

Get a Warrant or Pay the Price

This July, ACLU announced the historic settlement of a federal lawsuit filed on behalf of victims of a warrantless raid by U.S. Immigration and Customs Enforcement agents and Metropolitan Nashville Police Department officers.

The case, *Escobar v. Gaines*, was filed after ICE and MNP agents in full SWAT gear raided a



ACLU client Benito was only 13 when ICE agents interrogated him during the raid.

Nashville apartment complex, home mostly to Latino residents, in October 2010. The agents broke into and searched homes without a single warrant or consent, shouted racial slurs, and held guns to some people's heads. When asked if they had a warrant, one agent reportedly said, "We don't need a warrant, we're ICE."

Among the plaintiffs were U.S. citizens, including a child detained and interrogated while playing soccer on the playground simply because of the color of his skin. Another plaintiff was carted away in handcuffs in front of his frightened and crying children.

The Fourth Amendment strictly prohibits warrantless intrusions into private homes and the

Cont. on p. 5

LOVE WINS: Marriage Equality Has Arrived in Tennessee

Immediately following the U.S. Supreme Court's landmark *Obergefell* decision striking down state bans on same-sex marriage, ACLU-TN sprang into action. We sent a letter and email to all Tennessee county clerks articulating our expectation that marriage licenses would be issued to same-sex couples without delay. We also began circulating a get-help form for anyone who was refused a marriage license.

Just hours after the Court's ruling, the Tennessee Attorney General announced that the state would comply with the decision and county clerks across the state began issuing marriage licenses to same-sex couples.

Obergefell was a consolidation of several different lawsuits that challenged laws in Tennessee, Kentucky, Michigan and Ohio banning the freedom to marry for same-sex couples and prohibiting recognition of same-sex marriages performed in other states. ACLU was counsel on the Ohio and Kentucky petitions, and filed an amicus brief in the Tennessee case, *Tanco v. Haslam*.



ACLU members Read and Tom--together 49 years--were one of the first couples to be married at the Davidson County Clerk's Office, mere hours after the historic decision was read.

This historic ruling was a tremendous step toward LGBT equality in Tennessee. ACLU-TN now stands ready to combat any legislative attempts to curtail marriage equality that may arise during the 2016 legislative session. In addition, we will be working with our partners in the coming year to ensure that LGBT Tennesseans have the same protections, responsibilities and respect afforded other people at school, in the workplace, in housing, and in public accommodations.



**Join us for the
2015 Bill of Rights
Celebration!
More info on p. 3**

From the Executive Director...

Hedy Weinberg

As state House Speaker Beth Harwell said in media interviews on groups working to influence public policy in Tennessee, "the American Civil Liberties Union has always had a presence here." Indeed, ACLU-TN's legislative lobbying program has been a force at the state capitol for decades.

But this year we have entered a new era, strategically leveraging our statewide presence and strong history of successful legislative lobbying, litigation and public education to build a groundswell of political power.

Our goal is to influence policymaking through heightened political engagement, from building relationships with legislators to influencing the political process to setting the political agenda.

We are deepening our work with local and state lawmakers, opinion leaders and coalition partners to influence public opinion, expand and mobilize our supporter base, and advance a pro-active legislative agenda on a number of issues, including criminal justice reform, voting rights, reproductive justice and LGBT equality.

Our political work in the past year includes, among other tactics, ballot initiative campaigns and candidate forums.

We were one of the lead organizations in the statewide "Vote No on One Tennessee" ballot initiative, attempting to defeat a state constitutional amendment that stripped a woman's right to access abortion from the Tennessee constitution. We also worked with a coalition of state and national organizations on the "YES! Chattanooga" campaign, an effort to mobilize voters in support of the city of Chattanooga's non-discrimination and partner benefits ordinance for city employees.

ACLU-TN also co-sponsored or participated in three forums for Nashville's mayoral candidates. We partnered with The Temple and the Nashville Campaign to End the New Jim Crow to organize a forum on issues related to race and mass incarceration, from voting rights to access to housing, employment and education. We also co-sponsored and helped organize a mayoral forum on immigration and provided educational materials at a mayoral forum on LGBT equality.

Our political work at the state level resonates with ACLU's national efforts to develop a strong political program that leverages our policy prowess and presence at the state and federal levels. To that end, Karin Johanson, a leading legislative and political consultant, will become the American Civil Liberties Union's first national political director this September.

While ACLU remains nonpartisan, we are committed to deepening our political advocacy at both the state and federal levels to protect and win back our civil liberties and civil rights. We look forward to working with you as we reshape the political landscape in Tennessee.

Hedy



Supporters visit ACLU's table at a recent event.

UPCOMING ACLU-TN EVENTS

For more information on all upcoming events, visit: <https://www.facebook.com/ACLUTN>

Southern Festival of Books - September 9-11, Nashville

2015 Bill of Rights Celebration - September 30, Nashville

Pregnancy, Drug Use, and the Law: Creating Fair and Effective Public Policies in Tennessee - October 1, Nashville

Presented by Healthy & Free Tennessee and the Tennessee Association of Alcohol, Drug & other Addiction Services.

