

Students Explore Their Rights at Memphis Summit

Over 200 students from the Shelby County area attended ACLU-TN's "Your Rights, Your World: Students' Rights Summit" in Memphis in October.

Students at the summit explored how they are protected and empowered by the Bill of Rights every day in their schools and communities, attending workshops on issues like freedom of speech and protest, youth activism, interactions with law enforcement, bullying,



juvenile justice and more.

Workshop leaders included The Honorable Raumes Akbhari, state representative for District 91; Brooke Hyman, Shelby County public defender; Denise Bentley, Tennessee Youth Court program coordinator; Brian Faughnan, ACLU-TN board member; and members

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"Let People Vote"

This election season, ACLU-TN launched the "Let People Vote" campaign. The goal of this campaign was to empower voters across the state with an understanding of their voting rights and to provide tools for handling any problems they may have encountered at the polls.



The campaign was particularly important in the wake of the recent Government Accountability Office (GAO) report that found voter turnout in Tennessee declined by more than two percentage points in 2012, the first election following passage of Tennessee's onerous photo-ID-to-vote requirement. A *Washington Post* analysis of the GAO data indicated that Tennessee's voter ID law may have kept as many as 88,000 Tennessee voters, including many minorities, senior citizens, disabled voters, rural voters and young people, from being able to cast their ballots in 2012.

The "Let People Vote" campaign included statewide distribution of a wealth of voting rights educational materials, an online voting rights resource center (<http://www.aclu-tn.org/voting-rights-resource-center.html>), and participation in public education events. Partnering with individuals and organizations from across the state, we distributed thousands of free brochures outlining voting rights under Tennessee law and providing helpful tips for dealing with obstacles when voting. The groups we collaborated with work



with immigrant communities, college students, the homeless, veterans, people with felony convictions and other groups that often face barriers to the ballot box.

The "Let People Vote" campaign also included several events. ACLU-TN executive director Hedy Weinberg participated in a press conference organized by U.S. Representative Jim Cooper, speaking out about the GAO's findings and the negative impact of Tennessee's voter ID law. Earlier this fall, Weinberg and ACLU-TN legal



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From the Executive Director...

Hedy Weinberg

Shameful. Outrageous. Frustrating. Unsurprising. These are the emotions I felt after the grand jury's failure to indict the Ferguson police officer who shot and killed Michael Brown, an unarmed black teenager. However, the grand jury's decision must not distract us from the broader issue: Police in America disproportionately use excessive—sometimes fatal—force against people of color.

Many of these encounters are the direct result of racial profiling—both when police officers stop people solely based on race, and when they engage in selective enforcement of nonviolent infractions disproportionately in communities of color. A recent *USA TODAY* analysis of FBI arrest records revealed that numerous Tennessee communities arrest black residents at a rate even more disproportionate than that of Ferguson.

At times like these I am inspired by the young people who stand up against police brutality. Students from Fisk, ETSU, Meharry, UT, Vanderbilt, TSU and others have traveled to Ferguson to join in peaceful protests or have organized rallies here in Tennessee.

Many law enforcement officers carry out their jobs admirably and with respect for the communities they serve. However, Ferguson is symbolic of communities of color nationwide that have a profound disconnect with local law enforcement because they experience racial profiling, excessive force and misconduct by some, though not all, police officials.

Ferguson highlights the need for confronting racial injustice in America. The best response to the grand jury decision is to ensure that no more young men of color are needlessly killed by police through implementation of meaningful, systemic law enforcement reforms. ACLU-TN is focusing on the twin issues of criminal justice reform and voting rights to bring about these changes.

In 2015, ACLU-TN's criminal justice work will focus on reducing mass incarceration by dismantling the school-to-prison pipeline; pursuing sentencing reform; ending racial profiling and the militarization of law enforcement; and stopping "policing for profit." Our voting rights work will continue to focus on removing barriers like the required photo ID and the disenfranchisement of individuals with felony convictions, both of which disproportionately impact people of color. Expanding access to the ballot box will help hold law enforcement and elected officials accountable.

