

ACLU

FOUNDATION

AMERICAN CIVIL LIBERTIES UNION
of NEVADA

THE CIVIL LIBERTARIAN

Newsletter of the ACLU of Nevada

Summer 2008

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MEDICAL CARE AT ELY STATE PRISON

LAWSUIT CHARGES GROSSLY INADEQUATE MEDICAL CARE AT STATE PRISON

by MAGGIE McLETCHIE

It is nothing out of the ordinary for the ACLU to receive a complaint from a prisoner. Indeed, the ACLU receives hundreds of letters from inmates across the state every month. But the ACLU of Nevada and the ACLU's National Prison Project started receiving complaints from inmates at Ely State Prison that were different from typical inmate letters. What struck the ACLU of Nevada and the National Prison Project about the Ely letters was that

they pointed to a pervasive pattern of extreme abuse and medical neglect.

The letters were all written by inmates who seemed to be suffering from chronic illnesses but were being denied even basic medical care. Prescription medications, even vital ones, were stopped without any medical explanation. Many prisoners were forced to endure undue pain and suffering – even to the point of being left on the brink of death – as a

result of callous disregard of prison officials.

Taken together, the letters painted a picture of grossly inadequate medical conditions in the prison and raised serious constitutional questions. Therefore, the ACLU initiated an investigation to see what was happening at Ely. The ACLU hired Dr. William Noel, a medical expert, to investigate medical conditions inside the prison.

...CONTINUED ON PAGE 5

ACLU AT THE SUPREME COURT OF NEVADA

INROADS AND VICTORIES AT THE SUPREME COURT

by LEE ROWLAND

Perhaps the most striking example of the ACLU of Nevada's effectiveness is our continually increasing presence before the Nevada Supreme Court. This involvement extends well beyond the filing of briefs before the Court; in fact, the Court has reached out to us on several occasions.

The Court extended an invitation to the ACLU of Nevada to hold a seat on the Court's Indigent Defense Commission, a group whose testimony and expertise on the state of indigent defense in Nevada has resulted in the Court issuing a nationally-recognized ruling that orders sweeping changes in the caseloads and performance standards for all court-appointed defense counsel. As the Commission's

...CONTINUED ON PAGE 8

[ACLU Invited to Indigent Defense Commission](#)



Don't Forget to Vote!

Board of Directors
Election Information is
on pages 10 and 11.

Join the ACLU of Nevada
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Receive e-mail alerts so you can
take action on key civil liberties
issues when it matters most.

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INTO A BRIGHT FUTURE

A NOTE FROM THE PRESIDENT AND EXECUTIVE DIRECTOR

During the past three years, your ACLU of Nevada has undergone remarkable change. The organization, once staffed by an Executive Director and an Office Manager, now boasts a staff of eight incredibly talented and hardworking individuals.

We will soon be adding two new individuals to our staff. In September, our inaugural Beverly Rogers Fellow, Judy Cox, will join the Nevada ACLU family. Judy will graduate from the William S. Boyd School of Law in May where she currently serves as a Nevada Law Editor on the Nevada Law Journal and as the President of SAGE (Sexual and Gender Equality). We are also in the process of hiring a new Public Advocate to join our Reno office. We expect the Public Advocate to join us mid-summer.

In the very near future the ACLU of Nevada will have a staff of ten. Two additional staff positions, a Development Director and Paralegal, have been approved by our Board of Directors, and we expect to fill those slots in the next several months.

Naturally, the money must be there to underwrite our ability to grow so effectively. Our budget has grown commensurate with this expansion of staff. Today, our annual budget is nearly \$700,000. Thus far, we have been fortunate to receive substantial new assistance from individual donors, the National ACLU, attorneys' fee awards, and bequests from generous legacies.

Given this striking growth, the staff and all twelve members of our board have dedicated themselves to developing a smart strategic plan that will carry us into the future. That future will doubtless be an exciting one, but it will also be immensely challenging. The ACLU is the only organization of its kind in Nevada, and there is no shortage of assaults on civil liberties and civil rights to keep us busy. For although ours is a state with a rich history of respect for individual freedom and opposi-

tion to government overreach, it is also one where violations of fundamental rights have been and continue to be commonplace.

