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THE CIVIL LIBERTARIAN

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ACLU of Nevada



WHAT'S
INSIDE

2

LEGISLATIVE
PREVIEW

3

DIRECTOR'S
UPDATE

4

RECENT
VICTORIES

5

ACLU HONORS
THE ROGERSES

6

RIBACK
REFLECTS

8

EXTERN
PROGRAM

9

ACLU GOES TO
WASHINGTON

11

MEMBERSHIP
SURVEY

ACLU CHAMPIONS AN UNPOPULAR CAUSE

NEVADA ENJOINED FROM ENFORCING PROBLEMATIC SEX OFFENDER LAWS

by MAGGIE McLETCHIE

John* lives in Spring Creek, Nevada — where he has lived his entire life — with Jane*, his wife of 47 years. Together, they have 2 children and 6 grandchildren, and 2 great grandchildren. After years of living peacefully in their community, John and his wife suddenly feared for their family's safety. No, the crime rate did not spike in nearby Elko. John was

afraid because — due to a conviction for *statutory rape* that occurred in 1960 when he was 17 years old — the State of Nevada notified John that he would have to register as a dangerous sex offender. Not only that, but suddenly John was about to be subject to widespread community notification.

These changes were part of a new bill, A.B. 579, that was scheduled to implement drastic changes to Nevada's sex offender laws on July 1,

2008. John dreaded July 1 and feared the worst — even potential violence — for his family. Once the label “sex offender” was publicly placed on him, John felt that it would be impossible to live in the small community.

That's when the ACLU of Nevada got involved. The ACLU heard complaint after complaint from other people in John's situation: people who were convicted of sex crimes in the distant

*The names of sex offenders and their family members have been changed to protect their privacy.

Continued on page 7

LEGAL OBSERVING AT BURNING MAN

PROTECTING CIVIL LIBERTIES IN AN EXPERIMENTAL TEMPORARY CITY

by PAIGE THIE

Every year thousands of people from all over the country and world gather in Northern Nevada's Black Rock desert the week before Labor Day to form the experimental temporary community of Black Rock City, the home to Burning Man.

Burning Man is a project of radical inclusion, radical self-reliance, and radical self-expression. According to the Burning Man website

(www.burningman.com) it “challenges its members to express themselves and rely on themselves to a degree that is not normally encountered in one's day-to-day life.” There is no money exchanged in Black Rock City and there are no social mores about behavior or expression.

Black Rock City is in every other way a thriving, bustling city. This year, it had about 48,000 citizens, 49.5 miles of

roads, a post office, a DMV (Department of Mutant Vehicles), a volunteer peacekeeping unit called the Rangers, and a Department of Public Works.

Black Rock City does have a few rules to keep participants and the Black Rock Desert safe, and the city is still subject to state and federal laws. Besides the community-run Rangers,

Continued on page 10

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LEGISLATIVE PREVIEW

ACLU GEARS UP TO FIGHT FOR RIGHTS AT LEGISLATURE

by REBECCA GASCA

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legislature will need to make spending cuts and ultimately reassess the priorities of the state. Agencies have already been asked to project at least a 14% budget cut, in addition to the significant cuts made in the past year.

One such agency anticipating large budget cuts is the Nevada prison system. Prison spending has already been cut by about 8% this fiscal year and a reduction of 14-18% is being considered for the next biennial budget. Undoubtedly, any such cut will intensify a plethora of constitutional issues, including inadequate medical and mental health care.

Through the ACLU of Nevada's formal seat on the Advisory Commission on the Administration of Justice (the Commission), created by the Nevada Legislature, the ACLU has been reviewing the criminal justice system as a whole. The ACLU has helped the Commission develop a more common sense approach to crime and incarceration, aimed at reducing the prison population, lowering the costs of incarceration, and developing alternatives to imprisonment.

In 2007, the legislature addressed due process issues related to parole hearings and promoted the idea that additional good-time credits for inmates and those on probation could provide relieve prison overcrowding. These strategies have the support of the ACLU of Nevada because they work.

The upcoming legislative session starts February 2 and usually lasts 120 days. The Commission has already proposed about 15 bill draft requests (BDRs) that cover sentencing, corrections, and other criminal justice issues. Some of these BDRs may cover topics such as habitual offender and mandatory incarceration laws, as well as progressive changes in victim compensation policies that will reduce considerations of contributory conduct in relation to domestic violence and sexual assault.

The effect on civil liberties of state budget cuts on education and health services will

also be carefully scrutinized by the ACLU during the legislative session. Widespread budget cuts are expected to intensify inequalities in all areas of Nevada public services and may involve violations of constitutional rights. Additionally, the ACLU is developing proposals to allow full provisional ballots for state and local elections and to create a ballot-initiative process that is consistent with the Nevada Constitution. We will again oppose requirements for voter photo identification and for expanding DNA databases to include all felony arrests. In support of our on-going litigation of sex offender laws (*see page 1*), we are making constructive proposals concerning the registration of released sex offenders. One of our highest priorities is to convince the state legislature to fully fund and expand indigent defense in all parts of the state.

