

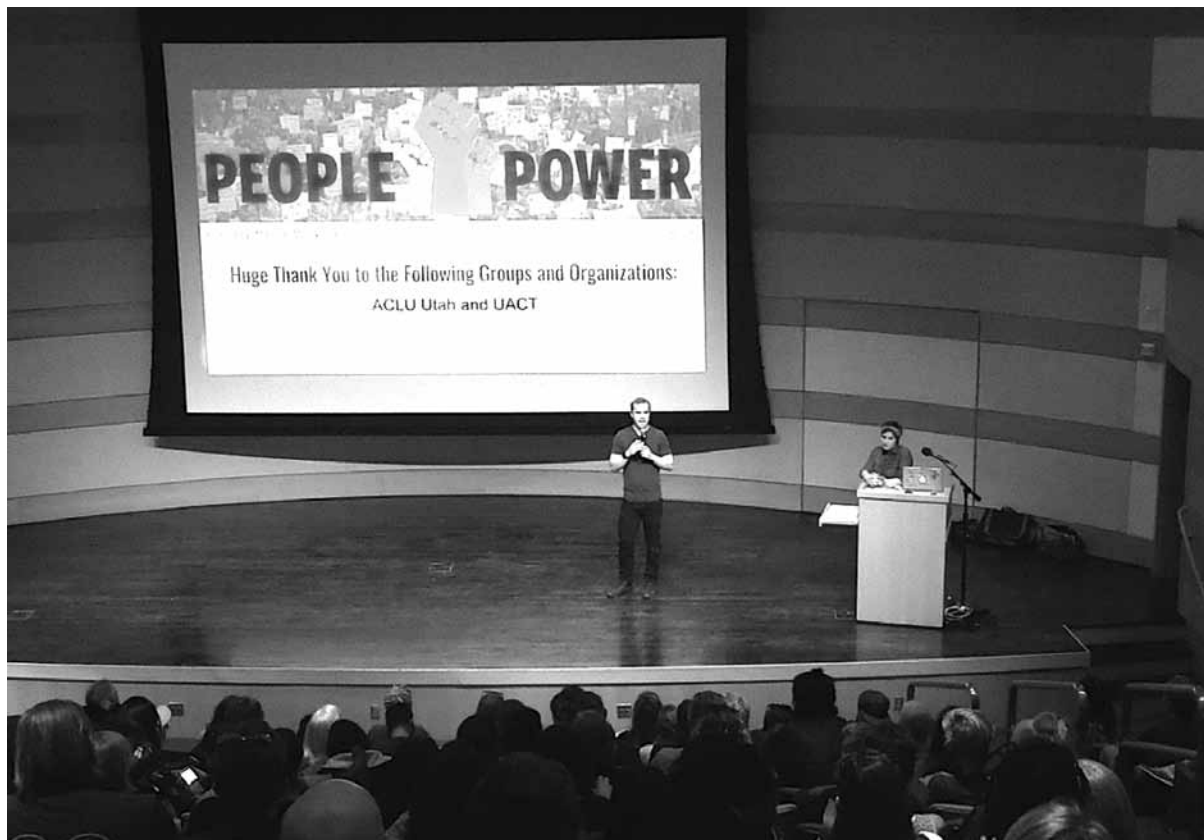


Liberty Reporter

Spring 2017

Newsletter of the American Civil Liberties Union of Utah

Organizing the People's Power to Resist



Jeremy Davies introduces the People Power Resistance Training at the Salt Lake City Downtown Library on March 11. Co-organizer María del Mar González prepares the lifestream presentation.

On Saturday, March 11, more than 170,000 activists participated in over 2,200 events around the country to inaugurate the ACLU's new grassroots volunteer resistance movement. People Power encourages activists in their local communities to form teams prepared to take action, when necessary.

People Power's first campaign is Freedom Cities which aims to change policy at a local level through grassroots activism. It seeks

to actively shape how we treat vulnerable communities, how we cherish and safeguard fundamental freedoms, and how we respond as a society to the needs of our families, friends, and neighbors.

In Utah, seven People Power events took place around the state. María del Mar González and Jeremy Davies organized a standing-room-only event at the downtown Salt Lake City library and share their story in their own words here.

María del Mar: The future is still female. I had never been as excited about a presidential candidate as I was about Hillary Rodham Clinton and I've never felt an election result so personally. I cried that night. The next morning I woke up, put on a black pantsuit and decided to get to work. Our country, our civil liberties, and every fragile thing I'd taken for granted seemed under threat. There wasn't time to mourn, it was time to organize.

I'd always admired, but not been involved with the ACLU. Facing the suddenly real prospect of a DT presidency, I knew the mission of the ACLU would be imperative. I got involved because I was afraid, I stay involved because I am hopeful. Through my grassroots work, I met Marina Lowe and Anna Thomas and felt great admiration for who they are and the work they do. I've gotten to know the ACLU Utah staff and they are not just fellow advocates, they are now my action family.

For this reason, when I found out from friends about the ACLU's calling for citizen volunteers to help in the organizing efforts of their newest initiative, People Power, I immediately signed up. I booked a venue: the Salt Lake City Public Library, and signed up for the host orientation. Shortly after signing up, I was contacted by Jeremy Davies who'd also signed up to host and had been trying to book my venue! It was then that without knowing who the other person was, we agreed to co-host People Power.

[Continued on page 7](#)

On the Hill: Lobbying For Liberty!

A Recap of the 2017 Session

The 2017 Utah legislative session has come and gone, and with it new opportunities for YOUR rights to be protected or threatened. Thankfully not so much of the latter transpired. While there were some highs and some lows, looking back we feel pretty good about the way it all went down. We tracked 91 bills, an all-time high for the ACLU of Utah, and actively testified on, or otherwise meaningfully amended, around 35 of those! While voting rights stands out as a disappointment this session, other areas such as reproductive rights and criminal justice reform shine as places where the ACLU of Utah was able to make a difference. **Here is the story of ten great victories, and one big disappointment.**

1) Reforms to the juvenile justice system!