These threats include infringements on the rights of legal and undocumented immigrants and the inadequacies and inequities plaguing a public education system that is badly failing at least half of its students. They include as well a dysfunctional criminal justice system that incarcerates too many people for too long in prisons where conditions are abysmal, in part because that system provides woefully inadequate legal representation to the poor. They also include, of course, the myriad constitutional violations that have become a staple of the surveillance state's post-9/11 "war on terror."

In light of these challenges, we call on all Nevada ACLU members to lend whatever financial support they can and to otherwise get involved. Together with our staff, board members, and volunteers, rank-and-file members can help make the ACLU of Nevada team an even more effective one than it already is. To learn more about how to donate and how to become more active, check out our new and improved website at www.aclunv.org.

We are moving into an exciting future, one where we expect the growth in our membership to skyrocket and its involvement to become a more important facet of the work we do. We look forward to that future with great hope, and with confidence that the Nevada ACLU will remain a bulwark in the fight to defend and expand the rights of everyone regardless of the challenges that fight poses.

In liberty,

Richard Siegel & Gary Peck

ACLU HONORS DICK MORGAN

ANNUAL CELEBRATION OF CIVIL LIBERTIES

by PHIL HOOPER

THANK YOU

The ACLU of Nevada's Fifth Annual Celebration of Civil Liberties took place in Las Vegas on September 7, 2007.

The event was held at Cili at the Bali Hai Golf Club, and featured a presentation of the Emilie Wanderer Civil Libertarian Award to Richard Morgan, Dean Emeritus of the William S. Boyd School of Law.

The popular yearly gathering is an opportunity for board members, staff, and a variety of community leaders to come together and reflect on the vital role that the Nevada ACLU plays in efforts to defend civil rights statewide.

Over 120 people were in attendance, including members of the legal, academic, and business communities.

The Emilie Wanderer Award, established in honor of Las Vegas' first female attorney, a longtime civil rights advocate, is given each year to an individual who has significantly contributed to the defense of civil liberties in Nevada.

Dean Morgan, who led the Boyd School during its formative years, was a natural choice for the honor.

"We were pleased to have the chance to honor Dick Morgan,"



Emilie Wanderer Civil Libertarian Award recipient Richard Morgan (left) and ACLU of Nevada Executive Director Gary Peck (right).

said ACLU of Nevada Executive Director Gary Peck.

"His commitment to making the Boyd School a place that honors and encourages public service and the Constitution and Bill of Rights helped make it a special institution and a friend to those who care about civil liberties and civil rights."

The ACLU of Nevada hopes to expand its calendar of events in the near future; plans are being discussed for a northern Nevada event in addition to this year's Las Vegas gathering. Visit www.aclunv.org for the latest information.

The Nevada ACLU extends its heartfelt thanks to Dara Goldsmith, member of the State Bar Association Board of Governors, who represented the affiliate pro bono in the matter of a substantial bequest that will help underwrite its program for the foreseeable future. Dara's efforts in this regard were extraordinary, as befits a lawyer of her stature. As a result of Dara's generous in-kind contribution, the ACLU of Nevada received the bequest without a hitch.

The ACLU of Nevada would also like to recognize and thank attorneys Mike Cristalli and Marc Saggese for their generous in-kind contribution of our wonderful Las Vegas office space at a substantially reduced rent. Mike, Marc, and the rest of the staff in their Las Vegas-based law practice are among the Nevada ACLU's strongest supporters and best friends. We are honored that a law firm of this caliber has chosen to lend such substantial support to our cause.

We at the ACLU and everyone else who cares about civil liberties owe Dara, Mike, and Marc a huge debt of gratitude.

THE COST OF FREE SPEECH AT UNR

FORCED TO REMOVE SIGN, STUDENT STANDS UP FOR FIRST AMENDMENT

University of Nevada, Reno cracked down on free speech in fall 2007 by forcing students to remove banners, signs, Christmas lights and other holiday decorations from their dorm windows.

The controversy began when the Director of Residence Halls, Rod Aeschlimann, forced Sophomore Maritza Perez to remove the signs in her window in Canada Hall, which read “Obama ‘08” and “Support the Troops End the War”. The only other student asked to remove his signs was, Glen Elam, who had a black flag with a skull and crossbones, which he had displayed to celebrate “Talk Like a Pirate Day,” which was on September 19th.

