

ACLU NEWS

BECAUSE FREEDOM CAN'T PROTECT ITSELF



EDUCATION IN THE CROSSHAIRS

ACLU of Colorado Fights
Censorship and Attacks on
Public School Funding



With school boards in Colorado increasingly becoming a political target for the religious right, the ACLU is fighting to stop elected officials from diverting public school funds to private religious schools and to keep textbooks and lesson plans free of political, religious or ideological agendas.

In December, the ACLU of Colorado will argue a pivotal case before the Colorado Supreme Court that will determine whether school districts around the state can use taxpayer dollars to fund private religious schools.

Douglas County's school voucher program offers nearly \$5,000 in public funding for students to spend at religious and other private schools. In order to obtain state funds, Douglas County treats students in the program as "public school students" attending a charter school that exists only on paper. In reality, the voucher money is spent at district-approved "Private School Partners," most of which (18 of 23) are religious schools.

In August 2011, a trial judge sided with the ACLU of Colorado and declared the program unconstitutional, but the Colorado Court of Appeals reversed that decision in Feb. 2013. Next month, the case will be heard by the State Supreme Court.

Meanwhile, The ACLU of Colorado joined hundreds of concerned parents, students, and teachers in speaking out against a proposal by the newly-elected majority of the Jefferson County School Board to eliminate "objectionable" and "unpatriotic" materials from lesson plans, starting with the AP history curriculum.

According to the board's proposal, textbooks and other materials should "promote citizenship, patriotism, essentials and benefits of the free enterprise system, and respect for authority"

and never "condone civil disorder, social strife or disregard of the law."

The ACLU of Colorado and the National Coalition Against Censorship sent a letter to the board encouraging them to "focus not on molding patriots or citizens in a particular image, but on educating students to be informed, knowledgeable, thoughtful, and engaged participants in their communities."

Despite protests, walkouts, and a petition signed by 40,000 students and parents, the school board approved the curriculum review.

As our attorneys prepare to argue against the Douglas County school funding scheme, and we continue to oppose the ideologically-motivated tactics of the Jefferson County School Board majority, we are also preparing to fight many of these same battles in the upcoming legislative session. Stealth legislation is proposed nearly every year to insert creationism into Colorado science classes, and the ACLU will fight to stop those bills and other attempts at government sponsorship of a religious agenda.

The ACLU of Colorado is always on the watch for religious or ideological assaults on our public schools. Access to a sound public education for all students in Colorado is precarious at best in our current political climate. Through litigation, legislation, education and outreach, the ACLU of Colorado is committed to defending public education, academic integrity, and true religious freedom for all students.

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COLORADO WINS MARRIAGE EQUALITY!

Inside: Learn more about the ACLU of Colorado's work to achieve full marriage equality and our ongoing fight to stop LGBT discrimination.

MARK YOUR CALENDAR

**ACLU of Colorado Annual
Membership Meeting**
Wed., February 25, 2015
Highlands Event Center
3550 Federal Blvd.
Denver, CO 80211.
More details to follow.

FROM THE EXECUTIVE DIRECTOR

LETTER FROM NATHAN WOODLIFF-STANLEY

When crowds of Jefferson County students took to the streets this fall to protest local school board efforts to impose a narrow ideological and religious agenda on school curricula, they demonstrated the kind of energy and vigilance we need in the fight for civil liberties all across Colorado and our nation.



Some fights take a surge of effort and education, like the recent defeat of the deceptive and dangerous Amendment 67. With your help, we won big and sent a message that Coloradans won't be fooled into throwing away women's reproductive rights. Other fights take decades, like the fight for marriage equality that was finally won this year in Colorado. We have come so far since the ACLU's battle in the 1990s to overturn Amendment 2, which would have enshrined LGBT discrimination in Colorado law.

No matter what the political environment, the ACLU will be there to defend civil liberties when they are attacked and to extend civil liberties wherever possible. Many of the biggest successes of the ACLU of Colorado this year have drawn strong bipartisan support, from legislation ending debtors' prison practices to stopping the cruel solitary confinement of people with serious mental illness in state prisons. We know we can work across political lines on issues of privacy and surveillance and costly mass incarceration. Our legal success against ICE detainers and our efforts to stop criminalization of homeless persons will not be curtailed by politics.

"MANY OF THE BIGGEST SUCCESSES OF THE ACLU OF COLORADO THIS YEAR HAVE DRAWN STRONG BIPARTISAN SUPPORT"

We know there are challenges ahead to take on police militarization, racial profiling and excessive use of force by law enforcement in Colorado. There will be new attempts to justify discrimination in the name of religion, to use vouchers to divert public school funding to private religious schools, to insert creationism into science classes and erase civil dissent from the history books. We will always fight against voter suppression and work to uphold equal protection under the law.

You can always count on the ACLU to be here for these battles. We can't be voted out of office, and we can't be defunded by a legislature because we don't get government funds. The only limits on what the ACLU of Colorado can do are the limits of our time and resources. So please keep the ACLU in mind in your year-end giving, on Colorado Gives Day December 9, when you write a will, and when it's time to renew your ACLU membership. Your gifts won't be wasted, and you can always make a difference for civil rights and civil liberties through the ACLU.

—Nathan Woodliff-Stanley

IF YOU OR SOMEONE YOU KNOW HAS EXPERIENCED DISCRIMINATION, YOU CAN REQUEST LEGAL ASSISTANCE AT INTAKE@ACLU-CO.ORG.