We worked with our community partners to pass **HB 239 Juvenile Justice Amendments**, legislation based on recommendations from the state's Juvenile Justice Working Group. The legislation passed and was signed into



Chovy Quinones takes notes before testifying in support of HB 239 by telling his story of being sent through the juvenile justice system for drug use.

law by the Governor. It was stripped of several meaningful provisions that we really liked – due to pressure from the schools, courts and prosecutors – but the remaining policies are still a step in the right direction.

2) Reforms to Utah's civil asset forfeiture laws!

A compromise civil asset forfeiture reform bill, **SB 87 Civil Asset Forfeiture Revisions**,

[Continued on page 4](#)

IN THIS ISSUE

2

- The Director's Chair
- The President's Corner

3

- Meet Your Development Director
- Become an ACLU Sustainer
- Go Green

4

- ON THE HILL: Lobbying For Liberty
- A Recap of the 2017 Session

5

- Report Reveals Racial Disparities In Juvenile Justice System
- Fight Against Warrantless Searches of Utah Drug Database

6

- Immigrant and Refugee Resources
- Create Safe Schools for Immigrants
- Utah Should Be Wary of ICE

7

- The People's Power to Resist
- 2017 Youth Scholarship Winners

8

- 2017 Bill of Rights Breakfast Celebration: May 25 "Utah: Life & Liberty Elevated"

The Director's Chair



Brittney Nystrom, Executive Director

Following the 2016 elections the ACLU has seen a massive outpouring of support for our organization and the vital work we do. Here in Utah, we have welcomed thousands of new, card-carrying members into the ACLU family and now enjoy our largest membership level in our nearly 60 year history! We have also seen our donors, volunteers, and social media followers grow in number. When the ACLU launched the People Power movement in March, we were humbled and proud to see supporter-led events take place statewide, from Logan to Hurricane. We are even more excited now as these supporters begin to mobilize in their communities.

To all of you who have joined, renewed your membership, donated, or supported our fight to defend liberty – we thank you. We are here for you. Realistically, we can't protect the rights and freedoms of Utahns without you.

Make no mistake, threats to equality, liberty and justice are real. Already President Trump has unleashed discriminatory and dangerous policies and orders. Previous guidance protecting transgender students has been withdrawn, again leaving these vulnerable kids at risk. The misguided and discriminatory travel ban created chaos and apprehension for immigrants. As a result, there is no greater safety or security for Americans, but greater anxiety and fear in our communities.

In this environment, the ACLU nationally remains focused on 7 top priorities: demanding government accountability and transparency, protecting immigrants' rights, defending reproductive rights, protecting first amendment rights, defending LGBTQ rights, defending core civil rights from erosion (including voting rights and protections against unfair policing), and mobilizing the American people.

The ACLU of Utah is dedicated to championing these priority issues here in our state. Judging from Utah's 2017 Legislative Session, this is going to be no easy task. Although we succeeded in preventing several damaging bills from becoming law, and celebrated some important legislative gains, the threats were plentiful and the energy expended was immense.

We could not accomplish our mission of defending the civil rights and liberties of all Utahns without help. Fortunately, we have you - our stalwart and passionate members and supporters. Thank you. Our ability to come together to support one another is critical with so many dark clouds on the horizon. **May the torch of freedom continue to light our way. I look forward to celebrating with you at the Bill of Rights Breakfast on May 25.**

The President's Corner



Michael Weinholtz, Board President

The past few months have been unlike any other in the national ACLU's nearly 100 year history. In these unusual times, I enter my second year as the board president of the ACLU of Utah with an even greater sense of purpose and pride. Our constitutional rights and freedoms are being challenged by a new President and his appointees, but the ACLU is mounting a strong defense nationwide and here in Utah.

Before the 2016 elections, the ACLU of Utah pondered how to increase public awareness of the mission of the ACLU and our role in strengthening civil rights and liberties. So much has changed since November! Where we used to contemplate how to inform more Utahns about our important work and its impact on their lives, we now discuss how to best inform our rapidly

expanding base of members and supporters about our victories, our current campaigns, and when we need them to take action on an urgent policy matter. It feels like the ACLU has gone from unfamiliar to indispensable in the blink of an eye.

Even with unprecedented numbers of supporters at our side, the challenges ahead are formidable. Too many Utahns endure discrimination, hate crimes, a biased and inadequate criminal justice system, and systematic racism. The President and Congress seek to erode our privacy rights, further militarize our borders, dismantle transparency and accountability measures, and strip federal protections for the most vulnerable.

It's encouraging that more and more Utahns are joining and committing to our fight, because it truly is *our* fight. The ACLU of Utah needs you, and we all need the ACLU of Utah. Your support allows us to remain vigilant, and to take action when our rights are threatened or violated.

To those of you who are new to the fight to protect and defend civil liberties in Utah, welcome. **To all of you, thank you. I am confident that together we can continue creating a more just and equal Utah.**

Working for You: the 2017 Board of Directors



Meet the Board & staff at www.acluutah.org/about-us/people

The ACLU of Utah

The ACLU of Utah, chartered in 1958, operates through public education, legal advocacy, litigation, and lobbying at both the state and local levels to ensure the constitutional rights and freedoms of everyone living in or visiting Utah. Our work is based on those principals outlined in the Bill of Rights and our priorities include: Participatory Democracy; Racial Justice; Criminal Justice Reform; Immigration Reform; LGBTQ Equality; Women's Rights; Digital Security & Privacy; and Religious Liberty & Freedom of Belief. In addition, we continue our commitment to protect the First Amendment.