Maritza received a letter from Mr. Aeschlimann which instructed her to remove her signs or face the consequences, which were not expressly stated, but rather implied that she might get kicked out of the dorms.

“As soon as I was asked to take my signs down, I got a bad feeling in my stomach,” said Perez, “That’s why I immediately called Lee [Rowland, Northern Coordinator of the ACLU of Nevada] and asked her if what I was told to do was constitutional or not.”

Lee and Maritza spoke with University President Dr. Milton Glick, who told Maritza that he would like to “see the problem be resolved by the students.”

Even though it was unconstitutional to ask students to remove their signs, Maritza was placed in tough spot. She either needed to remove her signs but be allowed to live on campus or could continue to display her signs but eventually she

would have to “face the consequences” threatened by the letter from Mr. Aeschlimann and potentially be kicked out the residence halls.



Maritza Perez holding a sign she was forced to remove from her dorm window at UNR.

Instead, Maritza—with guidance from the ACLU of Nevada—put her organizing and leadership skills to full use to restore free speech on campus. Maritza founded a student group of the ACLU, and she mobilized the new student members to

gather signatures on a petition supporting free speech on campus, which included hanging signs in dorm windows. She and the students obtained over 500 signatures in support of free speech on campus.

With the support of the students, Maritza and Joe Nieman, Vice President of the UNR ACLU group, drafted a free speech resolution to present to the Residence Hall Association. The student group explained to the Association how the policy infringed on the rights of the students to express their right of free speech and how the proposed policy would allow students to be free to express themselves, as the constitution would allow and demand.

With the efforts of Maritza, Joe, the ACLU student group, and the ACLU of Nevada, signs are now seen throughout windows in the dorms, expressing political positions and displaying creativity.

This semester the student group is focusing its efforts on human rights issues and will showcase speakers and documentaries to raise awareness. The group also plans on writing letters to Senator John Ensign to ask for his support on DREAM Act and will participate in an event hosted by Boyd Law School which will help individuals apply for citizenship.

The ACLU Student Chapter has nearly sixty student members led by Maritza and Joe, and is strongly supported by the faculty at UNR including Dr. Richard Siegel, President of the Nevada ACLU and Professor Emeritus of Political Science and Dr. Emma Sepulveda, Professor of Foreign Languages & Literatures.

...PRISON MEDICAL
CONTINUED FROM PAGE 1

In December 2007, Dr. Noel released a report that exposed systemic, galling inadequacies in the level of medical care provided to inmates at Ely. Dr. Noel wrote in his report that medical care at Ely shows “the most shocking and callous disregard for human life and human suffering that I have ever encountered in the medical profession in my 35 years of practice.” He found a horrific pattern of neglect, misguided health care policies, and little accountability for frequently under-qualified staff.

After the release of the report, the ACLU pushed for the Nevada Department of Corrections to implement desperately needed reforms to ensure that the prisoners at Ely were no longer denied their constitutional right to basic medical care.

Unfortunately, the Nevada Department of Corrections has failed to address and rectify the pattern of grossly inadequate medical care raised by the Noel Report. “[The state] assured us that they were going to carry out far-reaching reforms to address the problems we brought to their attention,” said Amy Fettig, staff counsel with the National Prison Project. “But that was months ago and they’ve made only half-hearted gestures to fix their broken system. We had hoped to avoid litigation but we can’t in good conscience wait any longer, with the men at Ely still at such risk.”

Unable to wait any longer, the ACLU filed a lawsuit on March 6, 2008, charging that Ely State Prison lacks the most basic elements of an adequate prison health care system and deprives prisoners of the minimal civilized measure of life’s necessities. The lawsuit is filed on behalf of all inmates at Ely, and has six named plaintiffs. It seeks injunctive relief, requiring the Department of Corrections to overhaul the system of medical care at Ely.

Ely State Prison is located outside of Ely, Nevada, a town on the “loneliest road in America” near the eastern border of the state .

The prison houses about 1,000 inmates, including more than 60 Death Row Prisoners.

The Department of Corrections has expressed surprise that the ACLU filed suit. But for years the ACLU has been urging the State of Nevada to reconsider its practice of building more and more prisons without also funding the needed infrastructure to run the prisons it builds at basic constitutional levels, and to consider alternatives to incarceration for nonviolent offenders to reduce the need to build and run additional costly prisons at all. Over the years, the ACLU has also pointed out numerous problems with the medical care at prisons across the State.