To register, visit: http://healthyandfreetn.nationbuilder.com/pregnancy_the_law_in_tn

Annual Membership Meeting - October 17, Nashville (more information on p. 5)

2015 ACLU-TN Bill of Rights Celebration

Wednesday, September 30, 2015

6:30 P.M. – 9:00 P.M.

The Noah Liff Opera Center

3622 Redmon Street, Nashville

Honoring

**THE TENNESSEE-BASED PLAINTIFFS & ATTORNEYS
of the *TANCO v. HASLAM* U.S. SUPREME COURT
MARRIAGE EQUALITY LAWSUIT**

Bill of Rights Award

CHARLES GRANT

Bruce Kramer Cooperating Attorney Award

Keynote Remarks By

DALE HO

ACLU Voting Rights Project Director

Special Performance by

GRETCHEN PETERS

Award-winning recording artist

I/we want to sponsor the Bill of Rights Celebration on Wednesday, Sept. 30, 2015!

Special Sponsorship Levels

All sponsors will be honored at a special Bill of Rights Kick-Off Party on Thursday, September 17, 2015 and will be listed in the event program.

- Guardian of Liberty** (\$2,500 — includes table for ten)
- Constitutional Champion** (\$1,000 — includes two dinner tickets)
- Friend of Freedom** (\$500 — includes one dinner ticket)

Bill of Rights Celebration Tickets

Dinner Tickets (\$125 per person) **Quantity:** _____

Table for Ten (\$1,250 per table) **Quantity:** _____

\$85 of each reservation or \$850 per table is tax-deductible.
Individual dinner tickets purchased after September 25, 2015 are \$150.

SPONSORS

Name(s): _____

Please list me/us in program: as written as anonymous

Address: _____

Phone: _____

Email: _____

My check, payable to ACLU Foundation of Tennessee, is enclosed.

Please charge credit card #: _____

Exp: _____ Security Code: _____

I cannot attend; please accept my tax-deductible gift of \$ _____

Please RSVP by sending this card to ACLU-TN, P.O. Box 120160, Nashville, TN 37212 or respond online at: <http://bit.ly/BORC2015> by September 23, 2015.



ACLU-TN client and left tackle Thalia Thompson

Let Thalia Play

When Thalia Townsend, a rising Carroll County seventh grader, was refused the opportunity to play for her school's football team solely because of her gender, ACLU-TN was there for her.

Thalia arrived at the initial meeting for the West Carroll Junior High football team with two years of experience playing left tackle in her community football league under her belt, so she was surprised to be turned away by the coach. His only reason? Girls were not allowed to play football at the school. Every boy at the meeting—many of whom were her old teammates—was allowed to join the team. When Thalia's mother, Michelle Larsen, contacted the coach, principal and later the director of schools protesting the unfair decision, she was again told that the school had a policy against allowing girls to play

football. Michelle reached out to ACLU-TN.

We sent a letter to West Carroll Special School District Director Eric Williams in early June *Cont. on p. 6*

Interning with ACLU-TN

Interns and volunteers are a vital part of ACLU-TN's work. ACLU-TN interns are offered a range of valuable learning experiences through our advocacy, public education, legal and legislative programs. Summer 2015 intern Jake Divine described his experience conducting public education at Nashville Pride:

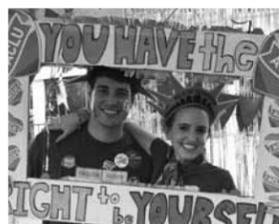
"I'd never attended a Pride Festival before so I had no idea what to expect when I signed up to volunteer at ACLU-TN's booth at Nashville Pride in June. What I found was a community of people coming together to proudly celebrate our common right to be ourselves.

This year, Pride happened to be the day after the Supreme Court's historic marriage equality decision, and thousands of people from across Tennessee came to celebrate. Luckily, ACLU-TN's booth had something for everyone: free buttons, stickers, bracelets and Statue of Liberty crowns for those exploring colorful self-expression; our LGBT Rights Quiz for those interested in ACLU's history protecting and advancing LGBT equality nationwide; and pamphlets and resources for those seeking civil liberties empowerment in their schools and workplaces. For couples ready to marry, we provided handouts from our What to Do Before "I Do" Marriage Resource Center (<http://bit.ly/marriageTN>) and answered questions about how the Supreme Court decision would impact them. Festival-goers showed their pride in ACLU-TN's Freedom Photobooth, posing with colorful signs declaring "Love Wins!" and "You Have the Right to Be Yourself!"

ACLU-TN's booth was packed all day so my attention was stretched between handing out ACLU swag and resources and grading quizzes, but I stopped suddenly when a young girl reading our petition at our table asked me if she could still sign if she wasn't 18. I told her of course--all it means is that when you sign, you're saying that you stand for equal rights for the LGBT community. She happily added her name and I wondered if I'd witnessed a young freedom fighter taking her first political action.