For more about the ACLU of Utah and our priorities please visit www.acluutah.org

Staff

Brittney Nystrom, Executive Director
Marina Baginsky Lowe, Legislative and Policy Counsel
John Mejia, Legal Director
Leah Farrell, Staff Attorney
Anna Thomas, Strategic Communications Manager
Cassie Taylor, Development Director
Jessica Andrews, Finance and Business Manager
Reinard Knutsen, Office Manager
Margie Nash, Paralegal

Board of Directors

Michael Weinholtz, President
Danielle Hawkes, Vice President
Bill Orchow, Treasurer
Heidi Chamorro, Secretary
Barry Gomborg, Affirmative Action Officer
Roderic Land, National ACLU Board Rep.
Erin Castro, Gina Cornia,
Roni Jo Draper, Rachel Elliott,
Forrest Crawford, Russell Fericks,
Brian King, Clemens Landau, Suresh Venkatasubramanian, Robert Wood

Legal Panel

Jensie Anderson, Rusty Andrade,
Ruth-Arlene W. Howe,
Laura Kessler, Tom Mitchell,
Nubia Pena, Kristina Ruedas,
David Reymann, Karen Stam,
Aaron Tarin, Mary Woodhead

Interns and Volunteers

Elizabeth Beck, Amiee Finster,
Matthew Grow, Juan Guerrero,
Jessie Haus, Diane Keech, Mark Levitt,
Monica Lunn, Katie Munk,
Hannah Nerone, Elizabeth Penado,
Easton Smith, Zach Stickney, Rhun Zhi Lai

Contact Information

355 North 300 West
Salt Lake City, UT 84103
Phone: (801) 521-9862
Fax: (801) 532-2850
aclu@acluutah.org
www.acluutah.org

Special thanks to XMission for their generous donation of internet services



Meet Cassie Taylor: *Your Development Director*

Cassie Taylor joined the team at the ACLU of Utah in November 2016, one day before the Presidential Election. Cassie has been a performing artist and competitive pianist since she was 7 years old. She is part of the performing ensemble The Ladies in Red, and has performed in New York, Washington D.C., California, and St. Petersburg, Russia. Prior to coming to the ACLU of Utah, she was an Adjunct Assistant Professor on the Piano Faculty at the University of Utah, as well as the Music Department Chair at the Salt Lake School for the Performing Arts.

During her time at the University of Utah, Cassie restructured and expanded what is now the University of Utah Piano Outreach Program, serving several schools in the Salt Lake City School District by providing free after-school piano lessons to over 250 children in Title 1 elementary schools. While at the Salt Lake School for the Performing Arts, Cassie worked closely with many young students in the LGBTQ community and helped the school educate others about transgender youth. She has often been humbled and inspired by the perseverance, activism, and courage of her students, elementary and high school alike, and she is proud to have been a part of their development.

Cassie’s performance, educational, and career experiences have exposed her to underserved and vulnerable populations, bringing the School-to-Prison Pipeline, LGBTQ Equality, Racial Justice, and Student Rights to the forefront of her advocacy. She is proud to be a member of the ACLU of Utah and its staff, and she is grateful for the opportunity to be learning how to most effectively facilitate change in Utah.

Q & A with Cassie

Why did you want to work with the ACLU of Utah?

When I decided to leave the University and the performing arts field, I knew I was going to have to find an organization that I could be passionate about, otherwise I knew I wasn’t going to enjoy it or be successful. The ACLU of Utah is the whole package. The more I learned about the vast reach of the ACLU of Utah and the influence it carries, the more I wanted to not only work here, but to be more involved as a community member in the issues.

What is the best thing about working with the ACLU of Utah?

I love being involved in an organization that is at the forefront of influencing laws and policies on a daily basis, and making a significant



Cassie Taylor, ready for another ACLU day!

impact on the way we, as Utahns, are able to live our lives.

What is one thing that you are looking forward to over the next year?

It feels like its less about what I will do in the next year, and more about what the ACLU will do over the next year. I have been thrilled to watch the visibility of the organization increase so dramatically since I came on board, and I am proud of our work to engage our new members, involve our community, and make a lasting impact on our state.

We’re Putting Up A Fight, and Keeping It Up!

Become an ACLU Sustainer Today



The 2016 election changed everything except how the ACLU of Utah does its work. We have spent nearly 60 years defending and advancing civil liberties in this state, and preparing for the dangers that are manifesting at this moment in time. The road will be long and uncertain, but we are strengthened by our members and heartened by our supporters. The dedication of our ACLU Sustainers, those who have chosen to make recurring monthly or quarterly contributions, allows for us to combat unjust policies and protect Utahns’ rights and liberties.

At a time when the news is a cringe-worthy and seemingly endless reel of frightening announcements and information, the ACLU has not been complacent. We put up a fight on day one of the Trump Administration, and we have

not backed down since. We will not become numb to the barrage of negative actions, and we will not waiver in our opposition.

The last two months bore a shocking number of challenges, and we are expecting the next four years to follow suit. It is now that we need to prepare, and it is now that we need you, our supporters, to commit to sustaining the cause of defending and advancing all Utahns’ rights.

ACLU Sustainers directly affect how we are able to meet the high demands of our work, and maintain the high-standard that our community has come to depend on and expect from us. To those of you who already sustain our organization, thank you for your committed generosity and for making protecting others part of your daily routine.

To become an ACLU Sustainer, and to join a fierce group of unrelenting defenders of the Constitution, contact Cassie Taylor at ctaylor@acluutah.org or 801-871-0331.

In the courts, the legislature, city councils, school boards and town halls we will continue to work for policy changes that better reflect Utah and American values. We will protect the rights guaranteed in the Constitution, and with you, our card-carrying members, supporters and ACLU Sustainers, we will ensure that Utah is a fair, equitable and just place to live.