Under the Constitution, once the State decides to incarcerate someone, it is responsible for ensuring that that person is provided with medical care and not subjected to abuse. Despite that responsibility, the State of Nevada has failed to effectively monitor health care at its prisons. It has allowed prisoners to be subjected not only to medical neglect but medical abuse so extreme that one man literally rotted to death. Amazingly, the Department of Corrections appears to have not noticed these events and problems; it took the ACLU to bring them to light.

The ACLU hopes the lawsuit prompts corrections officials to step up to the plate and uphold their constitutional obligation to provide a basic level of medical care to the inmates in their facilities.

Additional information about the ACLU’s efforts to improve medical conditions, including interviews with Bonnie White, the mother of former Ely inmate Robert Estabrook and Margaret Winter, Associate Director of the ACLU’s National Prison Project, can be found online at: www.aclu.org/ely. The ACLU of Nevada and the ACLU’s National Prison Project work together to address prison issues in Nevada.

Named Plaintiffs

David Riker, 36

- Suffers from rheumatoid arthritis and fibromyalgia which cause debilitating chronic pain
- Never received prescribed medications and x-rays ordered by an outside physician

Roger Libby, 42

- Requests for surgery to repair his softball-sized hernia have been denied

Rickey Sechrest, 46

- Chronic intermittent Herpetic Iritis of his right eye has gone untreated and could cause blindness
- Has not received treatment for his Hepatitis C

Terrence Brothers, 36

- Suffers from untreated open sores on his scalp for more than 10 years

Jeffrey Hosmer, 36

- Chronic severe back and neck pain and numbness on his left side have gone untreated despite his living in the prison’s infirmary
- Medication for bipolar disorder is often interrupted

Mark Whittington, 47

- Continual problems with arbitrarily discontinued medications
- Dosages of prescribed medications for his serious medical conditions often run out

CRIMINAL JUSTICE

ACLU INVITED TO JOIN STATE ADVISORY COMMISSION ON CRIMINAL JUSTICE by RICHARD SIEGEL

I received a phone call last July from the Office of Nevada Governor Jim Gibbons asking me to join the new state Advisory Commission on the Administration of Justice. I will represent the ACLU of Nevada on a body that includes legislators, judges, law enforcement officials, the Attorney General, and other heads of state agencies. Nevada Supreme Justice James Hardesty is the strong chairman of this Commission.

The Commission was created to develop recommendations for changes in the state's criminal justice system that will be presented to the Governor and the 2009 Legislature. It can focus on any area of the state's criminal justice system, from crime prevention to incarceration, sentencing to release. The ACLU's presence on the Commission offers a good opportunity to present proposals for necessary changes to the state's unplanned and counterproductive criminal justice system.

Nevada's criminal justice policies are exceptionally harsh and wasteful. The state maintains a very large death row and mandates particularly long sentences for sex and drug offenders as well as for perpetrators of various nonviolent crimes. In April 2007 Nevada housed roughly 13,500 inmates – not counting the many thousands of individuals in city and county jails, and the state prison population was expected to grow by the thousands in the coming years. We currently rank about 10th among the states in incarceration per 100,000 residents. To keep pace with the projected increase, Nevada would need to spend \$1.9 billion over

the next decade for the construction of new prisons. That money is vitally needed for state infrastructure and for health and education programs. And the state is currently facing painful budget cuts in most areas.



The 2007 Nevada Legislature, with leadership from Assemblymen David Parks and Bill Horne, decided to reform parole and probation rules. A person on probation can now qualify for shortened time under supervision. In addition, prisoners are able to receive “good time” credit for time served that accelerates their eligibility for an appearance before the Parole Board. By increasing parole eligibility and shortening probation supervision, the Legislature hoped to reduce the rate of increase in the prison population, and thereby reduce the need for the construction of additional prisons.

These modest changes have stabilized the prison population for the time being. Due to the changes that have been fully implemented there are currently about 500 fewer inmates than the number projected for this date.

