

ACLU-TN IN COURT TO CHALLENGE MEMPHIS POLICE SPYING



ACLU-TN attorneys were in federal court in Memphis for four days in late August challenging the Memphis Police Department's surveillance of community members.

The lawsuit, *Blanchard v. City of Memphis*, was filed in response to the City of Memphis's publication of a list of people who required a police escort while visiting City Hall. The list included several people associated with Black Lives Matter; the mother of Darrius Stewart, a teen killed by Memphis police; representatives from local non-profit organizations; and other local political activists and organizers. The lawsuit asserted that many of the people who were on the list participated in protected free speech activities such as protests and rallies, but had no criminal record or history of causing disturbances at City Hall, suggesting that the city was gathering political intelligence on its residents.

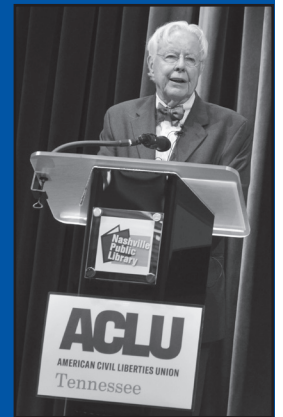
Indeed, evidence collected during the case revealed that the Memphis police had engaged in extensive surveillance of individuals and organizations engaging in protected political speech, including creating a fake Facebook profile to "friend" protesters' accounts and gain access to private messages; distributing "joint intelligence briefings" on protesters to the U.S. Military, the Department of Justice, the Tennessee Department of Homeland Security, the Shelby County school system, FedEx, AutoZone and St. Jude's; and sending plainclothes officers to covertly monitor protests and community events like church services, a tree planting ceremony in memory of a teen killed by Memphis police and a Black-owned food truck festival.

Earlier in the month, the judge had ruled that by engaging in surveillance of the protected political activities of activists, the Memphis police had violated a 1978 court order secured by ACLU-TN that prohibited the Memphis government from monitoring constitutionally-protected political activities in several instances. The case went to trial so the court could hear more evidence regarding the remaining allegations. We are currently awaiting a decision.

Blanchard v. City of Memphis was initially filed on February 22, 2017 in the U.S. District Court for the Western District of Tennessee by Bruce Kramer of Apperson Crump, PLC. The ACLU of Tennessee intervened in the case on March 2, 2017.

A WITNESS TO HISTORY

A large crowd gathered in Nashville for our recent annual meeting featuring former Tennessee Attorney General Mike Cody, who represented Dr. Martin Luther King Jr. as an ACLU cooperating attorney during the turbulent Memphis sanitation workers strike. Cody painted a vivid picture of segregation in 1960s Memphis, the horrible working conditions that led to the strike, and the strategic planning of civil rights leaders including Dr. King, the Rev. Jim Lawson, Andrew Young and others to challenge racial and economic injustice for workers in Memphis and nationwide.



An ACLU chapter president and national board member, Cody was the first person the national ACLU called on to represent Dr. King, and he asked Lucius Burch to join with him. Cody described the ACLU's larger strategy in representing Dr. King to ensure that the federal courts continued to play a strong role in protecting the civil rights movement. Cody concluded by stating that while we still have a long way to go toward racial justice, he takes hope in the progress that he has seen over the past fifty years.

To sustain a strong, robust democracy in our country, we need to ensure that the broadest possible base of voters can and do exercise their right to vote.

However, in 2016, Tennessee ranked 49th in voter turnout and 45th in voter registration. Only 52 percent of Tennessee's eligible population voted in the 2016 presidential election.

In anticipation of this year's election season, ACLU launched "ACLU Voter," a proactive, nationwide voting rights initiative to educate and mobilize ACLU supporters to demand that candidates for public office commit to protect our democracy, end discrimination, expand rights and ensure that we live in a nation with liberty and justice for all.