Help save the trees and ACLU of Utah resources!

Choose to receive our newsletter, the *Liberty Reporter*, by email and help to ensure that our communications strategies are best suited to reach you, inform you and involve you.

Sign up for our digital newsletter!

Follow the QR code or visit our web page at www.acluutah.org/get-involved/item/1294-go-green



ON THE HILL: *Lobbying For Liberty!*

Ten Victories & One Disappointment

Continued from page 1

passed the Utah Legislature at the eleventh hour (literally! 11:58 p.m. on the last night of the session). While the measure is much more moderate than we would have preferred, the new law is substantially better than the status quo, and offers more protections for community members whose property is seized by law enforcement. Also, we worked with partners to pass **SB 70 Asset Forfeiture Transparency Amendments**, to expand reporting by law enforcement on civil asset forfeiture in our state.

3) Enhanced tools & protections for ensuring police accountability!

We helped pass a bill that had originally only sought to clarify that third parties could be arrested for interfering with an arrest (not just the person being arrested), but into which we inserted language that clearly states filming a police officer engaged in his/her duties does not constitute interference or resistance (**SB 239 Interfering with a Peace Officer**). We also helped to kill a bill that would keep the name of an officer involved in a “critical incident” hidden from the public for up to six months (**HB 306 Public Safety Officer Privacy Amendments**), and we worked to vastly improve a bill that addressed the nature of police body camera footage as a public record under GRAMA (**HB 381 Law Enforcement Body Camera Footage**).

4) No expansion of the death penalty!

We helped defeat a misguided and harmful bill, **HB 176 Human Trafficking Amendments**, that would have expanded Utah’s already very long list of “aggravated murder” crimes for which a person can be given the death penalty.

5) More support for people re-entering society with a criminal history!

We helped to pass a cluster of very positive “re-entry support” bills during the 2017 session. We worked with Rep. Brian King to pass **HB 178 Good Landlord Program Amendments**, that will prevent cities from forcing landlords to deny housing to otherwise qualified tenants who have a criminal record. We also worked to pass **HB 156 State Job Application Process**, a “Ban the Box” bill sponsored by Rep. Sandra Hollins, which will remove barriers to employment for people with criminal convictions, and we supported **SB 12 Expungement Amendments**, a bill to increase eligibility for expungements of criminal records.

6) No expansion of “Drug Free Zones”!

We worked closely with the Commission on Criminal and Juvenile Justice and the Sentencing Committee to kill two bills that would have expanded “Drug Free Zone” criminal penalty enhancements. One bill, **HB 365 Homeless Resource Center Zone Amendments**, sought to elevate drug crimes near a homeless shelter to a first degree felony, which in Utah carries a sentence of five years to life. We created significant social pressure for the sponsor to pull this bill, and he eventually agreed to do so.

7) Disaster averted on anti-reproductive freedom bills!

We had several wins in the reproductive freedom arena this session. Two very bad bills were significantly “neutered” by the ACLU & Planned Parenthood with support from new grassroots mobilization groups. A telehealth bill, **HB 154 Telehealth Amendments**, was stripped of its anti-choice language, and a “medical abortion reversal” bill, **HB 141 Unborn Child Protection Amendments**, was altered so doctors won’t be forced to give misinformation to women. Surprisingly, a pro-reproductive rights bill, **HB 384 Abortion Clinic Licensing Amendments**, from Rep. Brian King received a favorable vote in one committee hearing, but ran out of time for passage.

8) RIP “no promo homo”!

We supported successful legislation, **SB 196 Health Education Amendments**, to change Utah’s so-called “no promo homo” statute, which had prohibited teachers from “advocating homosexuality” in Utah classrooms. The ACLU testified about the chilling effect on teachers’ ability to openly share medically accurate information and respond to LGBTQ students’ well-intentioned questions. In a nice surprise, the bill removing this language became law!

9) Retained “diversity” as criteria in judicial appointments!

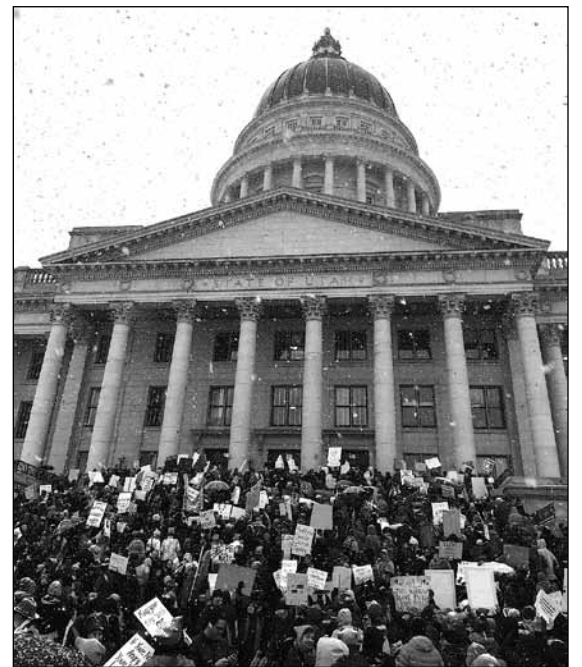
We worked with a variety of groups, both grassroots and governmental, to successfully oppose **HB 93 Judicial Nominating Process Amendments**, which would have removed the ability of the Commission on Criminal and Juvenile Justice to consider diversity amongst other factors when putting forth judicial nominees.

10) No new attacks on immigrants and refugees – and stated support for their civil liberties!