Dr. James Austin, a prison expert working for the Commission, be-

lieves that there are more inmates in Nevada who are safe for early release than in most other states. This is true for several reasons. First, Nevada's prosecutors charge individuals with extra crimes, some of which have mandatory minimum sentences. Second, Nevada is more likely than other states to put persons convicted of nonviolent crimes in prison rather than put them on probation. Third, there is a backlog of prisoners waiting for parole hearings. A series of studies will seek additional information about the effectiveness and efficiency of the current system.

At this early point in its work the Commission seems interested in advancing the legitimate rights of victims, reviewing the way juvenile offenders are certified for adult courts, and allowing judges to regain discretion regarding sentences. It also is studying proposals for the expansion of drug and mental health courts and programs, more educational and job training opportunities, and helping prisoners returning to society obtain a job and housing. Such proposals are largely consistent with ACLU policies.

Nevada is not alone in changing counterproductive policies in this area. A number of states recognize that they need smarter use of expensive prisons. Like Nevada, they are seeking effective alternatives that protect the public, save taxpayers' money, give inmates a chance for a law-abiding future, and allow vital health and education programs to progress.

VOLUNTEER SPOTLIGHT: KAREN GRAY

SUPER VOLUNTEER, SUPER ACTIVIST, AND SUPER PLAINTIFF

by GOSHA TOMASIK, INTERN

“How many Republicans can you get to volunteer at the ACLU?” asks Karen Gray, a Republican and volunteer with the Nevada ACLU for the last 3 years. Although the ACLU of Nevada is a nonpartisan organization, the answer is, unfortunately, “Not very many.” Karen makes a point to emphasize that “I vote on my conscience, not my party.”

Karen is a certified paralegal. After receiving her paralegal degree, she showed up at ACLU determined to help out in any way she could. At the time, the office did not need paralegal assistance, but they did need someone to read individual complaint letters, something she still helps with, in addition to providing some paralegal support.

Reviewing intake is a difficult job because the ACLU must be extremely careful in expending its resources. Karen is determined not to let a potential issue slip through the cracks, and says, “I read every single letter - all the pages - and some of them are thirty to forty pages long.” Karen also watches for trends in the letters she reviews. “Sometimes, there is an issue where one person will make a change for a group of people. Sometimes, it takes a group to make a change.”

Karen is also a volunteer watchdog of the Clark County School Board. All of Karen’s children graduated out of Clark County Schools, but she still diligently attends the School Board meetings because, as she says, “You know, I enjoy it.” Karen works to ensure the Board is responsive to parents and watches the Board so it does not act in secrecy or abuse its power.

In one confrontation with the Board, Karen requested access to Board



Volunteers Karen Gray (left) and Gosha Tomasik (right)

Gosha is an intern with the ACLU of Nevada. She is a senior at the Las Vegas Academy, where she studies Art and Japanese. This fall, she will attend the University of Nevada, Reno. She plans to major in Journalism and minor in Political Science and hopes to pursue a career as a news correspondent, a political journalist, or a lawyer.

members’ email and cell phone records. By law, email and cell phone records of the School Board are public records and must be accessible to review and inspection by the public.

After some delay, the Board agreed to give Karen the records, but only if she paid the enormous fee for collecting, compiling, and redacting

confidential portions of the records. Karen refused to pay, and the School Board denied her the documents. After weeks of fighting to obtain the records, the ACLU told the Board that requiring Karen to pay for the collection of documents that she has a legal right as a citizen to review was contradictory to the public records laws. When the Board continued to refuse to provide the email and cell phone records, the ACLU asked Karen if she’d be willing to be a plaintiff in a lawsuit seeking to reaffirm the public’s access to public records.

Although Karen seems to be constantly volunteering and fighting for change, she knows when to take a break. “I decided that I can be happy doing things and not get paid for it and still put my family first.”

In the nonprofit world, volunteers like Karen are hard to come by—not only because her political stripes may be different from other ACLU’s volunteers, but also because of the skill, dedication, and determination that she brings to an unpaid job.

ACLU WISHLIST

This is a short list of things the staff needs (or would love to have) at the ACLU. If you are able to make a donation of your time or office equipment, please contact the Reno or Las Vegas office. We greatly appreciate your support!

1. **Volunteer Spanish translators**, for intake letters and ACLU material we need in both Spanish and English
2. **Mini-fridge with a freezer**
3. **A working copier** (Our office managers will be eternally thankful)
4. **New or used binders**
5. **Office supplies** (Paper, Pens, Paperclips, Post-It notes, etc.)

resident civil libertarian, our Executive Director Gary Peck has worked with the national ACLU and other national advocacy groups to ensure that the Sixth Amendment's guarantee of effective defense representation is given life here in Nevada.

