncollected, taxpayers must pay for the arrest and imprisonment of a person who does not deserve to be in jail. After nearly every legislator voted in favor, Governor Hickenlooper signed a bill ending the practice in June. Jared Thornburg attended the bill signing with his 9-month-old son.

These two victories highlighted an extremely successful legislative session for the ACLU of Colorado. Read more about our 2014 session in the "ACLU at the Capitol" section inside.

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NEW ACLUCO.ORG

Have you been to our new website yet? On our newly re-designed site, you'll find videos, infographics, trainings, and other tools to keep you informed about your rights and how we work to protect them. On the new Colorado Rights Blog, we post frequently about civil liberties issues in our state and around the country. We also tweet regularly about our cases, events, and calls for action at @ACLUofColorado. Follow us today!



ACLU AROUND COLORADO

ACLU AT THE CAPITOL

With your help, the ACLU of Colorado wrapped up an impressive session in the legislature in 2014. Here are a few civil liberties victories from this year's legislative session:

- 1) The legislature overwhelmingly passed a ban on long-term solitary confinement of prisoners with serious mental illness.
- 2) After a two-year statewide investigation into local court practices, our legislative team convinced nearly every member of the legislature to end the practice of jailing people who are too poor to pay fees or fines.
- 3) We worked with legislators to strengthen protections against warrantless location tracking by government and law enforcement.
- 4) Governor Hickenlooper signed into law ACLU-backed legislation allowing mail-in

- ballots in recall elections, ensuring a more representative and fair voting process.
- 5) We backed legislation to ensure that women have the right to seek civil damages should they suffer the unlawful termination of a pregnancy. This bill provides needed legal avenues for women without granting legal personhood prior to live birth.
- 6) To improve government transparency, we supported legislation capping exorbitant fees for information requested under Colorado's open records laws.
- 7) We helped pass legislation ensuring that minors in Colorado have better access to legal counsel when they need it.



- 8) We supported initiatives for parolees designed to decrease recidivism, enhance public safety, and increase successful reentry upon release into the community.

To find out how your legislators voted on these bills, check out our 2014 Legislative Scorecard at aclu-co.org/blog/2014scorecard

FROM THE EXECUTIVE DIRECTOR

LETTER FROM NATHAN WOODLIFF-STANLEY

I'm personally thrilled and proud of the recent victories at the ACLU of Colorado, including a new law to end debtors' prison practices in the state, a new law to stop warehousing prisoners with serious mental illness in solitary confinement, a unanimous Civil Rights Commis-

sion decision against LGBT discrimination, reports, and other documentation, broke stories in the media, mobilized supporters, prepared legal arguments, and worked with legislators to craft needed legislation. The ACLU of Colorado has always been a leader in effective litigation, but we have expanded our toolbox to include more strategies for

bipartisan commission ruled unanimously in our favor in the LGBT discrimination case. Sheriffs who don't always agree with us have stopped honoring immigration detainers.

"WE HAVE EXPANDED OUR TOOLBOX TO INCLUDE MORE STRATEGIES FOR SUCCESS ON KEY CIVIL LIBERTIES ISSUES."

sion decision against LGBT discrimination, and at least twenty Colorado counties that will no longer hold people in jail at the request of federal immigration authorities when they ought to be released.

success on key civil liberties issues. We have an "all hands on deck" approach involving our full staff and volunteers to achieve our goals.

We have much more work to do to uphold voting rights, criminal justice reform, reproductive freedom, equal protection, and all of our rights in the Constitution. With your support, we will continue to work both visibly and behind the scenes, using all the resources at our disposal to protect the rights and liberties of all Coloradans.

In each of these cases, success followed a long process of work behind the scenes. Our staff investigated institutional problems and individual cases, produced videos,

One effect this year of our preparation and advocacy on these issues was surprisingly wide support from people who don't always support the ACLU. Both of our key bills passed with strong bipartisan majorities. A



—Nathan Woodliff-Stanley

ACLU IN THE COURTS

LGBT RIGHTS

ACLU clients Dave Mullins and Charlie Craig successfully challenged the policies of Masterpiece Cake Shop, a bakery in Lakewood that routinely refused to serve same-sex couples, claiming a religious objection. The Colorado Civil Rights Commission ruled unanimously in May that the bakery's practices violated Colorado's anti-discrimination law.



WOMEN'S RIGHTS

The ACLU of Colorado worked with DISH Network to vastly improve the conditions for nursing mothers at their corporate headquarters in Englewood.