Despite the anti-immigrant rhetoric in the 2016 election and coming from the federal government since President Trump’s inauguration, the Utah legislature remained resolute in avoiding legislation that would harm or target immigrants or undocumented individuals living in Utah. We’re happy to report that there were no attempts to roll back pro-immigrant measures, such as in-state tuition for undocumented students or driving privilege cards. Not only was there an absence of bad legislation, but the legislature actually passed a resolution calling for the recognition of civil liberties and rights of all, regardless of citizenship!

Voting rights disappointment on the Hill!

Perhaps most disappointing for the ACLU of Utah was watching **HB285 Voter Registration Amendments** stall during the 2017 session. By 2016, after years of hard work by Rep. Rebecca Chavez-Houck, county clerks, and voting advocates, including the ACLU of Utah, the vast majority of Utahns were able to register to vote and cast their vote on Election Day - and **HB 285** would have allowed that access to continue. However, professed concerns about lines at voting places (unfairly attributed to the Election Day Registration process, rather than strong turnout and changes to available polling places) as well as partisan fears about the impacts of increased voter turnout, were



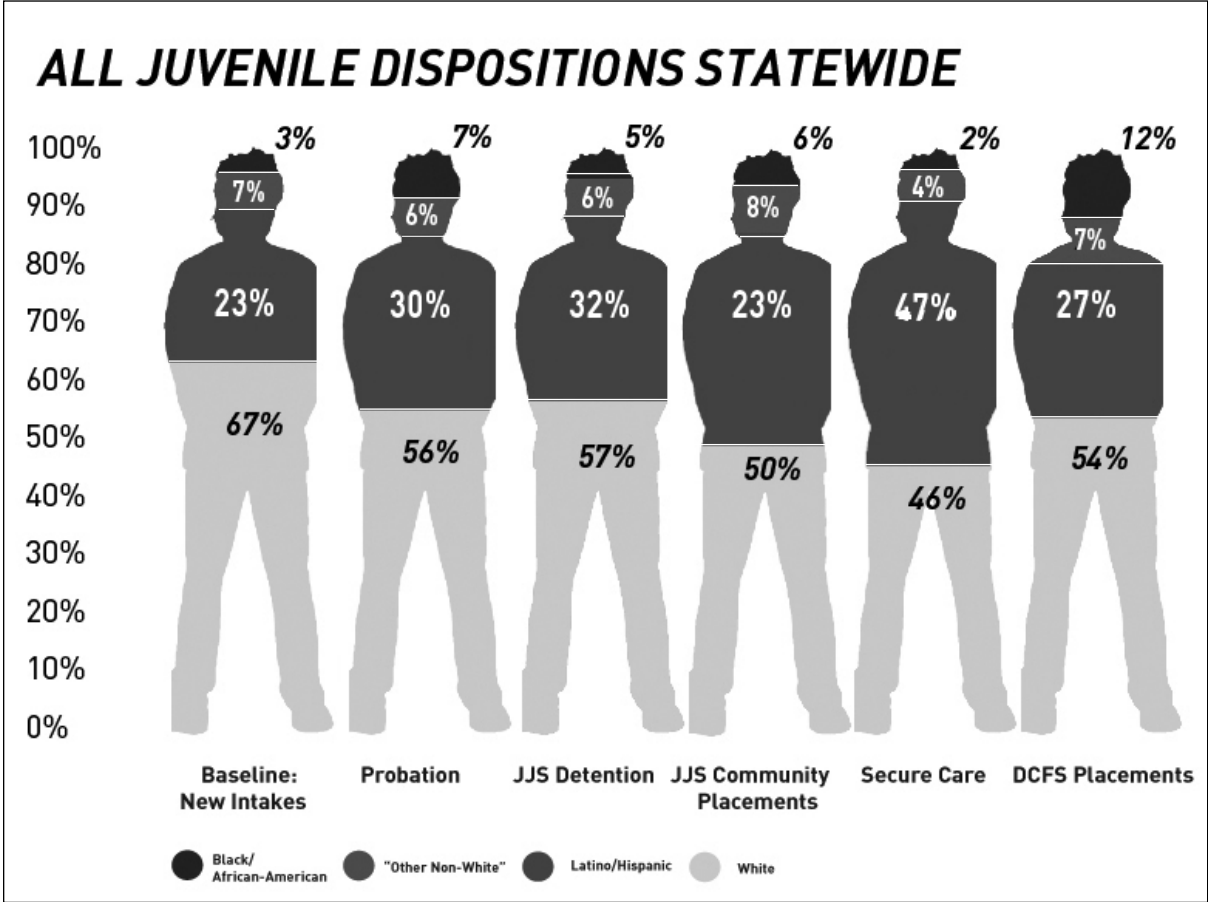
Crowds gather outside and inside the Capitol for the Women’s March on January 23, and youth community lobbyists work the hill to reform the juvenile justice system.

sufficient to keep the Utah Legislature from continuing the program. In another blow to expanding voting rights, the Utah Legislature failed to advance **HB 159 Amendments to Voter Registration**, which would have made voter registration automatic when a person applies for a driver’s license, with an option to “opt-out” if registration was not necessary or appropriate.

All in all, for a year when we were prepared for the worst, your civil liberties did not fare too badly at the Utah State Legislature this Session. With new grassroots groups springing up for us to partner with, long-time progressive and conservative allies by our side, and all your financial and moral support, we were able to accomplish a great deal. And remember, our work on state policy doesn’t stop when the session officially closes, so stay tuned for updates on our work during the Legislative Interim and Special Session.