ACLU Invited to Submit "Friend of the Court" Briefs

Remarkably, there are also *two* recent instances where the Supreme Court reached out to the ACLU of Nevada to request that we brief weighty constitutional issues in cases before the Court.

Racial Disparities in Clark County Jury Pools. In the fall, the Court requested that we submit an *amicus curiae* ("friend of the court") brief to evaluate issues raised by a criminal defense attorney that minority jurors are unlawfully under-represented in the jury pools in Clark County. We submitted a joint *amicus* brief with the Office of the Federal Public Defender of Nevada, arguing that the real problem lies deeper: that indeed, in violation of state law, no one is actually collecting accurate jury statistics on race, gender, and national origin, which prevents defense attorneys from even determining whether a particular jury pool fairly represented the community.

Trying Minors as Adults. At the beginning of this year, we consented to another request from the Court that we submit an *amicus* in a criminal justice case. The Court reached out to a short list of national juvenile justice organizations, and the ACLU of Nevada. This case involves the "transfer" procedures that

determine whether a child offender will be treated as an adult and moved from juvenile to adult criminal court. The state law governing the transfer process requires that all children 15 or older whose crime allegedly involves a firearm are automatically treated as adults – unless they essentially admit their crime and offer proof it was as a result of drug use or emotional abuse. Unsurprisingly, since rebutting the transfer to adult court requires an admission of guilt, few children caught up in the system have any meaningful choice to fight their transfer to adult court – which carries with it life sentences, state prison terms, and a total lack of the rehabilitative resources found in juvenile court. We argued that this process violates the Fifth Amendment's prohibition on compelled self-incrimination, and the Sixth Amendment's right to effective counsel (because attorneys are put in the untenable position of advising their clients to admit their guilt in order to stay in the juvenile system). We are awaiting final decisions in both of these cases.

ACLU-Initiated Briefs

Of course, we have also filed briefs before the Supreme Court on our own initiative.

"Downtown Initiative." In March, we received the excellent news that the Court ruled on a case in which we submitted an *amicus* brief last summer, agreeing with many of our arguments and overturning a conviction we argued was unlawful. Michael Dulin was arrested for jaywalking, a misdemeanor, under a Las Vegas city policy called the "Downtown Initiative" which mandates arrests for any misdemeanor when the arrestee has a previous record. After filing his own constitutional challenge from prison, Mr. Dulin asked us to support him, and we filed an *amicus* arguing that the

Downtown Initiative, and Mr. Dulin's arrest, violate state law, the Fourth Amendment's prohibition on unlawful searches, and the Fourteenth Amendment's guarantee of equal protection under the law. The Supreme Court agreed with our brief that Mr. Dulin's arrest was problematic for these reasons, and ordered a new hearing on these issues at the district court.

Stay of Execution. Finally, in perhaps our most spectacular victory, the ACLU of Nevada stopped the execution of inmate William Castillo at the eleventh hour, arguing that the U.S. Supreme Court's consideration of the constitutionality of lethal injection should impose a moratorium on the use of lethal injection here in Nevada until the U.S. Supreme Court renders a final decision. We are now awaiting further action from the Nevada Supreme Court, and are hopeful that no execution will occur in Nevada until the U.S. Supreme Court offers more guidance on whether lethal injection constitutes cruel and unusual punishment in violation of the Eighth Amendment. This stay of execution has been a crucial piece in the *de facto* national moratorium on the death penalty while the U.S. Supreme Court mulls this weighty issue.

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That the Supreme Court has offered us a seat at its Indigent Defense Commission and repeatedly requested our assistance with tricky legal issues is an honor that cannot be overlooked. This outreach is an acknowledgement of our expertise, high profile, and our excellent reputation for quality legal work. We celebrate our recent victories before the Court, and anticipate many future opportunities to work with and before the Supreme Court of Nevada.

NEW LOOK FOR ACLUNV.ORG

ACLU OF NEVADA LAUNCHES NEW WEBSITE

The ACLU of Nevada is moving up the technology curve. In April, we launched a redesigned and much improved website, www.aclunv.org.