ACLU OF NEVADA SUPPORTS INDIVIDUAL RIGHT TO BEAR ARMS

The American Civil Liberties Union of Nevada recently announced its affiliate policy on the Second Amendment to recognize an individual, rather than collective, right to bear arms. This policy is unique within the ACLU universe, and corresponds with a recent U.S. Supreme Court opinion recognizing the 2nd Amendment as an individual right. More importantly, our position echoes the strong and clearly-stated individual right to bear arms set out in the Nevada Constitution's Declaration of Rights, which affirms our right to own guns "for security and defense, for lawful hunting and recreational use." While the limits of the individual right to bear arms have not yet been established by the courts, the Nevada ACLU believes that the individual's right to bear arms may be subject to constitutionally permissible regulations, as are all other constitutional rights. We look forward to helping define the limits of the newly-announced right to bear arms, and will defend this right as we defend other constitutional rights.

CONTINUING GROWTH

A NOTE FROM THE EXECUTIVE DIRECTOR

Since our last newsletter, the ACLU of Nevada has continued its high level of programmatic achievement. The ACLU remains the state's leading civil liberties and civil rights organization. From our work on efforts to reform the criminal justice system by virtue of our involvement on the legislature's Advisory Commission on the Administration of Justice and the Supreme Court's Indigent Defense Commission, through our dynamic litigation docket that covers the entire spectrum of constitutional and other important legal issues, to the central role we are playing in "election protection," police abuse and accountability, racial justice, LGBT equality, reproductive freedom, and a host of other advocacy arenas, the ACLU of Nevada continues to protect the rights of all Nevadans.

In order to meet these many challenges, the Nevada ACLU has developed a carefully considered strategic plan to guide the substantial growth we have experienced in the last couple of years. That growth has been even more dramatic in the past year.

In the last six months alone, we have added three new people to our staff. They are inaugural Beverly Rogers Fellow Judy Cox, Public Advocate Rebecca Gasca, and Paralegal and Legal Advocacy Coordinator Tamika Shauntee. Judy has already immersed herself in all areas of the legal team's substantive work. Weeks after her arrival, Rebecca was spearheading our statewide election protection campaign and she is now gearing up to be our chief lobbyist at the legislature in January. Our growing litigation department is now more coordinated thanks to Tamika's great work. You can read bios of Judy, Rebecca, Tamika, and all of our wonderful staff online at www.aclunv.org/staff. We are thrilled to welcome them to the Nevada ACLU family.

In addition to regular staff, we have also expanded and formalized our volunteer and internship programs so that we can expect to have two, three, or even more people

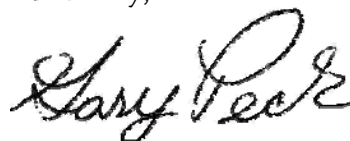
working for us in these capacities on a regular basis. Together, this combination of staff, volunteers, and interns has substantially increased our programmatic capacity, which is reflected in the ever-growing number of fights we take on.

There is, of course, an array of expenses associated with our recent growth. Office supplies, board and staff travel, professional development, payroll and benefits—the list goes on. This poses challenges for the organization because our revenue flow must keep pace with escalating demands if we are to preserve and build upon what we have achieved. In order to meet this test, we expect to hire a top-notch Development Director who will help us identify and cultivate new donors, obtain grants, and otherwise raise the money we need to move forward successfully.

This is where you, the members, come in. In order to continue this remarkable performance, we need financial and other support from each and every one of you. I urge you to go to our website at www.aclunv.org to make a contribution to the ACLU of Nevada Foundation today, or you can mail a check to the ACLU of Nevada Foundation in the envelope enclosed in this newsletter. You can also contact our offices to explore with staff the possibility of becoming involved in the ACLU's work.

With this kind of support from our membership, which is the lifeblood of our organization, I have little doubt that we will be able to steer a stable, sustainable ACLU of Nevada into the future. For that, all freedom-loving Nevadans should be thankful. I know I am, and I hope you are as well since you deserve so much of the credit for helping us get where we are today.

In Liberty,



JUDY COX
ROGERS FELLOW

Judy is a 2008 graduate of the William S. Boyd School of Law



REBECCA GASCA
PUBLIC ADVOCATE

Rebecca speaks fluent Spanish and enjoys working with the public



TAMIKA SHAUNTEE
PARALEGAL

Tamika loves to travel and speaks fluent French

VICTORY ROUNDUP

CIVIL LIBERTIES ON THE RISE IN NEVADA

by LEE ROWLAND

Teddy Roosevelt famously said that the secret to success is to “speak softly and carry a big stick.” Well, the ACLU of Nevada is not often accused of being soft-spoken, but we do have our own mantra—that “litigation is an option of last resort.” This means we try whenever possible to resolve constitutional issues informally: by lobbying, educating the public, and working with elected officials *before* a constitutional violation occurs—our version of speaking softly. But generally, for government to be willing to deal with us informally and give us a seat at the table, they must also recognize that we carry a big stick—and that is our strong record of success in the courts. Below are a few of our recent key victories that reaffirm our commitment to civil liberties, and more importantly, our capacity to change the legal landscape in the State of Nevada. It is only through our stellar reputation that those in positions of power really *listen* when we speak, softly or otherwise.

