



VIRGINIA LIBERTIES

NEWSLETTER OF THE AMERICAN CIVIL LIBERTIES UNION OF VIRGINIA, SPRING 2003

Inaugural ACLU Membership Meeting to be Held in D.C.

Two-thousand ACLU members expected to converge on nation's capital in June

For the first time ever the ACLU is convening a meeting of its members from across the nation. Spurred by the dramatic erosion of civil liberties since the terrorists attacks of September 11 and recognition that the ACLU of the future will be a more effective organization if it has an active and engaged membership, the conference will feature four days of education, inspiration, lobbying, and even some entertainment.

Entitled "Stand up for Freedom--Because Freedom Can't Protect Itself," the conference runs from June 11 through June 15 and will be held at the Omni Shoreham Hotel in Washington, D.C. Nationally known speakers and performers are expected to headline the event, but ample time is allocated for small workshops and organized trips to congressional offices.

Among the many highlights will be welcoming remarks from U.S. Supreme Court Justice Ruth Bader Ginsberg at a Capitol Hill reception on Thursday evening, June 12. Earlier on the same day, Phil Donahue, with ACLU president Nadine

Strossen and executive director Anthony Romero, will preside over a town hall meeting entitled "A Nation of Immigrants—Out of Many, One."

"Virginia members are fortunate that this historic gathering of civil libertarians will be taking place right next door to our state," said ACLU of Virginia President Charles Tierney. "We are encouraging members to attend and hoping that there will be a large Virginia contingent present."

"The biggest problem for participants might be choosing among the dozens of workshops that will be available to them," added Tierney. In addition to talks on domestic spying, terrorism as it relates to race, and patriotism after September 11, the conference will include more than 25 workshops on a large range of topics, including the death penalty, video surveillance, national IDs and voter disenfranchisement. *More information on the conference may be found on the last page. A detailed agenda is available on the Internet at www.aclu.org (click on "events").*

Judge Dismisses Jerry Falwell Libel Suit

TV evangelist not allowed to sue Illinois website owner over parody

In a hi-tech replay of his infamous legal action against Hustler magazine in the late seventies, Rev. Jerry Falwell filed suit against an Illinois man for creating a website that parodied the well-known television evangelist (and all-to-easy target for satire).

The ACLU of Virginia and Public Citizen represented the website designer, arguing that First Amendment protected his right to express his opinion of -- and poke fun at -- any public figure, including Jerry Falwell. We also argued that Falwell could not properly bring the case in Virginia because the website originates in Illinois. Without commenting on the First Amendment implications, a federal judge in Lynchburg ruled that Falwell had brought the case in the wrong state. This is an important case in a developing area of Internet law. Had the court allowed the case to be brought in Virginia, Internet users could be subjected to lawsuits for libel from any place in the world, thus chilling free speech on the Internet.

Help Available to Iraqis Sought by FBI

Upon learning that the FBI plans to question several hundred Iraqi nationals living in Virginia to ask about links to terrorism, the ACLU of Virginia is offering an information packet on how to respond to FBI agents and may be able to provide legal representation under some circumstances. Copies of "What to do if the FBI Contacts You for Questioning" are available by contacting us.

One Year Later, Hamdi Still in Brig without Lawyer or Charges

Ignoring legal arguments made by the ACLU, the Fourth Circuit Court of Appeals ruled recently that the U.S. government could continue to imprison Yaser Hamdi without a lawyer and without bringing any criminal charges against him. Hamdi, who was born in Louisiana but raised in Saudi Arabia, was picked up in late 2001 in Afghanistan, labeled a so-called "enemy

combatant" and incarcerated. The ACLU argued that the government is trying to invent a new category of detainee who is neither a prisoner of war nor prosecuted for a crime, and who can therefore be held incommunicado for as long as the government likes.

A federal judge in Norfolk ordered the government to provide more evidence that Hamdi was an enemy

fighter before being allowed to detain him, but the government refused and appealed the decision. In a sweeping ruling, the Fourth Circuit decided that the government did not need to substantiate its findings regarding Hamdi and largely gutted any requirement for due process in war-related cases, even for U.S citizens. The full Fourth Circuit has now been asked to rehear the case.