While ACLU is a non-partisan organization and does not endorse candidates, we believe that people should vote and that voters should be well-informed on where candidates stand on civil liberties issues that matter most.

You can visit the ACLU Voter website at <https://www.aclu.org/voter/> to see how your congressional representatives scored on civil liberties, find out when and where to vote, and what to consider when voting to ensure that civil rights and civil liberties prevail—up and down the ballot.

You can also find detailed information on where your candidates stand on criminal justice reform specifically at: <https://www.votesmartjustice.org/>.

Last but not least, information on candidates for the Tennessee General Assembly can be found at: <http://www.aclu-tn.org/are-you-an-aclu-voter/>.

In addition to learning as much as you can about the candidates, make sure you also know your voting rights before you go to the polls. Our online voting rights resource center,

found at <http://bit.ly/let-tn-vote> (case sensitive), includes resources on getting ready to vote, Tennessee's photo ID law, casting a provisional ballot, restoring your right to vote, dealing with problems at the polls and more.

Most importantly, please make sure to go out and vote, early or on Election Day, November 6. And remember: as the recent election has proven to us all, an ACLU Voter votes like their rights depend on it.

Hedy

VOTE LIKE YOUR RIGHTS DEPEND ON IT.

ACLU Voter

Find your county election commission, get information on early voting locations and more at <http://bit.ly/Vote-TN> (case sensitive) or by calling **(615) 741-2286**

ACLU-TN WELCOMES NEW ADMINISTRATIVE & TECHNOLOGY MANAGER



We are excited to welcome Erin O'Rourke to the ACLU-TN team as our new administrative and technology manager. Erin brings a wealth of experience in the nonprofit world to the job, serving most recently as the outreach paralegal at Southern Migrant Legal Services, where she was in charge of coordinating and implementing "know your rights" outreach trips across six southern states to support migrant farmworkers. Prior to that, Erin spent three years teaching English in Urubamba, Peru. She is fluent in Spanish.

With a bachelor's in anthropology from Stony Brook University and a master's in governance and rights from The New School, Erin has long been drawn to understanding the impact of economic and public policy on people, particularly immigrants, and advocating on their behalf. She is also interested in criminal justice reform and reproductive freedom.

In her new job, Erin has been enjoying creative problem solving. Outside the office, Erin loves photography, knitting and reading. She shares her home with a dog, a cat and loads of books.

PLEASE JOIN US TO CELEBRATE

50 YEARS

DEFENDING FREEDOM AND FAIRNESS IN TENNESSEE

THE CONSTITUTION UNCORKED

THURSDAY, NOVEMBER 29 | 6 - 8 PM

THE NOAH LIFF OPERA CENTER | 3622 REDMON STREET | NASHVILLE

Libations, hors d'oeuvres, silent book auction, music and more. Complimentary valet parking.

THE HONORABLE JOHNNIE R. TURNER, LIFETIME ACHIEVEMENT AWARD

From participating in sit-ins to marching with Dr. Martin Luther King to serving as a state legislator, Representative Turner has been fighting for equality and justice her entire life. She recently retired from the Tennessee General Assembly after working for eight years as a state representative and serving as the long-time executive director of the NAACP-Memphis Chapter. Representative Turner has championed numerous issues over her impressive career, including education equity, voter restoration, LGBTQ equality, criminal justice reform, access to abortion, police accountability, and the fair treatment of immigrants and refugees.

SALLY LEVINE, LIFETIME ACHIEVEMENT AWARD

Sally has worked tirelessly on a wide array of social justice issues - from education to reproductive rights to criminal justice reform. Her community engagement and advocacy efforts include early involvement with the League of Women Voters and active participation in Tying Nashville Together and Nashville Organized for Action and Hope. Most recently, she co-founded the Drivers' License Reinstatement Fund, which provides interest-free loans to help limited-income individuals whose licenses have been suspended pay the fees required for reinstatement. Sally continues to be a persistent changemaker who seeks concrete solutions to critical human rights concerns.