Signs on the Las Vegas Strip

The ACLU of Nevada successfully settled *Webber v. Clark County*, a federal lawsuit in which the Nevada ACLU represented Jim Webber, a street preacher who was arrested for violating an ordinance prohibiting signs “wider” than one’s body. This ordinance was part of the obstruction code used by Clark County to keep pedestrian traffic flowing on the Las Vegas Strip—but in Mr. Webber’s case, his signs caused absolutely no actual obstruction. In fact, Mr. Webber’s signs were professional, telescoping signs held above pedestrians’ heads that caused no risk of obstructing traffic—but whose controversial messages made them a target for law enforcement. In the incident leading to this lawsuit, Mr. Webber’s arrest was broadcast on COPS, and his valuable signs were confiscated by police. The Nevada

ACLU worked out a compromise with Clark County, which agreed to change its ordinances to protect free speech activity unless and until it becomes an actual, rather than hypothetical, obstruction. Mr. Webber also got his signs back.

Initiative Petition Process, Part 2

In 2005, the Nevada ACLU, along with the Marijuana Policy Project (MPP), successfully challenged a Nevada law requiring Initiative Petition backers to gather a set number of signatures from 13 of Nevada’s 17 counties. Unfortunately, after our victory, the 2007 Nevada Legislature passed a new version requiring signatures from all 17 counties—over the ACLU’s strong objections to its unconstitutionality. This led to the bizarre result that a Petition campaign would need over 40,000 signatures from Clark County—and just 29 from Esmeralda County. The ACLU and MPP argued successfully that such a system violated the Fourteenth Amendment’s requirement of Equal Protection, because it gave rural voters a controlling veto power over statewide petitions. In September, Federal Judge Philip Pro agreed with the ACLU and MPP that this was the same old unconstitutional attempt to limit the Petition process, and struck down the 17-County rule.

Indigent Defense Commission

Gary Peck, the Nevada ACLU’s Executive Director, holds a seat on the Indigent Defense Commission, a commission established by the Nevada Supreme Court to examine, report on, and recommend solutions to issues affecting the right to counsel for indigent defendants in criminal and juvenile delinquency cases. The Commission submitted reports to the Court recommending a series of performance and caseload standards that govern all public defenders and any other attorneys providing

criminal representation to the indigent. The new standards, adopted by the Nevada Supreme Court, set out basic principles of criminal representation—from evidence-gathering to taking enough time to talk to the client to preparing for sentencing procedures—that have, sadly, not been consistently met in Nevada. The standards are being gradually phased in, and will help ensure that the government lives up to its constitutional responsibility to ensure that all poor defendants have adequate legal representation.

Police Officer’s Religious Freedom

In *Riback v. Las Vegas Metropolitan Police Department*, the ACLU of Nevada represents Steve Riback, an Orthodox Jewish police officer who was denied the right to wear a short beard and yarmulke while in his non-uniformed position, although other officers can express their religion and wear beards for medical reasons. Mr. Riback won a first-round victory from Federal Judge Roger Hunt, who ruled that the denial of his right to wear a beard on the same terms as those permitted to wear beards for medical reasons violated his First Amendment right to express his religion. The Nevada ACLU is now proceeding to trial to determine the rest of the claims in the case. *See the full article by plaintiff Steve Riback on page 6.*

Retroactive Sex Offender Laws

In September, the ACLU of Nevada won a permanent injunction against the retroactive enforcement of A.B. 579 and S.B. 471, Nevada’s new sex offender laws. Federal District Judge James Mahan held that the drastic consequences of the retroactive application of the new laws violated the U.S. Constitution, making clear that the Constitution applies to everyone. *See the full article by Staff Attorney Maggie McLetchie on page 1.*

ACLU HONORS JIM AND BEVERLY ROGERS

ACLU OF NEVADA'S SIXTH ANNUAL CELEBRATION OF CIVIL LIBERTIES

by PHIL HOOPER

The ACLU of Nevada's Celebration of Civil Liberties, now in its sixth year, brought together over 200 supporters, volunteers, and community leaders in Las Vegas on September 5th to recognize the achievements of the Nevada affiliate and to honor this year's Emilie Wanderer Civil Libertarians of the Year, Jim and Beverly Rogers.