ACLU OF VIRGINIA LITIGATION...

Suit Filed on Behalf of Wiccan Denied Right to Address Public Body

It only appears paradoxical that the ACLU of Virginia has filed a lawsuit defending the right of a religious leader to give an invocation at the start of a government meeting. Long opposed to such prayers, the ACLU nevertheless offered to represent Cynthia Simpson when the Chesterfield County Board of Supervisors told her she would not be allowed to offer the opening prayer at one of their meetings because she is a Wiccan.

In response, to Ms. Simpson's request to be placed on the list to be eligible for giving invocations, County Attorney Steven L. Micas wrote, "Chesterfield's non-sectarian invocations are traditionally made to a divinity that is consistent with the Judeo-Christian tradition. Based upon our review of Wicca, it is neo-pagan and invokes polytheistic, pre-Christian deities."

"More than anything else, this situation shows why state and religion should always remain separate," said ACLU of

Virginia executive director Kent Willis. "As the framers of the Constitution understood from their own experiences, when the state uses its vast power to sponsor a religious activity, it will always make losers of some faiths and winners of others. And that jeopardizes religious freedom."

The lawsuit, *Simpson v. Chesterfield County Board of Supervisors*, asks that Simpson be added to the list of religious leaders allowed to speak or that the Board discontinue invocations altogether. The complaint was filed in Richmond in the U.S. District Court for the Eastern District of Virginia.

Lawyers representing Ms. Simpson are Rebecca K. Glenberg, legal director for the ACLU of Virginia; ACLU cooperating attorney Victor M. Glasberg of Glasberg & Associates in Alexandria; and, Ayesha Khan, legal director for Americans United for Separation of Church and State.

Case Clears Way for Lesbian Mom to Adopt

Our lawsuit against the Virginia Department of Social Services for preventing a lesbian mother in Arlington from adopting a child from D.C. has been settled, with DSS agreeing not to block out of state adoptions by gays and lesbians. The case developed when Linda Kaufman, an Episcopal minister who also works in homeless services attempted to adopt a child to whom she has been the foster parent for more than ten years. The ACLU and Lambda Legal Defense Fund are monitoring the adoption to make certain it proceeds properly.

Judge Refuses to Unseal Warrants Used to Raid Muslim Institutions in Northern VA

In March, of last year, federal agents stormed a Muslim graduate school, a Muslim cultural institution, a Muslim-owned business, and ten Muslim homes in Northern Virginia. Although the agents had a search warrant, the affidavit used to justify the issuance of the warrant was sealed by the court. The warrant allowed the seizure of all computer hardware and software, in every business and home. It also encompassed all written material that mentioned, in any way, any terrorist organization.

The ACLU of Virginia filed an *amicus* brief in support of a motion requesting that the property be returned and the affidavit be unsealed. Our brief focused on the First Amendment implications of the wholesale seizure of books, scholarly articles, and other constitutionally protected items. The judge ruled against the plaintiffs, but did scold the government for having not returned seized the items months after the raid occurred. To our knowledge, no charges have ever been brought against the families and institutions that were raided.

Prisoners Religious Rights Defended in Hair Length Lawsuit against DOC

The ACLU of Virginia has filed a federal lawsuit challenging a Virginia Department of Corrections' policy that requires inmates to keep their hair short and beards shaven. The policy contains no religious exemptions, meaning many incarcerated Muslims, Native Americans, and Rastafarians are forced to abandon central tenets of their religious beliefs or face punishment.

Stephen Rosenfield and Ed Wayland of Charlottesville and ACLU of Virginia legal director Rebecca K. Glenberg represent six Virginia inmates who are being punished for not complying with the policy. Three of the inmates are Rastafarians whose religious beliefs oblige them to allow their hair to grow, and three are Muslims who are prohibited from cutting their beards. The ACLU claims that DOC's policy violates the Religious Land Use and Institutionalized Persons Act, passed by Congress in 2000. The case was filed in federal district court in Richmond in February.