Marco Carbone, a professional web designer, volunteered to create a user-friendly website for the Nevada ACLU that is easy and straightforward for our staff to update and customize. Marco did a fantastic job creating a beautiful, professional, informative, and fully functional website. We sincerely appreciate all of the time and energy he put into creating the site and training our staff on how to use it.

The website features a civil liberties blog where staff members can submit short articles about the ACLU of Nevada's important accomplishments concerning civil liberties violations, legal issues, news items, and events. This will be a great way to keep our membership, concerned individuals, and the general public updated about our successes and current battles.

Visitors to the website can also join our e-alert network. Just by entering

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WWW.ACLUNV.ORG

your email address and zip code, you can receive emails from staff at the Nevada ACLU about key civil liberties issues in your community where we may need your support. We plan to use the e-alert network to mobilize our membership and community activists to bolster our current advo-

cacy at local, county, and state governments.

The site also features an online intake system and an archive of all of our old newsletters, and will soon have information on all of our current and past legal battles.

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

What is the Legacy Challenge?

If you name the ACLU Foundation to receive a bequest through your will or living trust, our generous donor, the Robert W. Wilson Charitable Trust, will make a cash donation today equal to ten percent of your future gift's value, up to a maximum match of \$10,000.

How does it work?

1. Complete a bequest provision for the ACLU Foundation in your will or living trust.
2. Tell us about it.
3. A cash donation up to \$10,000 (10% of your future gift's value) will be made by the Robert W. Wilson Charitable Trust.

Please contact the ACLU office of Gift Planning for more information.

877-867-1025 * www.ACLU.PlanYourLegacy.org * Legacy@ACLU.org

BOARD OF DIRECTORS ELECTION VOTING INFORMATION

Who can vote:

The by-laws of the ACLU of Nevada call for Board of Directors to be elected by our general membership. Only current ACLU members may vote. The address label affixed to this issue of *The Civil Libertarian* indicates on the top line if you are a current member and thus eligible to vote.

If the word “**VOTE**” appears at the top of your label, you are eligible to vote. Otherwise, your membership is no longer current or you are a supporter of the ACLU of Nevada Foundation. It is your non tax-deductible membership dues payable to the ACLU, not donations to the ACLU of Nevada Foundation, that make you eligible to vote.

If “**JOINT VOTE**” appears at the top of your mailing label, you have a joint membership and may use both columns.

If your label does not have the word “**VOTE**,” but you have recently renewed your membership, please send in your ballot with an attached note including your name and phone number, so we can verify your renewal that was not yet processed by the time *The Civil Libertarian* mailing labels were generated. If you are ineligible because you have not renewed your membership but would like to do so at this time, please enclose your membership renewal check in the same envelope along with your ballot.

How the Candidates were Nominated:

Our by-laws specify two methods for nominating candidates for directorships. Candidates may be nominated by the current Board of Directors after the Board considers recommendations from its Nominating Committee. Candidates may also be nominated by petition bearing the signatures of at least ten members of the ACLU of Nevada.

Instructions for Voting:

The candidates are listed in alphabetical order. We have five candidates running for five seats on our Board of Directors. You may vote for up to five candidates. You cannot cast more than one vote for any candidate. That is so even if you vote for fewer than five candidates.

If you share a joint membership with another member—indicated by “**JOINT VOTE**” on your mailing label—each of you can vote for five candidates. Do that by using both of the columns provided on the ballot.

After marking your ballot, clip it and seal the ballot in the enclosed envelope, and sign the back of the envelope. Your address label (on the reverse side of this ballot) must be included to ensure voter eligibility. If you

prefer that your ballot be confidential, put your ballot in one envelope, then insert that envelope plus your address label in a second envelope and send to our Elections Committee at the address indicated above. In that case, we will separate your envelopes before we count your ballot.

Mail your ballot to:

A return envelope is included with your newsletter. If the envelope is missing, please address an envelope to:

Elections Committee
ACLU of Nevada
1280 Terminal Way, Suite 46
Reno, Nevada 89502

In order for your ballot to be counted, we must receive it at the address shown above by Monday, June 30, 2008. To help you assess this year’s candidates, we’re including brief statements submitted by the candidates (see page 11).