The promises of the Bill of Rights guide our pursuit of justice, fairness and equality. ACLU's proactive and strategic work takes place at the Capitol, in the courtroom, and in the court of public opinion. We are working in urban and rural communities, with legislators on both sides of the aisle, and with coalition partners to achieve our mission. Many challenges lie ahead but we are energized and ready to mobilize. I thank you for your continued support and ask you to consider a year-end gift to help realize our shared vision.



Despite Amendment 1's recent passage, we are proud of our "No on 1" campaign. With integrity, we engaged voters about the importance of preserving access to safe and legal abortions without government interference. We have emerged from the campaign galvanized, and our dynamic grassroots network will continue the fight. Indeed, the first bill intended to shame and intimidate a woman considering an abortion has already been filed. This bill would mandate an ultrasound for women seeking an abortion, require her to wait at least 24 hours after the ultrasound before having an abortion, and force her to either view the ultrasound or to listen to a verbal description of it, as well as to a fetal heartbeat.

Please join us to fight this bill and other restrictive measures to come, by signing the "I Stand for Reproductive Freedom in Tennessee" pledge.

Your voice matters. Sign here: <http://bit.ly/stand4repfreeTN>



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ACLU-TN Protects Williamson County Students' Rights to Privacy, Speech

When Williamson County father Daniel Pomerantz read the local school district's policy and procedures regulating the use of technology and social media, he was immediately concerned that it would violate his daughter's constitutional rights to free speech and privacy. After he refused to sign the policy on his kindergarten-aged daughter's behalf, she was denied the opportunity to participate in classroom activities using the school's computers. Pomerantz ultimately signed the policy under protest, stopping the exclusion of his daughter from meaningful educational experiences. However, his concerns remained and he contacted ACLU-TN and the Electronic Frontier Foundation (EFF) for assistance.

ACLU-TN and EFF sent a letter to the school board asserting that the social media portion of the policy clearly violates students' First Amendment rights by restricting virtually all online communication by Williamson County students, whether it occurs on or off campus. In addition, the portions of the policy regulating smartphones, tablets or laptops brought to school from home subject all students to suspicionless and limitless searches of their personal devices. All data and communications on school networks are also subject to suspicionless monitoring.

"My daughter shouldn't have to trade away her rights to free speech and privacy just to get a quality education," Pomerantz stated. "That's the wrong lesson for schools to be teaching our children."

ACLU-TN and EFF's letter urged the school board to change its policy immediately. We are in ongoing discussions with the school board.

ACLU-TN Defends Parents' First Amendment Right to Name Their Children

After one Brentwood family was denied the right to give their child the surname of their choice, ACLU-TN filed a lawsuit in federal court on their behalf.

When Dr. Carl Abramson and Kimberly Sarubbi married, they kept their last names for personal and professional reasons. They chose Sabr, a combination of their last names, as a surname for their first two children, born in Nevada and California respectively. However, when the couple's third child was born in Tennessee in 2014, the state Department of Health denied their request to use the name "Sabr" and issued a birth certificate for the child with the last name "Abramson."

ACLU-TN filed the lawsuit, *Abramson et. al. v. Dreyzehner et. al.*, in the United States District Court for the Middle District of Tennessee, arguing that parents' right to name their children is an act of free expression, protected by the U.S. and Tennessee Constitutions. The lawsuit also asserts that parents have a fundamental right to make decisions for their children.



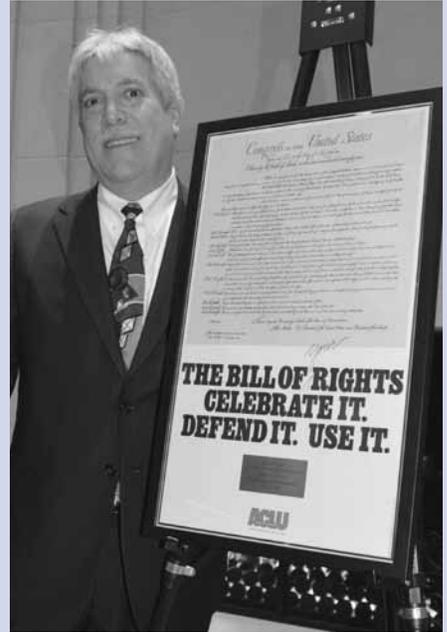
The Sabr family.