Supreme Court Throws Out Cross Burning Conviction, Upholds Law

In an oddly mixed opinion, the U.S Supreme Court has held that Virginia's ban on cross burning is constitutional. However, the Court also ruled that the KKK member represented by the ACLU could not be convicted under the law because it assumes he burned a cross for purposes of intimidation. Part of the case has now been sent back to the Virginia Supreme Court to address the law's unconstitutional presumption that all cross burning is intended to be an act of intimidation.

The ACLU of Virginia represented Klansman Barry Black who in 1999 burned a cross at a KKK rally held on a farm in Carroll County. University of Richmond law professor Rod Smolla argued the case before the Supreme Court.

ADVOCACY AND EDUCATION...

Virginia Tech Rescinds Policy to Restrict Speech on Campus

Two days after the ACLU threatened a lawsuit, the Virginia Attorney General advised Virginia Tech to drop a proposed policy to limit free speech on campus. The policy prohibited any person or organization that advocates domestic violence or terrorism from meeting on campus. It also required that all requests for meetings on campus be submitted to the president of the university 30 days in advance of the proposed meeting date and gave the president the power to decide who can gather on campus and who cannot.

“The most remarkable aspect of this policy,” said ACLU of Virginia executive director Kent Willis, “is that the entire Virginia Tech Board of Visitors missed the First Amendment implications of their actions.”

“You don’t need to be a lawyer to know that the right to free speech is nearly absolute in this country. And if you are in the business of running a university, you should understand that you undermine your very reason for being when you try to curb the free exchange of ideas.”

In a letter to Virginia Tech, State Solicitor William H. Hurd wrote: “A university – of all places – should be willing, in the words of Thomas Jefferson, ‘to tolerate any error so long as reason is left free to combat it.’ For universities to prohibit the use of their facilities for constitutionally protected speech – based on the perceived illegitimacy or offensiveness of the viewpoint expressed – is contrary to the role of a university as a marketplace of ideas and violates the constitutional prohibition against viewpoint discrimination.”

They Want to Know about Civil Liberties After 9/11...

Demand for Speakers Unprecedented

The ACLU of Virginia has been swamped with requests to speak to civic and religious group on the erosion of civil liberties after September 11. Mostly, people want to know about the USA Patriot Act, which is referenced frequently in the media but is almost never fully explained. But callers are also interested in the various other administrative rule changes and executive orders that have combined to cause what may be the most precipitous decline in privacy and due process rights in U.S. history.

If you are interested in having an ACLU representative speak at an event, call the state office in Richmond at 804/644-8080. Due to high demand, the ACLU may not be able to provide a speaker for every request. If you feel qualified to represent the ACLU at speaking engagements, call the same number. We are currently recruiting speakers.

Chapter Event Draws Large Crowd

At the Northern Virginia Chapter’s annual brunch meeting in early March, Tim Edgar of the National ACLU regaled 80 or so members with an insider’s view of Congress and the erosion of civil liberties since 9/11. It was the second year in a row in which Tim addressed the group, but interest in the subject had only increased in the ensuing months. Peppered with questions from a deeply concerned audience, the meeting only stopped when time ran out on use of the space.

The event, which was held at the Northern Virginia Jewish Community Center, also included a sumptuous breakfast layout. Don’t miss it next year.

Students & Civil Liberties

Youth Death Penalty Conference Draws Students

High school and college students from Virginia, Maryland and D.C. gathered at Howard Law School in February for workshops and lectures on death penalty reform. Organized by the ACLU’s Capital Punishment Project, the event drew more than 100 participants and included a workshop specifically on the state of death penalty reform in Virginia. That workshop was led by Virginians for Alternative to the Death Penalty executive director Jack Payden-Travers and ACLU of Virginia executive director Kent Willis.

School Allows Students to Protest Pledge

After a student at George Mason Middle School in Falls Church was told by his teacher that he would be punished if he continued to sit during the daily recitation of the Pledge of Allegiance, we wrote a letter to the principal informing him of the student’s First Amendment rights. The principal then sent a memo to all teachers at the school, informing them of every student’s right to protest the Pledge by sitting.