In a world where many of our community members experience prejudice, it was rejuvenating to see the collective support at Pride for equal treatment of all people, and I'm proud to have helped connect people to the information they need to exercise their constitutional rights. I hope one year from now, we will be celebrating more victories for civil liberty at Nashville Pride 2016."

ACLU-TN is always seeking high school, college, graduate and professional students from a wide range of disciplines to intern with us. For more information, please visit <http://www.aclu-tn.org/CurrentListings.htm>.



View more Freedom Photos at: bit.ly/ACLUTNFreedomPhoto



ACLU-TN Launches "What To Do Before 'I Do!'" Marriage Resource Center

Want to know how the U.S. Supreme Court's marriage equality decision impacts you and your family? ACLU-TN's "What to Do Before 'I Do!'" Marriage Resource Center outlines what the ruling means for Tennessee residents. Get

the details on what you need before you walk down the aisle, and how the decision affects parent-child relationships, social security, veteran's spousal benefits, retirement benefits, income taxes, employment discrimination and more at <http://bit.ly/marriageTN>.

Escobar settlement, from p.1 Constitution's protections apply to citizens and non-citizens alike. Residents were detained without any reasonable suspicion or probable cause to believe they had engaged in criminal activity, and no one was ever charged with a criminal violation as a result of the raid.

ICE and MNPD agreed to pay \$310,000 to stop this case from going to a jury trial. ICE also granted the noncitizen plaintiffs deferred action status for seven years.

In addition to the ACLU, the plaintiffs were represented by Hughes, Socol, Piers, Resnick & Dym, Ltd., and Ozment Law.



Carlos was one of the apartment complex residents targeted during the raid.

This settlement sends a strong message to law enforcement across Tennessee and nationwide that all people must be treated fairly under the law, regardless of their immigration status or skin color.

Honoring the Tennesseans Who Stood Up for Marriage Equality at the U.S. Supreme Court

ACLU-TN will honor the Tennessee plaintiffs and attorneys from *Tanco v. Haslam*, part of the recent U.S. Supreme Court case that established the freedom to marry nationwide, at our September 30 Bill of Rights Celebration.

The Tennesseans being honored with ACLU-TN's Bill of Rights Award include: Valeria Tanco and Sophy Jesty; Ijpe DeKoe and Thom Kostura; Matthew Mansell and Johnno Espejo; Phillip F. Cramer, John L. Farringer IV, William L. Harbison and J. Scott Hickman of Sherrard & Roe, PLC; Maureen T. Holland of Holland & Associates, PC; Regina M. Lambert, Esq. and Abby Rubenfeld of Rubenfeld Law Office, PC.

More information on our Bill of Rights Celebration, including how to purchase sponsorships and tickets, can be found on page 3 and at <http://www.aclu-tn.org/event093015.html>.

Edward Snowden's Attorney to Discuss Government Surveillance at ACLU-TN

Join ACLU-TN on Saturday, October 17 for "Surveillance State: Can Democracy Survive?," featuring Ben Wizner, ACLU Privacy & Technology Project Director and attorney to NSA whistleblower Edward Snowden. The conversation will focus on balancing government secrecy, security and the public's right to know/The event, co-sponsored by the Nashville Public Library, will take place at the downtown library (615 Church St., Nashville). There will be a reception from 1:30 – 2:00 p.m., followed by a conversation with Wizner from 2:00 – 3:00 PM. The event is free and open to the public. For more information, visit www.aclu-tn.org or call (615) 320-7142.



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Edward Snowden's Attorney to Discuss Government Surveillance at ACLU-TN Annual Meeting

Join ACLU-TN on Saturday, October 17 for "Surveillance State: Can Democracy Survive?," featuring Ben Wizner, ACLU Privacy & Technology Project Director and attorney to NSA whistleblower Edward Snowden. The conversation will focus on balancing government secrecy, security and the public's right to know, as well as state-sanctioned surveillance's impact on democracy in America. The event, co-sponsored by the Nashville Public Library, will take place at the downtown library (615 Church St., Nashville). There will be a reception from 1:30 – 2:00 p.m., followed by a conversation with Wizner from 2:00 – 3:00 PM. The event is free and open to the public. For more information, visit www.aclu-tn.org or call (615) 320-7142.



Let Thalia Play, from p. 4 on behalf of Thalia and her family. The letter asserted that the school's policy amounted to unconstitutional gender discrimination. ACLU-TN also circulated a public petition urging the school board to let Thalia play, garnering nationwide support. The school board ultimately agreed to allow Thalia to join the team. She is now starting for her school's team on both offense and defense.

"I couldn't be happier," Thalia said. "I am thankful to everyone who has believed in me and supported

my family in this. Now I just can't wait to get back out there and play for my school."

The school district's recognition that it needs to provide equal access to sports for boys and girls alike is a step forward for gender equity in Tennessee. ACLU-TN will continue to work with school districts to ensure that all students have an equal opportunity to access a well-rounded, quality education free from discrimination.