Follow our legislative work on our website at www.acluutah.org/legislation/legislative-work

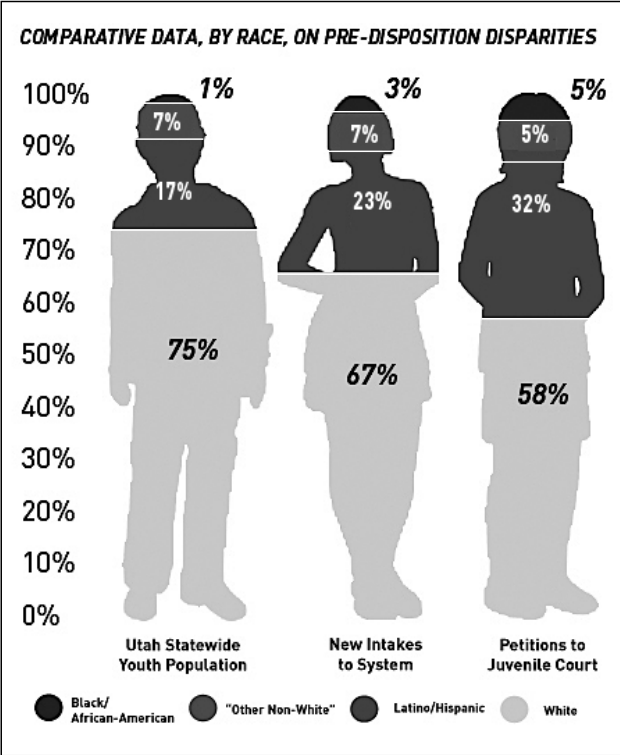
Report Reveals Stark Racial Disparities in Utah's Juvenile Justice System



We have known for some time now, thanks to data available from the U.S. Department of Education's Office of Civil Rights, that Utah school kids are disciplined very differently, by teachers and administrators, depending on their skin color, race and ethnicity. Now we can say with certainty that once those youth are referred to the juvenile justice system, those racial disparities continue and increase.

There is no evidence that kids of different races engage in misconduct in different proportions, only that they are caught and punished disproportionately. For example, Latino/Hispanic youth make up just 17% of the statewide youth population, but they represent 23% of all youth coming into initial contact with the system, and 32% of the incoming youth who are referred to court. That means Latino/Hispanic youth in our state are overrepresented by nearly 100% among youth appearing before a juvenile court judge.

For Black/African-American youth, the disparities are even worse. These youth



make up just 1% of the entire statewide youth population, but they represent 3% of all youth coming into initial contact with system, and

5% of the incoming youth who are referred to court. Five percent may not seem like that much, but this means Black/African-American youth are overrepresented by 400% among youth appearing before a juvenile court judge.

These statistics are detailed in a new report released in February by the ACLU of Utah, in partnership with multiple community stakeholders, including the YWCA of Utah, Voices for Utah Children, Racially Just Utah and Ogden Branch NAACP. Early release copies were made available as part of Racially Just Utah's Breaking the Pipeline Symposium at the University of Utah S.J. Quinney College of Law.

Using data collected and compiled by an official Juvenile Justice Working Group, assisted by the Pew Charitable Trust, our report reveals stark racial disparities including the following:

- Black/African-American youth make up 1% of Utah's youth population, but they represent 12% of all kids placed with the Utah Division of Child and Family Services through the juvenile justice system.
- In the Third Judicial District (comprised of Salt Lake, Summit and Tooele Counties), Latino/Hispanic youth make up 24% of the youth population - but 52% of all "secure care" dispositions resulting in out-of-home detention for these youth.
- In the Eighth Judicial District (comprised of Daggett, Duchesne and Uintah Counties), Native American youth make up 9% of the overall youth population, yet 41% of "secure care" disposition are imposed on Native American youth.

The ACLU of Utah and its partners used this report to successfully advocate for **HB 239 Juvenile Justice Amendments**, which will require many reforms to the system that we believe will help to reduce these disparities and offer equal justice for all Utah youth. We will be closely following the implementation of the reforms contained in HB 239, and regularly checking back on these racial statistics.

[Read the report on our website at www.acluutah.org/racial-justice](http://www.acluutah.org/racial-justice)

ACLU Continues Fight Against Warrantless Searches of State Drug Database

On March 27, we filed objections to a federal magistrate judge's recommendation to enforce a Drug Enforcement Agency (DEA) subpoena seeking records from the Utah Controlled Substance Database (UCSD). In a separate filing, the State of Utah joined in the ACLU's objection.

The focus of the underlying lawsuit is a state law requiring that any law enforcement agency must first obtain a warrant before accessing UCSD records. Last year, the DEA petitioned the federal court to force Utah to comply with a subpoena to access UCSD records related to a federal criminal investigation, after the state of Utah, in accordance with the law, had refused to turn over the requested records.

The ACLU of Utah partnered with the national ACLU's Speech, Privacy and Technology Project to intervene in the case on the side of

the state. The ACLU, also representing Equality Utah, IAFF Local 1696, and two individual Utah residents, asserted the privacy interest of thousands of Utahns whose sensitive prescription records are kept in the UCSD. The ACLU is arguing that the DEA's refusal to get a search warrant from a judge violates not only Utah law, but also the Fourth Amendment to the U.S. Constitution.

In a report and recommendation issued on March 13, however, U.S. Magistrate Judge Peard recommended that the U.S. District Court Judge side with the DEA and force the state of Utah to comply with the subpoena. The ACLU of Utah's objection comes in response to that recommendation, and asks for an additional review by the U.S. District Court.

"We respectfully disagree with the magistrate judge's conclusion that no more than a subpoena was needed for the DEA to obtain



The ACLU legal team and plaintiffs gather in front of the courthouse.

prescription database records," said John Mejia, ACLU of Utah Legal Director. "Utahns have a reasonable expectation of privacy with regards to the doctor-prescribed drugs they keep in their medicine cabinets; a warrant should be required before law enforcement can access what is essentially an electronic version of that same medicine cabinet."

[A full case history can be found on www.acluutah.org/legal-work/current-cases](http://www.acluutah.org/legal-work/current-cases)

Help Create Safe Schools for Immigrants!