STANDING UP FOR THE FREE SPEECH RIGHTS OF INDIVIDUALS LIVING IN POVERTY

The ACLU of Colorado filed suit challenging new panhandling restrictions in Grand Junction. The city ordinance bans a wide swath of peaceful, polite, and non-threatening requests for charity that are fully protected by the First Amendment.

Similar restrictions were shelved by the Boulder City Council in June after the ACLU of Colorado and the Boulder County Chapter sent a letter opposing the proposal. The Council will meet in August to discuss more effective strategies to confront poverty that do not infringe on free speech rights.

PRIVACY AND SURVEILLANCE

In a first of its kind filing, the ACLU of Colorado submitted a motion challenging the constitutionality of the FISA Amendments Act on behalf of a Colorado man who was notified that surveillance conducted by the NSA was being used against him in a criminal trial.

SCHOOL VOUCHERS

The ACLU of Colorado is preparing to argue before the Colorado Supreme Court that a Douglas County School District voucher program that diverts taxpayer money to religious schools violates the Colorado Constitution. Our lawyers, cooperating attorneys, and partners at Americans United for Separation of Church and State filed initial briefs with the Supreme Court in May and are readying for oral arguments later this year.

ACLU IN THE COMMUNITY

ACLU SPEAKERS AND TRAINERS

The ACLU Speakers Bureau gives free presentations on a wide variety of civil liberties issues from privacy and surveillance to the death penalty. We also provide trainers and materials for "Know Your Rights" trainings. To book a speaker or trainer for your next event, contact info@aclu-co.org.

NO ON PERSONHOOD

The ACLU of Colorado and our partners will once again be out in Colorado's communities engaging, educating, and mobilizing voters to defeat the 2014 personhood amendment and protect the rights of Colorado women to make their own private health decisions, free of government or political interference.

WHY MARRIAGE MATTERS

The ACLU of Colorado recently joined One Colorado and Freedom to Marry to launch Why Marriage Matters Colorado, a state-wide grassroots public education campaign to support marriage equality in Colorado. Learn more and join the campaign at whymarriagematters.org.



ACLU CONVINCES SHERIFFS AROUND THE STATE TO REJECT IMMIGRATION DETAINERS

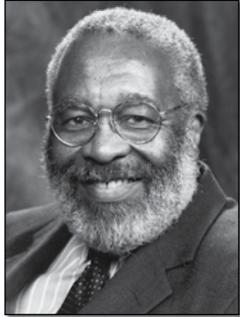
Immigration detainers are requests from federal immigration authorities (ICE) to local law enforcement to continue holding a person in jail for up to 5 days past the time they would otherwise be released, so that ICE can decide whether to initiate deportation proceedings.

For years, sheriffs regarded these detainers as commands from the federal government that they were obligated to obey. But detainers are not warrants. They are not reviewed by a judge, and they don't necessarily mean that ICE has any grounds for deportation.

In late April, the ACLU of Colorado wrote to all Colorado sheriffs, asserting that they have no legal authority to hold prisoners on immigration detainers. The letter also explained the negative consequences, in terms of financial costs and lost community trust, that result from honoring ICE's detainer requests. In less than a week, more than 15 Colorado counties, including Denver, announced that they would change their policies and stop holding prisoners on the basis of immigration detainers. Several more have since joined.

ACLU OF COLORADO HONORS CIVIL LIBERTIES HEROES

This year's honorees at the Carle Whitehead Bill of Rights Dinner on Friday, October 17 are:



DR. VINCENT HARDING

Dr. Vincent Harding was one of our nation's most treasured civil rights leaders and a true champion of civil liberties. Though we, at the ACLU of Colorado, are all saddened by his recent passing, we are honored that Dr. Harding's family will accept the Carle Whitehead Memorial Award on his behalf.



LAURA ROVNER

Laura Rovner will receive the Edward Sherman Award for her outstanding legal work as the Director of the University of Denver's Civil Rights Law Clinic and her continued dedication as one of the nation's foremost prisoners' rights attorneys.



BOB CONNELLY

Bob Connelly will receive the Martha Radetsky Award for his many years of service as a board member of the ACLU of Colorado, where he helped guide the organization through major transitions and was critical to our growth and development.



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SAVE THE DATE:
FRIDAY, OCTOBER 17, 2014

CARLE WHITEHEAD BILL OF RIGHTS DINNER

Join us in celebrating our successes over the last year and gearing up for our future fights to preserve and extend civil rights and civil liberties for all Coloradans. The program will feature an inspiring speaker and will honor the extraordinary work of Laura Rovner, Bob Connelly, and the late Dr. Vincent Harding.

**Four Seasons Hotel,
1111 14th Street, Denver**

**For sponsorship and ticket information,
visit aclu-co.org/upcoming-events.**