School Warned to Permit Political T-Shirt

When Ryan Trimble wore to school a t-shirt with a picture of President of George Bush labeled as an “International Terrorist,” he was required to leave for the day and told he would be suspended if he wore the shirt again. Our letter to the principal of Lake Braddock Secondary School in Fairfax made it clear that Ryan has a right to wear the shirt so long as it does not cause a disruption.

School Relents, Allows Student’s Colored Hair

When a student at St. Clair Walker Middle School in Locust Hill was assigned to in-school suspension because his hair was magenta-colored, we came to the rescue again. We reminded the school that we won a court case--and \$30,000 in fees -- for a blue-haired student only a few years ago. That case was based on clear precedent set by the Fourth Circuit Court of appeals in 1972. The school relented and there is probably still magenta hair at St. Clair Walker Middle School.

AT THE STATE CAPITOL...

By Aimee Perron, Legislative Director

During the 2003 General Assembly session, attacks on civil liberties were ubiquitous and numerous. Anti-terrorist sentiment was still running high, there was a renewed effort to blur the lines between religion and state in our public schools, the fight to protect free speech occurred in the unusual forum of specialty license plates and finally, anti-choice legislation reached a record high.

Civil/Equal Rights

This year, equal rights and anti-terrorism legislation intersected in the form of restricting immigrant access to driver's licenses and higher education. The new practice instituted at the DMV to limit the issuance of licenses and special identification cards is sure to lead to increased discrimination against people who look or sound foreign.

Another bill, denying in-state tuition to illegal immigrants, is anti-opportunity legislation not anti-terrorism legislation and, again, is simply an excuse to discriminate against minorities.

Neither of these bills will enhance Virginians' security from terrorist activity.

As the legislature passed a constitutional amendment to make the restoration of voting rights to felons less burdensome, they passed a contradictory bill that expanded the list of crimes ineligible for the restoration of a felon's right to vote.

On a more positive note, a bill to expand healthcare coverage from immediate family to household members was introduced. This bill would have included gays and lesbians under the umbrella of "household member." Unfortunately, it was defeated in committee.

Criminal Justice

Under current law, individuals convicted of a crime have only 21 days after trial to introduce newly discovered evidence of innocence, unless it is DNA evidence for which there is no time limit.

This year, bills eliminating this 21-day rule found more support than usual. However, the bill that passed only

expands the time limit from 21 to 90 days.

Hopefully, because this bill will not take effect until 2004, the Crime Commission and the VA Supreme Court will work together to draft legislation or enact rule changes that remove all time limits on the introduction of any newly discovered evidence of innocence.

Death Penalty

With the image of the Northern Virginia sniper burned in their memories, legislators quickly defeated all death penalty abolition and moratorium bills.

In light of the recent Supreme Court ruling prohibiting the execution of mentally retarded persons, Virginia passed a bill this session setting guidelines to end such executions. Unfortunately, we believe the final bill is still constitutionally flawed and expect it to be litigated.

Available Now

Review of the 2003 Session

Our comprehensive review of the 2003 General Assembly session provides descriptions of legislative developments in all major areas of concern to civil libertarians, as well as the legislative histories of more than 80 bills. If you would like a copy, please contact the office or visit our website.

Free Expression

One of the Governor's vetoes that was upheld was his veto of the "Choose Life" license plate. This license plate violated the First Amendment because once the state allows automobile owners to support one side of an argument on their license plates, it must offer that opportunity to the other side of the debate. This bill only allowed automobile owners to display one side of the abortion debate on their license plates and is therefore unconstitutional.

Privacy

This session produced the largest number of bills limiting the display of Social Security Numbers on driver's licenses and other documents, a shift that the ACLU welcomed.

One potentially groundbreaking internet privacy bill that, in its original

form, struck an important balance between open government and individual privacy. Disappointingly, the final version does neither. It was clear from the long debates during the committee meetings and from the final version of the bill that this issue deserves further study.

Religion, State & Schools

This year, the legislature finally repealed an antiquated law restricting the amount of property that churches may own. The law clearly discriminated against religious institutions and we strongly support its repeal.