Many folks throughout Utah are wondering how they can proactively support immigrants and refugees in our communities in light of recent Executive Orders and heated rhetoric that target these groups.

As part of the new People Power movement, many Utahns are meeting with their local law enforcement leaders to discuss ways to keep their cities safe for vulnerable immigrants and refugees. And now, compassionate community members are looking to their schools as another place where support can be offered to neighbors and friends who come from other countries.

You can join other concerned members of your community to make your local schools a safer, more supportive place for immigrant students and families by asking them to pass a “Safe Schools” resolution. The Salt Lake City School Board has already passed such a resolution at the request of a local grassroots alliance, and

Ogden City School District is considering one as well.

If you are interested in bringing a “Safe Schools” resolution to your School District, help is available! Check out the **Draft Model Resolution** and other resources on our web site. Kathy Abarca, Coordinator of Racially Just Utah, is also available to review draft resolutions and offer community organizing support.

We can work together to make all Utah schools SAFE SCHOOLS for children, regardless of their race, religion, country of origin, or citizenship status. [Find out more at www.acluutah.org/immigrants-rights](http://www.acluutah.org/immigrants-rights)

A poster with the text "UTAH IS A REFUGE" in large, bold, black letters. To the left is a graphic of the Statue of Liberty's head and torch, with a heart shape integrated into the design. The ACLU logo is in the top right corner.

Protest Posters - from the ACLU of Utah to YOU!
Download them at
www.acluutah.org/free-expression

Immigrant and Refugee Rights and Resources



In the aftermath of recent executive orders regarding immigrants and refugees, the ACLU of Utah has renewed our dedication to the civil rights of immigrants and refugees in our state.

We condemn the Muslim Ban in any form and stand with Muslim and immigrant members of our community. We will continue work to protect the civil liberties and civil rights of immigrants and to combat public and private discrimination.

[You can find the growing library of national and local resources and information at www.acluutah.org/immigrants-rights](http://www.acluutah.org/immigrants-rights)

ACLU of Utah to Law Enforcement Agencies: Be Wary of Involvement with ICE



On March 23, the ACLU of Utah sent a letter to all 153 law enforcement agencies (LEAs) in Utah, advising them to carefully exercise discretion in complying with requests for resources and cooperation by the federal Immigration and Custom Enforcement (ICE) agency. The letter reminds LEAs that their mission of protecting and serving their own local communities cannot be altered by federal command, and warns that nationwide, obeying ICE’s requests has entangled many LEAs in civil rights violations and liability that lies solely with the LEAs and not ICE.

“The enforcement of immigration laws is a role assigned to the federal government under Article 1, Section 8 of the Constitution and you have no obligation under federal law to participate,” the ACLU of Utah states in the letter. “The Tenth Amendment of the Constitution protects you from being compelled to perform the functions of the federal government.”

This outreach effort by the ACLU of Utah comes in the wake of an Executive Order signed by President Trump at the end of

January 2017, which directed ICE agents to pursue for deportation a much broader group of immigrants than previously targeted under President Obama. This group includes people who have merely been charged (not convicted) of even low-level criminal offenses, as well as people who are judged by individual immigration officials, in the vague language of the order, to “pose a risk to public safety or national security.”

“Groups working with immigrants - whether citizens, residents, or undocumented people - are reporting high levels of fear, confusion and chaos within the communities they serve,” said John Mejia, Legal Director of the ACLU of Utah. “We want to remind our law enforcement leaders that there are decisions they can make, locally, to keep their communities safe and calm. State and local law enforcement agencies cannot be forced to become federal ICE agents.”

The letter, which was mailed to all 29 county sheriff offices, as well as 124 municipal police departments and Utah Highway Patrol offices, focuses on two main areas of voluntary federal-local cooperation with regards to immigration: compliance with ICE “detainers” and participation in 287(g) agreements. “Detainers” are requests by ICE for LEAs to hold already-detained people past the time they would otherwise be released, in order for ICE to investigate their immigration status. Under 287(g) agreements, law enforcement officers are trained as immigration enforcement agents to assist ICE. The ACLU of Utah letter informs LEAs that compliance

with ICE detainer requests is voluntary, not mandatory, and it is fully consistent with federal law for state and local LEAs not to enter into 287(g) agreements.

The ACLU of Utah encourages LEAs to decline to cooperate in either detainers or 287(g) agreements for several reasons: the importance of focusing on local public safety priorities; possible damage to relations between community members and law enforcement; the high (and mostly unreimbursed) costs of participation in federal immigration activities; and legal liability borne by local law enforcement agencies when ICE gets things wrong.

The letter also asserts that the Trump Administration’s recent threats to strip federal funding from jurisdictions that decline to direct their personnel and resources toward federal immigration priorities are likely to “encounter substantial constitutional hurdles” should they be pursued.

“Utah’s law enforcement leaders have the power to make their own decisions about how to prioritize their limited time and resources to serve local goals of protecting and serving,” states Mejia. “They cannot be forced to ignore their community priorities to participate in the federal government’s newly expanded mass deportation agenda.”

[The contents of a sample letter can be downloaded in their entirety from our website at www.acluutah.org/police-practices](http://www.acluutah.org/police-practices)

Organizing the People’s Power to Resist

Continued from page 1



María del Mar González explains why she decided to get involved as a People Power host.

Jeremy: While I was browsing on Facebook looking for new events to attend, I came across the ACLU National’s post announcing their new movement, People Power. After signing up to attend an event near me, the next page was asking if I wanted to host an event! After contemplating whether or not I should, being an introvert and all, I finally pulled the trigger. I signed up to be a host and started my planning. While trying to reserve the auditorium at the Salt Lake City Public Library, I got a call saying that someone else had already reserved it! I did some searching and saw that there was already a Facebook event created and I reached out to the organizer, María del Mar González.