The award, established in honor of Emilie Wanderer, Las Vegas's first female attorney and a longtime civil rights advocate, is given to individuals who have significantly contributed to the defense of civil liberties in Nevada.

"Jim and Beverly were an obvious choice for the award because they have, over the years, demonstrated through their philanthropic giving and other activities their commitment to civil liberties and civil rights," said Executive Director Gary Peck.

"We are particularly grateful for their generous donation that enabled us to fund the Beverly Rogers Fellowship for outstanding Boyd Law School students who share the Rogerses' commitment to defending



ACLU of Nevada President Richard Siegel (left) present Jim and Beverly Rogers with the Emilie Wanderer Award

fundamental rights."

The event, held at Cili at the Bali Hai Golf Club, is also a chance for ACLU supporters to celebrate the achievements of the organization in the past 12 months.

The array of issues addressed by the ACLU's legal and public education work was reflected in the range of guests, which included businesspeople, academics, legal professionals, activists, and others.

"This was my first time at the event, and I was impressed by the diverse group in attendance," said ACLU of Nevada staffer Tamika Shauntee. "From representatives of nonprofit organizations to state and federal legislators,

the turnout demonstrates the extent to which we are an integral part of the community."

THANK YOU

The ACLU of Nevada would like to thank Cili Restaurant for its exceedingly generous donation of space and refreshments; their assistance is a key part of the annual event's success.

Thanks also to Paul Ershler of Event Pics Photography for his professional-quality photos of the event which appear in this article. A selection is available for viewing on our website, www.aclunv.org.



Beverly Rogers (right) with inaugural Rogers Fellow Judy Cox

IN HIS OWN WORDS: STEVE RIBACK

REFLECTIONS FROM AN ACLU RELIGIOUS FREEDOM PLAINTIFF

by DETECTIVE STEVE RIBACK

As a police officer I found myself sitting in a place I never thought I would be. I knew many suspects and criminals had sat in the same seat I was in, although possibly without the same butterflies in their stomachs. *What did I do to deserve this? Was I being punished? Was this payback?*

As I looked around the small non-descript office, it seemed dark and cold. I pictured my next move where I would be directed toward a room to be interviewed in. *Would I be treated differently because I was a police officer?*

I was approached by a figure who sent chills down my spine. It was a person I had never met but was very familiar with. He asked me a few specific questions and directed me to a back room. I was at the point of no return.

These were my feelings and emotions as I met and sat down with Gary Peck, the Executive Director for the Nevada ACLU, and his legal team for my initial discussion about religious discrimination against me by my employer, the Las Vegas Metropolitan Police Department.

It was very surreal to me to be sitting in the office of the ACLU and having a conversation with a group of people who were genuinely concerned with my issues and problems. *How could this be?* I was sure that I knew the organization was unreasonable, anti-police, and anti-religion. This could not have been further from the truth. One of the biggest lessons I learned that day was to truly not judge a book by its cover.

Working as a police officer, I have found there is a perception that the ACLU is the archenemy of any police



Detective Steve Riback

Photo: STEVE MARCUS/LAS VEGAS SUN

department. If you were to ask most cops, it's the American *Criminal Liberties Union*. This cop soon realized that the ACLU is a needed and necessary organization.

Before I met with the ACLU, I only saw the headlines and occasionally read the quotes regarding ACLU matters, and I usually walked away with distaste for the organization. Now, although I may not agree with some of the cases the ACLU defends, I look a lot deeper into the issues than the headlines or snippets that are often skewed by the media.

Gary frequently says, "The devil is in the details." Keeping this in mind, I now take the time to learn more about ACLU cases, and I find that the devil is in fact, ALWAYS in the details.

The ACLU had no fear or apprehension in assisting me when many others expressed political, personal, or, frankly, nonsensical reasons that restricted their involvement. I actively attempted to elicit help from numerous individuals and organizations, and many doors were slammed in my face and phone messages I left years ago still have not been returned. The ACLU answered my calls, and my prayers so to speak.

The wonderful part of being an American is the inalienable Bill of Rights we have under the U.S. Constitution. The Constitution does not only apply to certain people in certain circumstances, it applies to all of us, *regardless* of the circumstances. This ideal is what makes the ACLU so great. They proudly stand up for the principles of the Constitution at all times, not just when it is convenient to do so. This undeniable fact speaks volumes to me about the ACLU, and they should be applauded for their efforts.

I have had the honor and pleasure to work with the ACLU of Nevada as they have represented me in my religious discrimination lawsuit against my employer. This organization is made up of incredibly talented and caring people who genuinely hold the Constitution and others above themselves. For this we should be thankful for the organization, and I express my sincere and heartfelt gratitude to the ACLU of Nevada and its amazing staff.

DETECTIVE STEVE RIBACK is an Orthodox Jewish police officer who works at a non-uniformed position with the Las Vegas Metropolitan Police Department. Detective Riback requested to wear a short beard and a head covering while at work, and although other officers can express their religion or wear beards for medical reasons, LVMPD refused his request.