Bills promoting school vouchers and tuition tax credits, which the ACLU opposed because they direct public funds to private religious institutions, were both soundly defeated this session.

Reproductive Rights

This year was a record year for anti-choice legislation. Over two dozen bills were introduced in a fierce attack on a woman's right to choose. Despite the odds, only two bills were passed this session and are likely to be challenged in court.

First, a bill ratcheting up the requirement from parental notification for a minor's abortion to full parental consent is set to become law this year in Virginia.

Second, in a thinly veiled attempt to circumvent U.S. Supreme Court precedent, lawmakers passed a bill that just gives a new name to the so-called "partial birth abortion" ban. Despite the new name and deceptive reasoning, the bill is still unconstitutional.

Voting and Elections

In a situation where the ACLU was doing what it does best-- calling attention to unintended consequences of legislation--we were able to defeat a bill requiring driver's licenses and voter registration addresses to be the same.

This would have created an unnecessary obstacle to voter registration that was likely to have its greatest impact on college students. In a time when modern voting laws have evolved to ease registration requirements, this bill would have been a step backwards.

LAWMAKERS FAILED TO UNDERSTAND THAT “CHOOSE LIFE” LICENSE PLATE WAS ABOUT FREE SPEECH, NOT REPRODUCTIVE RIGHTS

By Kent Willis, Executive Director

In a legislative session where an unprecedented number of anti-reproductive rights bills were introduced and passed, both the House and the Senate voted to authorize a ‘Choose Life’ special license plate. The ‘Choose Life’ legislation, which only failed because the Governor vetoed it, would not only have created a new license plate, but it also would have directed proceeds from the sale of the plates to organizations that do not acknowledge abortion as an option for any pregnant woman, regardless of the circumstances.

In flocking together to flaunt their anti-choice feathers, lawmakers entirely ignored the fact that the issue before them was free speech, not reproductive rights. And in doing so, they came close to dragging the state into a costly legal showdown that had, for all intents and purposes, already been decided against them.

The issue first surfaced back in 2000, when the General Assembly created a special plate for the Sons of Confederate Veterans that included a depiction of the Confederate battle flag. The measure passed, but only after it was amended to remove the flag from the plate. SCV sued, claiming that the state had violated the First Amendment by censoring its message.

For the court, the key legal matter was to define what kind of speech takes place on a special license plate. Is the plate a place for the government to disseminate its own message to the public? Or is it a place where private speech-- that is, the speech of the person to whom the plate is issued-- is expressed? The Fourth Circuit Court of Appeals decided that plates produced for individuals to express their views on social or political matters are clearly the latter.

In the court’s jargon, these license plates are a “public forum for private speech.” This means that the plates are something like a public park or sidewalk. Parks and sidewalks are created, owned and maintained by the government, but the public has access to

them and can use them for demonstrations or other means of expression.

The rules for use of a public forum are clear. The government must be absolutely neutral when it comes to deciding who gets to use the forum and who does not. Whether you are pro-war or anti-war, pro-choice or anti-choice, Democrat or Republican, the KKK or the League of Women Voters, you must be given the exact same access to a public forum. That is the essence of free speech.

That Virginia’s lawmakers - because they were too busy, too motivated by politics, or just plain ignorant -- were willing to pass this bill shows an alarming disrespect for the constitutional principle that most defines us as a nation.

It should go without saying that the government may not make access to a public forum contingent on the vote of a legislative body. If Congress had the right to vote on every request to use the mall in D.C. for a march, the majority view would decide who gets to use it and who does not. Were that the case, Martin Luther King may never have given his “I Have a Dream” speech, and few would recall that there was opposition to the war in Vietnam.

Following the legal precedent set by the Fourth Circuit Court of Appeals in the SCV case, a federal court in South Carolina recently ruled that the ‘Choose Life’ plate approved by that state’s General Assembly violated the free speech clause. It was not that that South Carolina had censored speech, as Virginia had done in removing the Confederate flag, but that they had favored one viewpoint on reproductive freedom in a public forum.

There is an easy -- and right -- way out of this mess for the General Assembly. It should move the license plate program to the Division of Motor Vehicles to administer it on a content-neutral basis. In the same way that a city agency issues permits to groups to use parks without regard to the group’s ideological views, the state can authorize DMV to issue license plates without regard to the applicant’s message.