MARRIAGE EQUALITY COMES TO COLORADO!

Twenty years after the ACLU of Colorado went to the U.S. Supreme Court to defeat the discriminatory Amendment 2, which had once earned our state a national reputation as a "hate state," Colorado now has full marriage equality and all loving couples across the state can now legally get married.

Adams County District Court Judge C. Scott Crabtree declared Colorado's ban on same-sex marriage unconstitutional, a ruling that became final after the U.S. Supreme Court decided not to review the decisions of several lower courts, including the 10th Circuit in Denver, invalidating marriage bans.

All 64 county clerks now issue marriage licenses to same-sex couples and couples legally married in other states living in Colorado now have all the rights and protections of marriage in our state.

Bringing marriage equality to our state has been one of the ACLU of Colorado's top priorities for years. We were a founding organization, along with One Colorado and Freedom to Marry, of Why Marriage Matters Colorado, a statewide campaign to build support for marriage equality and to share stories of couples and families around the state that were harmed by Colorado's discriminatory ban.

Though marriage equality is an historic achievement, especially considering our state's history, LGBT people still face discrimination in many areas of their lives. As our clients Charlie Craig and Dave Mullins learned the hard way when they tried to buy a cake to celebrate their wedding, businesses continue to use religion as an excuse to discriminate against same-sex couples.

As couples around the state make wedding plans and arrangements to get married, we remain vigilant and prepared to expose and combat illegal discrimination.



Hundreds of Colorado couples signed our marriage petition and wedding cake. Now, thousands of loving couples are free to marry in the state.

ACLU AROUND COLORADO

ACLU AT THE CAPITOL

COLORADO VOTERS REJECT PERSONHOOD...AGAIN

Colorado voters once again overwhelmingly rejected the dangerous and extreme personhood amendment at the ballot box this year. Despite the use of deceptive language intended to trick voters, Amendment 67, which would have banned all abortions and restricted access to birth control, failed by a 65% to 35% margin.

The statewide NO67 campaign, which the ACLU of Colorado helped to lead, reached hundreds of thousands of voters around the state. ACLU of Colorado staff, supporters, and our chapters hosted forums and townhalls, engaged and educated voters, contributed editorials and letters to the editor, and distributed



literature at festivals and community events.

The wide margin of defeat sent a clear message to Personhood USA and Amendment 67's extremist proponents that Coloradans respect reproductive health and privacy rights and that their agenda, no matter how deceptively it is packaged, does not match Colorado values.

RESPONDING TO POLICE MISCONDUCT AND RACIAL PROFILING

In October, the ACLU of Colorado convened a meeting with community leaders, elected officials, and Dennis Parker, head of the ACLU Racial Justice Project to discuss racial profiling and police misconduct in the wake of numerous settlements and judgments of excessive force by Denver police and sheriff's deputies.

We are currently working with legislators and our partners to draft legislation for the upcoming legislative session to provide more accountability, oversight, and transparency on law enforcement practices.

Learn more about the issues that affect Coloradans on the new Colorado Rights Blog at aclu-co.org/aclu-blog.

ACLU IN THE COURTS

ALL COLORADO SHERIFFS NOW REJECT FEDERAL IMMIGRATION DETAINERS

Immigration detainers are requests from federal immigration authorities to local law enforcement to hold a person in jail for up to five days past the time when they would otherwise be released, so that the federal authorities can decide if they plan to take the person into custody. They are generally issued without a warrant or probable cause. Between October 2011 and August 2013, ICE issued over 8,700 detainer requests to Colorado jails.

Last April, the ACLU of Colorado wrote to every sheriff in the state explaining that the additional detention amounts to a new arrest, which Colorado sheriffs lack the authority under Colorado law to make. Several sheriffs responded within days to the ACLU letter by announcing that they would no longer honor the holds. Over the following months, the ACLU of Colorado advocated through letters and phone calls to the remaining sheriffs to convince them to change their policies and stop imprisoning people on the basis of ICE detainers.

In June, the ACLU of Colorado successfully negotiated a \$30,000 settlement with Arapahoe County on behalf of Claudia Valdez, a woman who called for help in 2012 following a domestic violence incident, was arrested herself, and held for three days in the Arapahoe County Jail after a judge had ordered her release, due to a detainer request from ICE.

After months of advocacy with the sheriffs, Colorado became the first state in the country in which all county jailers now reject detainer requests from ICE.



ACLU IN THE COMMUNITY

KNOW YOUR RIGHTS

Following the recent events in Ferguson, Missouri, and all around the country, it's more important than ever for all citizens to know how to assert their constitutionally-protected rights, if necessary, when dealing with law enforcement.

The ACLU of Colorado provides community trainings and materials with simple steps for handling interactions with police and other forms of law enforcement, as well as how to report instances of police misconduct.

Know Your Rights materials are available at aclu-co.org/know-your-rights. To request a trainer or training materials, contact the ACLU of Colorado Speakers' Bureau at speakers@aclu-co.org.

THANK YOU

to the supporters, honorees, and sponsors of our
2014 Carle Whitehead Bill of Rights Dinner.

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Honorees Bob Connelly and Laura Rovner; Aljosie Aldrich Harding, widow of the late Dr. Vincent Harding, who was honored with the Carle Whitehead Memorial Award; and keynote speaker Dennis Parker, Director of the ACLU Racial Justice Project.



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SAVE THE DATE

COLORADO GIVES DAY IS TUESDAY, DECEMBER 9TH

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!