The ACLU of Nevada filed suit against LVMPD in United States District Court, and on August 6, 2008, Judge Roger Hunt ordered that under the Free Exercise Clause of the U.S. Constitution, Detective Riback should be allowed to wear a beard at his desk job. There is a trial scheduled to determine Detective Riback's right to wear a head covering.

...Sex Offenders continued from page 1

past, had no other problems with the law, and who had moved on to be upstanding members of the community, were suddenly being thrown into the same category as chronic pedophiles. Despite the fact that the State of Nevada spent resources carefully assessing people like John and found them to be low risk, the State was suddenly reclassifying sex offenders whose crimes were committed as far back as 1956. Even worse, people who were convicted of just a misdemeanor offense that had anything to do with sex or could be interpreted that way were suddenly classified as “sex offenders.”

Under A.B. 579 each and every one of these “sex offenders” was suddenly required to register and was subject to community notification. The Division of Parole and Probation also instructed some offenders that, under A.B. 579’s sister law S.B. 471, they would have to move and that they were prohibited from “knowingly being” within 500 feet of certain locations.

The Nevada Legislature passed A.B. 579 and S.B. 479 during the 2007 legislative session. The bills were rushed through because Nevada hoped to get a bigger cut of federal funding through the federal Adam Walsh Act. Since that time, it has become clear that it would cost far more to implement the bill than any possible federal funding would recoup.

More importantly, many of the bills’ flaws came to light. State legislators professed surprise about the scope of the law and its retroactive effects. Parole and Probation complained that the bills would detract focus from truly dangerous offenders. Victims’ rights advocates echoed this sentiment. Counselors who worked with sex offenders worried that the bills would impact their ability to rehabilitate sex offenders: *If the law was suddenly changed on people and was so onerous, what would the motivation be*

for self-registering? Nobody – not the proponents of the bills nor the people responsible for enforcing them, let alone the people who were supposed to comply – could even understand what the law meant.

I THANK GOD THAT
THERE IS AN ACLU.
NOBODY ELSE WOULD
LISTEN TO US.

In light of all these problems, the ACLU attempted to sit down and work with the State of Nevada to resolve some of the confusion about the law, but its requests were met by deaf ears. So the ACLU filed suit in federal court on June 24, 2008, winning a preliminary injunction on June 30, 2008, and a permanent injunction on September 10, 2008. Federal District Judge James Mahan held that the bills were unenforceable because they violated the United States Constitution, including the Due Process clauses in the Fifth and Fourteenth Amendments and the Ex Post Facto clause in Article I, Section 9.

For the ACLU of Nevada, Judge Mahan’s ruling was extremely important because it made clear that the Constitution applies to everyone – even one of the most unpopular groups of people in the country. It was also important because it addressed an issue that has great import for all residents of the State of Nevada: the limits on the power of government to impose sweeping retroactive punishment, and the duty of the legislature to pass laws that the public can understand and follow.

For the offenders and their families who would have been impacted by the changes, the ruling had very personal meaning. Bob*, one of the plaintiffs, started crying with relief when he heard the ruling. “It meant that I could stay with my family,” said Bob.

Bob had pled guilty to a sex offense about 10 years ago, when in 1997, two years after a divorce, Bob’s ex-wife had accused him of sexually abusing his stepdaughter during the marriage. Bob maintains his innocence, but took a plea to avoid any adverse impact on

his son from his first marriage or his pregnant fiancée. Other than the incident he pled to, Bob has never had any problem with the law and has fully cooperated with law enforcement. He now shares custody of his son from his first marriage, has a new son, and adopted his new wife’s daughter. Before the suit, Parole and Probation notified Bob he would be suddenly required to register in person every 90 days, and that he would be prohibited from picking his children up from school or attending school events of his children or being within 500 feet of locations such as bus stops. Bob feared losing his job in construction once the information became public, and also did not know how he could possibly carry out his duties if his movement were to be restricted. He was so worried about the safety of his wife and children once community notification was implemented that he even considered leaving his family.

Bob explained: “I have a family and kids. I want to protect them. If it wasn’t for the ACLU, I would not have the opportunity to have a second chance to live my life and be with my family.

“I thank God that there is an ACLU,” he added. “Nobody else would listen to us.”

Judge Mahan’s ruling does not affect the enforceability of Nevada’s existing sex offender laws. The ACLU of Nevada cannot provide any advice or other assistance regarding the sex offender laws, and the information in this article does not constitute legal advice of any kind. If you have questions about whether any sex offender registration or other laws apply to you, please contact an attorney.