In other words, every group that meets the requirements for having a special license plate gets one. If the pro-choice folks can round up the requisite 350 prepaid applications for a pro-choice plate, they get one. If the anti-choice groups can do the same, they get their ‘Choose Life’ plate. It is as simple and fair as that.

Besides, does it even make sense that each and every special license plate be introduced as a separate bill in the General Assembly? Legislators already deal with 3,000 bills in 45 or 60 days each year. Surely, they have other matters to attend to.

In the end, this is about more than a few words on a license plate. Our nation’s founders wrote almost obsessively of free speech as the essential ingredient of their new democracy. Our Constitution would never have been ratified by the states without the guarantee of free speech in the Bill of Rights. Our Supreme Court has consistently recognized the paramount importance of free speech, from the right of one individual to wear an anti-war armband to school to the right of large groups to march in the streets to express their views.

That Virginia’s lawmakers -- because they were too busy, too motivated by politics, or just plain ignorant -- were willing to pass this bill shows an alarming disrespect for the constitutional principle that most defines us as a nation.

This year, we got a pass when the Governor vetoed the bill and there was no attempt at an override. But will we be so fortunate in the future?

Hepatitis C at Epidemic Proportions in Virginia's Prisons

The following is an excerpt from a soon to be published ACLU of Virginia report, Accountable to No One: Medical Treatment in the Virginia Prison System.

Hepatitis C (HCV), a blood-borne, potentially fatal virus spread primarily through needles and sex, has become epidemic in U.S. prisons. Virginia, with an estimated 39 percent of its inmate population afflicted, has one of the highest prison system infection rates in the country

HCV infects and damages the liver, an organ that involves the body's energy production, detoxification, immune functions and digestion. A small number (about 15-25 percent) of people who contract HCV resolve the virus without incident. All others develop chronic infection, which is almost never cleared without treatment. Of those who become chronically infected, 20 to 30 percent develop irreversible cirrhosis of the liver, end-stage liver disease or liver cancer

Although it is estimated that up to half of chronic HCV infections can be cured if treated early with an appropriate regimen of interferon and ribavirin, only 50 Virginia inmates out of an estimated 12,800 infected were receiving Hepatitis C treatment as of November 1, 2002, and only 320 have received the therapy since the treatment protocol was implemented. Liver biopsies – procedures performed to assess liver damage prior to initiating HCV treatment – have fallen considerably in recent years.

In a recent report to Congress, the National Commission on Correctional Health Care emphasized that prisons present a unique opportunity to treat diseases like HCV before they threaten the lives of individuals and the community...

Only 33 inmates were scheduled for biopsies as of November 1, and the

number of liver biopsies dipped dramatically last year, from 204 in 2000 to 127 in 2001

The main reason for the low treatment rate in Virginia and elsewhere appears to be cost. Monthly doses of the two drugs are estimated to cost between \$10,000 and \$15,000 per inmate per year. Another reason, or perhaps a related reason, may be the fact that the VDOC has designed treatment eligibility requirements capable of excluding just about everyone.

Although it is estimated that up to half of chronic HCV infections can be cured... only 50 Virginia inmates out of an estimated 12,800 infected were receiving Hepatitis C treatment as of November 1, 2002.

Inmates seeking HCV treatment must first meet a long list of medical criteria in order to qualify for the treatment. Next come the social requirements: potential patients must have at least 18 months left to serve in prison, a life expectancy of at least 20 years, no documented drug use during the preceding 12-month period, no poorly controlled major psychiatric illnesses or history of suicide and no poorly controlled other major illnesses.

In addition, anyone with a "medical or criminal history of substance abuse" must be presently active in drug rehabilitation and "must have been active for at least three months preceding."

Prisoners who meet all of these qualifications must then manage to get themselves treated during the window of time in which they still qualify. In a prison system of more than 30,000 with a potential HCV treatment waiting list of 39 percent of the population, this is no easy feat. Inmates describe being eligible for treatment when they enter the prison system, only to be subjected to delays and transfers from one prison to another until their eligibility lapses.