QUICK AND EASY VOTING INSTRUCTIONS

1. Check your address label to see if you are eligible to vote
2. Mark your ballot
3. Clip your ballot and put ballot in the enclosed envelope
4. Sign the back of the envelope
5. Mail the envelope to 1280 Terminal Way, Suite 46, Reno, NV 89502

CANDIDATE STATEMENT OF INTEREST



Peter Ashman, Las Vegas

Nationally, the ACLU has been instrumental in protecting the rights of undocumented immigrants and their families—currently one of the most targeted and vulnerable groups in our society. As an immigration attorney and nationally recognized advocate for immigration reform, I will be a resource at a state level to help identify issues where the ACLU can make a real difference. On other important issues, I am eager to help maintain the high regard the ACLU of Nevada has established in defending our rights and liberties in the face of increasing challenges through education, lobbying and advocacy, and ultimately, litigation.



Stephen Bates, Las Vegas

I am honored to be nominated to the board of the ACLU of Nevada. At UNLV, I teach First Amendment law to journalism students. I write about First Amendment issues as well, including a *Washington Post* article in 2007 criticizing the Justice Department's obscenity division and, earlier, a book about a church-state conflict in Tennessee. I also serve as editor of an online law journal devoted to freedom of association. I hope to contribute to the superb work of the ACLU in defending bedrock constitutional freedoms in Nevada.



Robert Chester, Zephyr Cove

I have been a member of the ACLU for 40 years. It has been a privilege to serve on the board of our Nevada affiliate, and to represent us on the board of the national ACLU organization. We have taken enormous strides in the last ten years in growing our affiliate in terms of staff strength, financial stability and programmatic accomplishment. Today, we wield substantial "clout" in fighting for the protection and expansion of civil liberties and civil rights in the Silver State. Our challenge is to continue building the organizational capacity necessary to sustain our achievements and build on them.



Leticia Saucedo, Las Vegas

I am very interested in the work that the ACLU has pioneered in the area of local enforcement of immigration laws. I feel strongly that the ACLU is the appropriate organization to represent the civil rights and civil liberties interests of the fast-growing immigrant population in Nevada. I would be honored to share the experiences I have gained as the co-director of the immigration clinic at the Boyd School of Law to the board of directors, as it continues to navigate these important issues.



Roger Vogel, Reno

I have been a member of the ACLU family since the early 1960s and a board member of several affiliates since the 1980s. I have enjoyed the challenge of building the ACLU of Nevada affiliate into the premiere civil rights organization in Nevada. We currently have rolled up our sleeves and are working hard to continue our path forward. I am very committed to the goals of the ACLU of Nevada and the ACLU in general. I am running for reelection to the Board of Directors to continue my hands-on involvement in our mutual goals.

ACLU OF NEVADA BOARD OF DIRECTORS BALLOT

- Peter Ashman
- Stephen Bates
- Robert Chester
- Leticia Saucedo
- Roger Vogel

- You may vote for up to five candidates on this ballot.
- Vote by marking one square next to each candidate you support. Joint members may use both squares.
- Please clip and send along with your address label to:
ACLU of Nevada
1280 Terminal Way, Suite 46
Reno, NV 89502
- **Ballots must be received by June 30, 2008 to be counted.**



STAND UP FOR FREEDOM

**ACLU MEMBERSHIP
CONFERENCE 2008**
JUNE 8-10 * WASHINGTON

Washington, D.C. is the place where we'll gather in June of 2008 to *stand up for freedom*.

ACLU members from throughout the U.S. will come to our nation's capital for three days of advocacy, leadership discussions, Capitol Hill meetings and hands-on activist training. Elected officials, celebrities, renowned experts along with some of the ACLU's most inspiring clients, will join us to stand up for freedom.

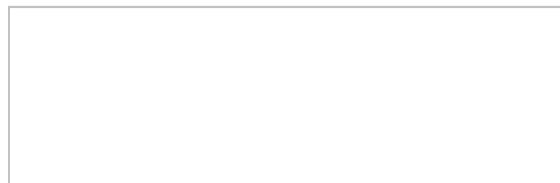
It's for new members and long-term members ... for the young and not-so-young. If YOU are committed to letting this administration know that it must stop the abuses of power, then gather with us June 8 - 10, 2008 to make your voice heard — and make a difference.

www.aclu.org/conference

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