ENTER THE EXTERNS

BOYD LAW SCHOOL STUDENTS EARN CLASS CREDIT WORKING FOR THE ACLU
by PHIL HOOPER

Earlier this year, as the ACLU of Nevada's research into new state sex offender laws began to raise serious questions about their constitutionality, it was clear that the issue would require a major amount of organizational time and effort. In an environment where the challenges to civil liberties are many, however, staff resources are divided among numerous issue areas. In this instance, additional support was sorely needed.

Enter the externs. Working in conjunction with Professor Marty Geer at the William S. Boyd School of Law at UNLV, the ACLU of Nevada initiated its first legal externship program, which allows law students to work on the front lines of civil rights and civil liberties advocacy in exchange for academic credit.

According to Staff Attorney Maggie McLetchie, the outcome couldn't have been better. "The law students helped with all aspects of the [sex offender] case," she said. "Without them, the ACLU of Nevada would not have had the resources to take on the litigation."

The two inaugural externs, Misty Allen and Brian Ramsey, were joined by 3rd year Boyd law student Rebecca Paddock, who worked as an intern.

The ACLU's interns and externs worked on a variety of issue areas and cases besides sex offenders, including a case involving public records and another on religious freedom. They also did non-litigation work, such as helping develop the Nevada ACLU's position on the constitutionality of a proposed ordinance in Henderson banning teenage dancing.

By all accounts, the program was a huge success.

Rebecca, who had already completed an externship at the Equal



(from left) Rebecca Paddock, Brian Ramsey and Misty Allen, with ACLU Staff Attorney Maggie McLetchie

Employment Opportunity Commission office in Las Vegas, wanted to continue her exploration of public interest work at the ACLU. "I believe in what the ACLU stands for," she said. "I think we need more people in our country fighting for the civil rights of individuals, especially those individuals whose voices are often overlooked in the political process." Rebecca continues to intern this semester on a part-time basis.

Misty, like Rebecca, was enthusiastic about the experience. "I had the opportunity to put what I've learned in law school to work and to see the effects it has on countless people. The staff at the ACLU is an amazing team, and every person involved makes a huge impact."

Brian enjoyed the opportunity to get some "real-life lawyering" skills that you can't pick up in law school. "Working at the ACLU was both a broad and deep summer experience," he said. "The issues that the ACLU works on by definition are major and the legal work is both complex and fun."

The program went so well over the summer that it is now a year-round fixture at the Las Vegas office.

Colleen Reider, another 3rd year Boyd student, is externing for the fall 2008 semester. She too, was attracted by the ACLU's unique mission. "My interest in the ACLU began in college, when I read an amicus brief written by the ACLU for my Criminal Law class," said Colleen. "Since this externship began, I have had the opportunity to work on constitutional issues such as due process, equal protection, and unreasonable arrests."

In the end, though, the organization itself benefits just as much as the students. "Having students from the Boyd Law School working with our legal team is not only a learning experience for them, but also for all of us at the ACLU," said Maggie. "They really help energize our work and bring fresh, new perspectives to our legal discussions."

VOLUNTEER

If you would like more information about the ACLU of Nevada's externship programs or if you would like to volunteer with our Reno or Las Vegas office, please send an email to:

volunteer@aclunv.org

ACLU GOES TO WASHINGTON

ACLU MEMBERS MEET IN WASHINGTON, D.C., TO STAND UP FOR FREEDOM

by PAIGE THIE

Every two years, ACLU members from across the country meet in Washington, D.C., to stand up for freedom at the ACLU's National Membership Conference. For three days, members attend presentations on civil liberties issues by activists, academics and ACLU staff members; sit in on roundtable discussions between U.S. Supreme Court Justices, national leaders and ACLU plaintiffs; and network with other members and ACLU staffers. Finally, on the last day of the conference, hundreds of ACLU members go to Capitol Hill to talk to their representatives about key civil liberties issues.

The Membership Conference is energizing, even for someone who spends their life living and breathing the ACLU. Standing in a room with thousands of other people who are as committed to protecting and defending our liberties and freedoms as you are is humbling and thrilling. You realize that you are certainly not alone in this fight. There is a network of hundreds of thousands of people, composed of ACLU staff people, board members, volunteers, and card-carrying members who all give generously and devote their lives to defending the Bill of Rights.

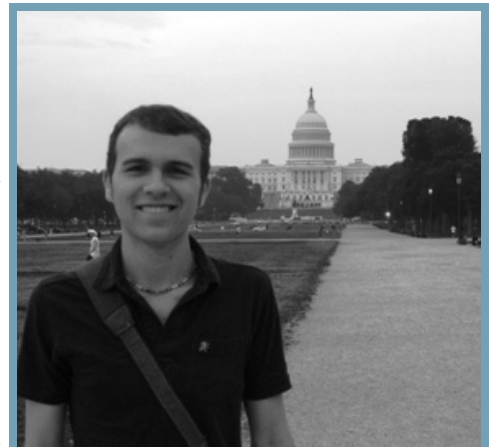
This year the number of young people in attendance at the Membership Conference was staggering. The fate of freedom can seem bleak with the constant attempts to erode our rights, and it was heartening to see so many people — young and old — who are energized, active, informed, and committed to carrying the torch of liberty for generations to come.