Public health experts regard HCV as a problem still in its infancy. The virus was first identified in 1988, and many infections in the U.S. occurred before 1990 when blood banks first began screening for it. Since the disease is asymptomatic in its early stages and can take up to 20 years after initial infection to cause death, many people are unaware they have it until they become sick. Experts believe that most HCV carriers have yet to be diagnosed.

In a recent report to Congress, the National Commission on Correctional Health Care emphasized that prisons present a unique opportunity to treat diseases like HCV before they threaten the lives of individuals and the community and become a chronic drain on public health dollars.

Phyllis Beck, of the Hepatitis C Awareness Project, believes that Virginia and other states let HCV-positive prisoners languish without treatment at their peril.

"If we don't treat the prisoners inside the prisons, we'll have to pay twice as much to treat the complications of their disease after they're released."

"This idea that we can do whatever we want to prisoners and it won't affect us is absurd," she says. "These prisoners are released back into our community on a daily basis... They get out. They have family members. They have children. They are among us. Hepatitis C is an infectious disease. If they have it now, it's a matter of time before we get it, too.

"We should also consider the health care costs. If we don't treat the prisoners inside the prisons, we'll have to pay twice as much to treat the complications of their disease after they're released. ...It only makes sense to take care of them. By taking care of them, we take care of ourselves. The way we treat these people will and does come back to haunt us."

CANDIDATES FOR BOARD OF DIRECTORS

VA-ACLU Annual Membership Meeting—May 17, Richmond (See back page for details)

The ACLU of Virginia elects new officers and directors each year. Members of the ACLU are invited to seek nomination to the board by submitting your name and a brief statement of interest to the nominating committee for consideration. The ACLU of Virginia bylaws also allow members to submit a petition for candidacy signed by at least five members of the ACLU. The nominating committee is a standing committee and will consider any name submitted at least 60 days in advance of the annual meeting. The 2004 annual meeting is currently scheduled for March. Candidates are elected by a vote of the membership. Below are the candidates for election at the 2003 annual meeting on May 17.

Janet Cook: I am interested in serving on the Board of Directors of the Virginia ACLU in hopes that I may contribute more effectively to the work of the Virginia affiliate. A member for almost 50 years, I am on the board of the Northern Va. ACLU Chapter, and have been active the last two years in the affiliate's Liberty Campaign and as a grassroots volunteer. I have a longtime concern about the death penalty and particular concern with the unfair laws and rules surrounding trial and sentencing to death in Virginia. I am appalled by recent federal and state efforts to curtail free speech and basic elements of fundamental judicial fairness. If elected, I hope to work on these and other issues, as well as member and donor development.

Gene Hulbert: A Board member since 1991, I am interested in the issues of electronic privacy and freedom of speech and association. My special area of interest and activity is in outreach to and recruiting of new members. My friends and associates know me as a strong, but not strident, advocate of the Bill of Rights. I would be pleased to continue serving on the board.

John Vail: I am a career civil rights-civil liberties junkie. After 18 years as a legal aid lawyer, I now am Senior Litigation Counsel for the Center for Constitutional Litigation, a national law firm in Washington. I have been on the board since moving to Virginia in 1997. Prior to my arrival, I was President of the North Carolina ACLU. I do grunt work. I have served as chair of the development committee and now chair our planning committee. I am keenly aware that no battle for civil liberties ever stays won. I think the purpose of the ACLU is to re-educate the public about this truth and to enlist the public to fight the battles.

Adisa Muse: In a time when many Americans are unaware that civil liberties are being severely compromised, and our courts and legislatures hotly debate privacy, diversity, and choice, there are few things more important than working with the ACLU. I served on the ACLU of Virginia Board of Directors during the mid-nineties but left the state to pursue employment elsewhere. I am now back in Virginia and can assure you that the opportunity to rejoin the Board of Directors will be cherished and appreciated.

Patrick Anderson: I am interested in continuing to serve on the Board of Directors of the Virginia Civil Liberties Union because I am devoted to working for justice for those who suffer injustice. In fact, as a criminal defense attorney, my entire career revolves around protecting a person's constitutional rights. I would appreciate your support, and I would be proud to serve with the other members of the board.