SPECIAL PERFORMANCE BY ARI AFJAR

Singer-songwriter and star of the Chicago production of "Hamilton" (playing Eliza Schuyler)

I/WE WANT TO SPONSOR ACLU-TN'S CONSTITUTION UNCORKED ON THURSDAY, NOV. 29, 2018!

SPONSORSHIP & RESERVATION LEVELS

___ **PILLAR OF JUSTICE (\$5,000)**: Sponsorship includes reserved seating for eight, recognition in event materials, an invitation to special donor events during the year and eight official ACLU blue lapel ribbons.

___ **GUARDIAN OF LIBERTY (\$2,500)**: Sponsorship includes reserved seating for four, recognition in event materials, an invitation to a special donor event during the year and four official ACLU blue lapel ribbons.

___ **CONSTITUTIONAL CHAMPION (\$1,000)**: Sponsorship includes a reservation for two, recognition in event materials and two official ACLU blue lapel ribbons.

___ **FRIEND OF FREEDOM (\$500)**: Sponsorship includes a reservation for one, recognition in event materials and an official ACLU blue lapel ribbon.

___ **INDIVIDUAL RESERVATION (\$150 per reservation, \$175 after Nov. 25)**

Name(s): _____

Please list me/us in event materials: ___ 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 \$ _____

To become a sponsor, please **RJVP** by sending this card to ACLU-TN, P.O. Box 120160, Nashville, TN 37212 or respond online at: <http://bit.ly/UNCORK2018> (case sensitive) by **FRIDAY, NOVEMBER 25, 2018.**



Tennessee

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SMART JUSTICE 50-STATE BLUEPRINTS

Did you know that Tennessee's imprisonment rate increased by 100 percent between 1990 and 2016? Drug offenses accounted for more than a quarter of all 2017 prison admissions in Tennessee, and more than 26 percent of people in Tennessee prisons had mental health needs in 2016.

While mass incarceration is a national problem, it must be dismantled at the state level. To that end, the ACLU recently released 50 "Smart Justice State Blueprints" – state-by-state analyses that show how to transform the criminal justice system and cut incarceration in half. ACLU partnered with the Urban Institute, local ACLU affiliates, and partners to provide a unique snapshot of each state's incarcerated population and drivers of mass incarceration. The blueprints also offer solutions tailored for each state.

Tennessee's blueprint is a useful tool in ACLU-TN's Campaign for Smart Justice, which advocates for a criminal justice system that fosters public safety by ensuring police accountability and reducing mass incarceration. We work in partnership with other organizations such as the Tennessee Coalition for Sensible Justice, Tennesseans for Alternatives to the Death Penalty, Families Against Mandatory Minimums and more to advance criminal justice reform in our state.

You can check out Tennessee's blueprint to see how we can end mass incarceration at <http://bit.ly/TNBlueprint> (case sensitive).

SAVE-THE-DATE

OCT. 17 - EARLY VOTING FILM PREMIERE

6:45 - 7:30 pm - Celebration

**7:30 pm - Welcome and Film Screening
Belcourt Theatre, Nashville**

Celebrate the start of early voting with us at a reception and world premiere screening of "Rigged: The Voter Suppression Playbook," with an introduction by one of the film's producers. Free and open to the public, but registration is required at (615) 320-7142 or <http://bit.ly/vote-early-2018> (case sensitive).

OCT. 19 - 20 - "BUILDING THE WALL"

7:30 pm, Darkhorse Theater, Nashville

The Darkhorse Theater is presenting this play about the consequences of President Trump's anti-immigration campaign rhetoric being turned into federal policy. All proceeds benefit the ACLU Foundation of Tennessee.

NOV. 29 - THE CONSTITUTION UNCORKED

6 - 8 pm, The Noah Liff Opera Center, Nashville

Celebrate ACLU-TN's 50th anniversary with us at our annual fundraiser! Details and ticket information on p. 3.