The conference culminates in Grassroots Lobby Day, where busloads of ACLU members go to Capitol Hill and lobby their Senators and Representatives on key civil liberties issues. The ACLU staff takes time during the conference to train members on how to lobby and talk to lawmakers about civil liberties. Whether the congressperson agrees with the ACLU position or not, ACLU members walk away with the distinct sense that they have a voice in the lawmaking process.

The opportunity to meet so many others committed to protecting liberty is worth the trip to Washington, D.C., but putting energy into lobbying Congress makes the Conference important even after the civil libertarians have left the Capitol.



Paige Thie, Reno Office Manager, in front of the U.S. Supreme Court



Phil Hooper, Las Vegas Office Manager, on the Mall

With a single sentence, you can defend freedom now *and* forever.

Right now, by adding the ACLU to your will, you can leave a legacy of liberty for generations to come *and* defend our freedom today.

Through the Legacy Challenge, **simply including the ACLU in your future plans can qualify us to receive a 10% cash matching donation today** from our generous challenge donor, the Robert W. Wilson Charitable Trust.

For simple bequest language to include in your will, visit www.aclu.org/bequest or call **toll-free 877-867-1025**.

THE LEGACY CHALLENGE
DEFEND FREEDOM TODAY
WITH YOUR GIFT FOR THE FUTURE

...Burning Man continued from page 1



there are three separate law enforcement agencies policing Black Rock City: the Bureau of Land Management, the Pershing County Sheriff's Office, and the Washoe County Sheriff's Office.

Black Rock City is like every other city in America for one other reason: its citizens do not give up their constitutional freedoms and liberties when they enter the Burning Man event. And like every other city, conflicts between law enforcement agencies and citizens occur.

"Burning Man participants have reported numerous incidents over the last few years of a very aggressive pattern of what seems to be harassment by the Bureau of Land Management Rangers," said Ray Allen, Government Relations and Legal Affairs Manager for Burning Man. "Accordingly, the Burning Man Project has been exploring different options on how to ensure that participants' civil rights are not violated in Black Rock City."



Burning Man

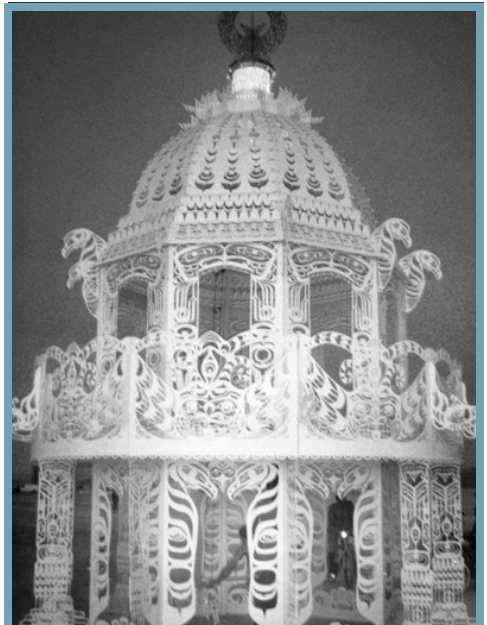
This year, the Burning Man staff invited the ACLU of Nevada to act as legal observers at the event. The Nevada ACLU decided to focus on discussing the importance of protecting constitutional rights with the law enforcement agencies, acting as an intermediary between Burning Man and law enforcement, and listening to citizen complaints as they arose. The ACLU of Nevada coordinated with Lawyers for Burners to hand out Know Your Rights cards with information on constitutional rights and what individuals should do if they are stopped, questioned, or searched by the police.

Several participants complained that the outside law enforcement agencies seemed to take an individual's mere presence at Burning Man as probable cause for a search. There were complaints that law enforcement would stop someone for an insignificant reason, and then attempt to search their car, their person, or their tent for drugs and illegal activities.

The ACLU's presence at Burning Man seemed to help slightly. Although the number of arrests increased from 2 to 11 this year, the number of citations dropped significantly from 330 last year to 191 this year. "While it's important to remember that the overall number of

violations is not a measure of whether civil rights have been violated," said Ray, "the significant decrease in citations leads me to believe that the ACLU's presence sent a powerful message to BLM that civil rights are alive and well in Black Rock City. There is still work to be done to ensure that rights are not being violated at Burning Man."

The ACLU of Nevada was excited to be a part of this event and to help protect the rights of all Nevadans, even those in a temporary experimental city.



Burning Man art installation "Altered State," Kate Raudenbush

NOMINATIONS SOUGHT FOR ACLU OF NEVADA BOARD OF DIRECTORS

The ACLU of Nevada is governed by a Board of Directors. Each Board member must be a card-carrying member of the organization. One-third of the board members are elected each year and a single term of office consists of three years.