H. Steward Dunn, Jr: I am dedicated to civil liberties and the ACLU. I have served on the Va. Board since 1991 and am currently the national board representative. I also serve on the National Capital Area Board where I was president from 1986 to 1988. I would greatly appreciate your vote so that I may continue to devote my energies to advancing First Amendment rights, racial justice and equality for women. I am a lawyer practicing in Washington, living in Alexandria; Yale University, A.B. 1951, Harvard Law School, LLB 1954.

M. Imad Damaj: I was born in Beirut, Lebanon, and then attended college at the University of Paris, France. I am currently a Professor of Pharmacology at the VCU School of Medicine. I have been involved in various community, social and educational programs for years. Defending civil rights and First Amendment issue are very critical and dear to me, especially in these difficult days. I whole-heartedly embrace the ACLU's goals and principles and will bring, if elected, a strong commitment to protect our civil liberties and free speech. I will also bring the perspective and the help of a very diverse community committed to the protection of our civil rights.

Preston M. Royster: I am very interested in remaining on the board. I have been involved in civil rights since my college days, dating back to 1959. My accomplishments of note include the creation of an equal rights association in Prince William County in 1969, serving as the director of EEO nationwide for the U.S. Dept. of Education, as a member of the Fairfax County NAACP since 1998, and on the Fairfax County Human Rights Commission since 1992. I am especially disturbed by discrimination against blacks, Hispanics and Asians in our criminal justice system.

Ballot 2003: ACLU of Virginia Board of Directors

Please detach ballot and mail to the ACLU of Virginia in an envelope which includes your name and return address on the exterior. Joint memberships are entitled to two votes. You may vote for as many candidates as you like. To insure anonymity, ballots will be separated from the envelope once verification of membership is established. Deadline for mailing ballots is May 10.

Patrick Anderson
 Janet Cook

M. Imad Damaj
 Gene Hulbert

H. Stewart Dunn, Jr.
 Adisa Muse

Preston M. Royster
 John Vail

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UPCOMING EVENTS

NATIONAL MEMBERSHIP MEETING, D.C., JUNE 11-15
VIRGINIA ACLU ANNUAL MEETING, RICHMOND, MAY 17
NORTHERN VIRGINIA CHAPTER CRABFEST, JUNE 22

You Are Invited to the Inaugural ACLU Membership Conference

June 11-15, 2003, Washington, D.C., Omni Shoreham Hotel

Highlights--

“Standing Up for Freedom: Redoubling Our Efforts,”

Anthony Romero, ACLU Executive Director

Forcing a Debate on Patriotism,

Nadine Strossen, ACLU President

Lobby Day and Capitol Hill Reception,

Ruth Bader Ginsberg, US Supreme Court

“Say Enough is Enough to the Surveillance Society”

***Safe and Free: Terrorism and Civil Liberties as it
relates to Race & Equality***

Town Hall Meeting with Phil Donahue

Hotel: Omni Shoreham, Washington, D.C., \$150

Registration Fees: \$295, includes all events and meal
(Special youth rate \$50.)

Information and Registration

Web: www.aclu.org (click on “events”)

Email: mem_conf@aclu.org

Phone: 212-549-2561 *Fax:* 212-549-2580

Mail: ACLU, Membership Conference,
125 Broad St., NY, NY 10004

ACLU of Virginia Annual Meeting

May 17, 2003, 11:00 a.m. – Noon

Café Ole, 2 N. Sixth Street, Richmond

We'd like to know if you will be attending--

Call us at (804)644-8080 or Fax us at (804) 649-2733

E-Mail us at acluva@aol.com

Visit our website: <http://members.aol.com/acluva>

Save the Date!!

NOVA Chapter Crabfest, June 22, 2003

*Crabs, hamburgers & hotdogs, plus student essay contest
winners and guest speakers on civil liberties in Virginia.*

Fort Hunt Park, Alexandria

\$15 adults, \$5 6-12, free under 6

Call (703) 360-1096 for details