The plaintiffs are seeking an order from the court declaring this state law unconstitutional and are asking that the state issue an amended birth certificate listing the surname the family chose for their child.

In addition to ACLU-TN, the Sabr family is being represented by ACLU-TN cooperating attorney Carolyn W. Schott of Sherrard & Roe PLC.

Van Jones Gave Keynote, Tom Negri Honored at 2014 Bill of Rights Celebration

*On November 19, nearly three hundred ACLU-TN supporters gathered to celebrate ACLU-TN's victories over the past year at our annual Bill of Rights Celebration. Van Jones, best-selling author and CNN contributor, presented the keynote address on criminal justice reform. Tom Negri received the 2014 Benjamin S. Pressnell Bill of Rights Award for his commitment to equal protection and fair treatment for all Tennesseans. Jonell Mosser performed and ACLU-TN premiered *Celebrating Freedom, Fighting for Justice*, a short film documenting the organization's history preserving freedom in Tennessee.*



6th Circuit Upholds Tennessee Marriage Ban, Marriage Equality Could Return to Supreme Court

The fight to win the freedom to marry in all fifty states may be headed back to the Supreme Court.

In six recent marriage equality cases from Tennessee, Ohio, Michigan and Kentucky, federal judges had ruled to overturn marriage bans and permit marriages to be recognized from other states. But in a disappointing mid-November ruling, the U.S. Court of Appeals for the Sixth Circuit reversed the district court rulings, essentially upholding each state's marriage ban and denying same sex couples the right to marry or to have their marriages recognized in these states.



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The Sixth Circuit decision was the first ruling in the country from a circuit court against marriage equality since the Supreme Court's watershed 2013 *Windsor* ruling, making it an outlier that is incompatible with the over fifty other rulings upholding fairness for families.

Attorneys from all six cases, including the Tennessee case, *Tanco v. Haslam*, have filed cert petitions request-

ing that the U.S. Supreme Court review the cases. ACLU filed the cert petitions in the two same-sex marriage recognition cases from Ohio. ACLU also filed amicus briefs in the other four cases.

This action follows the U.S. Supreme Court's decision on October 6, 2014 not to review the marriage equality cases that were before it. This unmistakably showed that the court is comfortable with marriage for same-sex couples because, by refusing to review the cases, marriages were able to begin. Over thirty states now enjoy the freedom to marry.

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Voting Rights Reform*

director Thomas H. Castelli testified on the restoration of voting rights for people with felony convictions at a voting rights hearing in Nashville. And on the eve of the election, Weinberg spoke about the importance of fighting to protect people's right to vote at an energetic voting rights reform rally organized by Fisk University students.

Despite these efforts, the low turnout for the 2014 election in Tennessee and nationwide illustrates that barriers to the ballot box remain an obstacle for voters across the country. Tennessee had the second lowest voter turnout in the nation, with less than a third of registered voters making it to the polls.

Voting is the cornerstone of democracy. Although reforms are needed to increase access to the ballot box, ACLU-TN remains committed to strategically and creatively protecting the right to vote in Tennessee.

Starting Tuesday, January 13, 2015, ACLU-TN will be a constant presence here at Legislative Plaza, lobbying policymakers to advance civil liberties in Tennessee.

Want to be part of the fight?

Sign up for the latest updates and take action here:

<http://bit.ly/ACLU-TNAlert>





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Students' Rights Summit*

of the Memphis
Branch NAACP
Youth Council.

The summit was
offered for the
second time as
part of the Gan-
dhi-King Youth
Conference,
sponsored by
BRIDGES and the
Mid-South Peace
and Justice
Center.

ACLU-TN will
present its an-
nual Students'
Rights Conference
in Nashville this
spring.



**Students' Rights Conference
Nashville • Tuesday, March 19**

For more info, visit www.aclu-tn.org