If you would like to be considered as a potential candidate for the 2009 election, please submit a written letter of intent with a brief biography for the nominating committee's consideration to:

ACLU of Nevada, Nominating Committee
732 South Sixth Street, Suite 200A
Las Vegas, Nevada 89101

To receive full consideration, all such nominations must be received by February 15, 2009. Nominations may also be submitted by petition. Members interested in being nominated by petition should submit a statement of nomination signed by ten active members.

A candidate nominated by petition who provides a short statement of his/her background and qualifications will have a brief biography included on the ballot to the same extent as such information of candidates nominated by the nominating committee. Nominations must be received no later than March 1, 2009.

Nominations of women, people of color, people living with HIV, people with disabilities, and lesbian, gay, bi-sexual and transgender individuals are strongly encouraged.

WE WANT YOUR OPINION



- Are you a resident of Nevada? Yes No
- How old are you? 0-18 19-24 25-39 40-54
 55-65 65-79 80+
- Are you a member of the ACLU? (please check ALL that apply)
 - I am a donor/member of the ACLU
 - I have attended events sponsored by the ACLU
 - I work for an organization that has partnered with the ACLU, either currently or in the past
 - I am interested in the work of the ACLU but have not yet been involved
- What civil liberties issues are of most interest to you? (please check ALL that apply)

<input type="checkbox"/> Criminal Justice	<input type="checkbox"/> LGBT Rights	<input type="checkbox"/> Prisoners' Rights	<input type="checkbox"/> Reproductive Rights
<input type="checkbox"/> Death Penalty	<input type="checkbox"/> Immigrants' Rights	<input type="checkbox"/> Privacy	<input type="checkbox"/> Voting Rights
<input type="checkbox"/> Drug Policy	<input type="checkbox"/> National Security	<input type="checkbox"/> Racial Justice	<input type="checkbox"/> Women's Rights
<input type="checkbox"/> Free Speech	<input type="checkbox"/> Police Practices	<input type="checkbox"/> Religious Freedom	<input type="checkbox"/> Other _____

In the above list, please CIRCLE the single most important issue to you.
- What is the most important civil liberties issue faced by Nevadans? _____
- What one activity has the ACLU been involved in the past year that stands out in your mind? _____
- Is there a civil liberties issue the ACLU of Nevada is NOT addressing that you think it should be addressing? _____
- Why do you support the ACLU? _____

GETTING INVOLVED

- Would you be interested in attending any of the following events? (please check ALL that apply)

<input type="checkbox"/> Civil liberties panel discussion	<input type="checkbox"/> Local social/networking membership event
<input type="checkbox"/> Know Your Rights presentation	<input type="checkbox"/> Lobby Day in Carson City
<input type="checkbox"/> Screening of ACLU-themed documentaries	<input type="checkbox"/> Membership Conference in Washington, D.C.
<input type="checkbox"/> Neighborhood/house party	<input type="checkbox"/> Other _____

Would you be interested in hosting or helping to organize any of these events? Yes No
 If yes, which one(s)? Include your contact info _____
- Are you interested in learning about volunteer opportunities? Yes (include your contact info) No
 If yes, what types of skills would you like to apply? _____
- Do you visit the Nevada ACLU website (www.aclunv.org)?
 - Daily Weekly Monthly Occasionally Never
 - Is there anything you would like to see on the website that you do not find there? _____
- Would you like to receive e-mail Action Alerts from the ACLU of Nevada? Yes No
 If so, what is your email address? _____
- Would you like information about how to make a bequest to the ACLU?
 - I have already made provisions for the ACLU in my will and notified the ACLU of my intent
 - Yes, I would like more information about including the ACLU in my will (include your contact info)
 - No, not at this time

Is there anything else you would like to tell us? _____

PLEASE PROVIDE YOUR CONTACT INFORMATION IF YOU'D LIKE TO GET INVOLVED.

Name: _____
 City: _____ Phone: _____
 Email: _____

DEADLINE DECEMBER 31, 2008

Return completed surveys to:
 ACLU of Nevada
 1325 Airmotive Way, Suite 202
 Reno, Nevada 89502

ARE YOU THE PARENT OF A STUDENT ACTIVIST?



Photo Credit: Michael Woolsey, ACLU of Northern California

If so, please contact us about the
ACLU Student Activist Scholarship Program

Has your son or daughter stood up for:

- RACIAL JUSTICE
- FREE SPEECH
- HUMAN RIGHTS
- EQUALITY
- TOLERANCE

16 high school students from across the country will each be awarded a \$12,500 college scholarship for their dedication to preserving our civil liberties. Those students will then become part of an elite "class" of student activists, whose talents and passion will be fostered by the ACLU National Office.

Please contact Rebecca Gasca at info@aclunv.org for more information.

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