We quickly decided to join forces and the story unfolded from there.

This whole movement, the whole experience of being active in the community and rallying with a bunch of other concerned citizens, is new to me. I’ve always gone with the status quo, always just lived my life day by day. I’m ashamed to say that it took something so atrocious and demeaning to get me to be active in my community. Something that disagrees with every fiber in my body, every ounce of my conscious. The events that unfolded on November 8th tore me apart. It put me in a state of shock. I went through the basic stages of grief: denial, anger, acceptance, and then action.

I couldn’t just sit idly by as my fellow human beings, my neighbors, my friends, my family, were being attacked by the very people who were supposed to be protecting them. Protecting their human rights, their identity, and their life. So I started to do something about it. I wanted to help anyone I could, to help them feel like they belong and that there are people who actually care about them. So seeing the ACLU create this movement was the perfect opportunity for me to do just that, to step out of my comfort zone and help other people.

María del Mar and Jeremy: We joined forces. What attracted us both to the ACLU’s People Power initiative was that it is fully driven by local community members. It’s activating people who hadn’t previously been active, and providing them (us) with the necessary tools to become agents of action and change. Protectors of civil liberties. The idea of a closely-knit, united community gave us hope. Getting the people to organize and produce results without

burning out is key. And, without intending to, we as co-hosts became the very model of collaboration that the ACLU’s People Power had been trying to forge. We communicated daily, but didn’t meet each other until the day of the event. During that time, we served as each other’s support system. A bond that was strengthened by the help and encouragement of the ACLU of Utah’s fantastic staff and many of María del Mar’s activist friends.

We were both nervous as the event date approached. It was both terrifying and absolutely rewarding. Over 220 persons showed up for the event. We got up on stage and shared with our audience why we were there. We asked them why they were there and how many were new to taking action. The more we engaged with our audience, the more excited we became about People Power and the ACLU’s Freedom Cities.

Since then, we’ve been in communication with several of the other People Power event hosts from Utah and are working on coming up with a plan for next steps. This includes a meeting with local law enforcement officers. We do not want to lose the momentum and enthusiasm of People Power.

If there’s one lesson that we’ve learned; it is to not stop. Don’t stop standing up for what’s right. Don’t stop standing up for justice. Don’t stop standing up for human rights. Don’t stop resisting. There is nothing that can’t be achieved when the People use their Power and come together for justice.

Yours in action, *María del Mar and Jeremy*

GET INVOLVED! JOIN PEOPLE POWER
www.peoplepower.org

Meet The 2017 Youth Activist Scholarship Winners!

Jessica Rodriguez and Yearim De Leon were chosen for their strong commitment to protecting and enhancing civil liberties in their schools and communities. These two amazing young activists were selected, from many outstanding applications submitted by graduating high school seniors across the state, by a committee of educators and community leaders. They will each receive a \$1,500 scholarship to be used toward their first year of college and will be honored, along with other Utah civil liberties heroes, at the **Bill of Rights Breakfast Celebration on May 25, 2017**.



Jessica Rodriguez, Cyprus High School: “Being a civil liberties activist means you are willing to stand up for your community and members of a marginalized community to end systemic oppression. It means you are willing to do whatever it takes to take that step closer towards true equality.”

As a child of immigrants, an activist for LGBTQ student rights, and advocate for restorative justice, Jessica is a fighter for, and protector of, equal rights for all. Jessica, along with two friends, started the first Gay Straight Alliance Club at her conservative school. She is also challenging her school to cut ties with large donor Chick-Fil-A, due to their public anti-gay messages and policies. She sees her local campaign as a springboard to help facilitate other schools to refuse funding from businesses that do not promote equality. Jessica also serves with the League of United Latin American Citizens (LULAC), acting as Utah’s Youth Council President, and recently attended a national conference in Washington D.C. to advocate for the voting rights of marginalized communities. In addition to her activism, Jessica embraces the spirit of volunteerism by working with the Magna/Kearns Peer Court to serve at risk youth. She was recently recognized with the Presidential Volunteer Service Award for her many hours of community service but returned the award to the White House in protest that it is only offered to American Citizens, thereby disenfranchising the many undocumented youth in her community. Jessica looks forward to continuing her work towards social justice in college and to help those who are not able to achieve higher education.



Yearim De Leon, Taylorsville High School: “From the moment I advocated for the equal use of our playground swings in elementary school, I knew that I needed to continue to fight for what’s right. We all must get involved in being a voice and a catalyst to see a positive, lasting, change occur.”

Yearim has been involved with Comunidades Unidas as a Community Engagement and Immigration Clinic Intern for most of his high school life. Early on, Yearim used his leadership skills to serve hundreds of community members over a three-month period through bi-weekly immigrant rights trainings, leading to a passion for immigration reform advocacy. As a Youth Ambassador for Taylorsville City, and a regular participant at national conferences, Yearim strives to make his community more inclusive. Yearim also maintains academic excellence, and has been named Utah’s 2017 Social Science Sterling Scholar. As his school’s Senior Class President, Yearim is an advocate for more inclusive and equitable school policies. After the 2016 election, Yearim helped organize a walk-out of over 1,000 students from five high schools who demonstrated their solidarity alongside immigrants, Muslims, LGBTQ students and community members. Because of his outstanding civic engagement, Yearim was chosen to be a speaker at this year’s Multicultural Youth Leadership Day at the Utah State Capitol. While in college, Yearim will continue to be an activist and advocate for those who are not heard.



355 North 300 West
Salt Lake City, UT 84103

NON-PROFIT
U.S. POSTAGE
PAID
Permit No. 2578
Salt Lake City, UT



Help save the trees and ACLU of Utah resources by signing up for our digital newsletter! Info Inside!

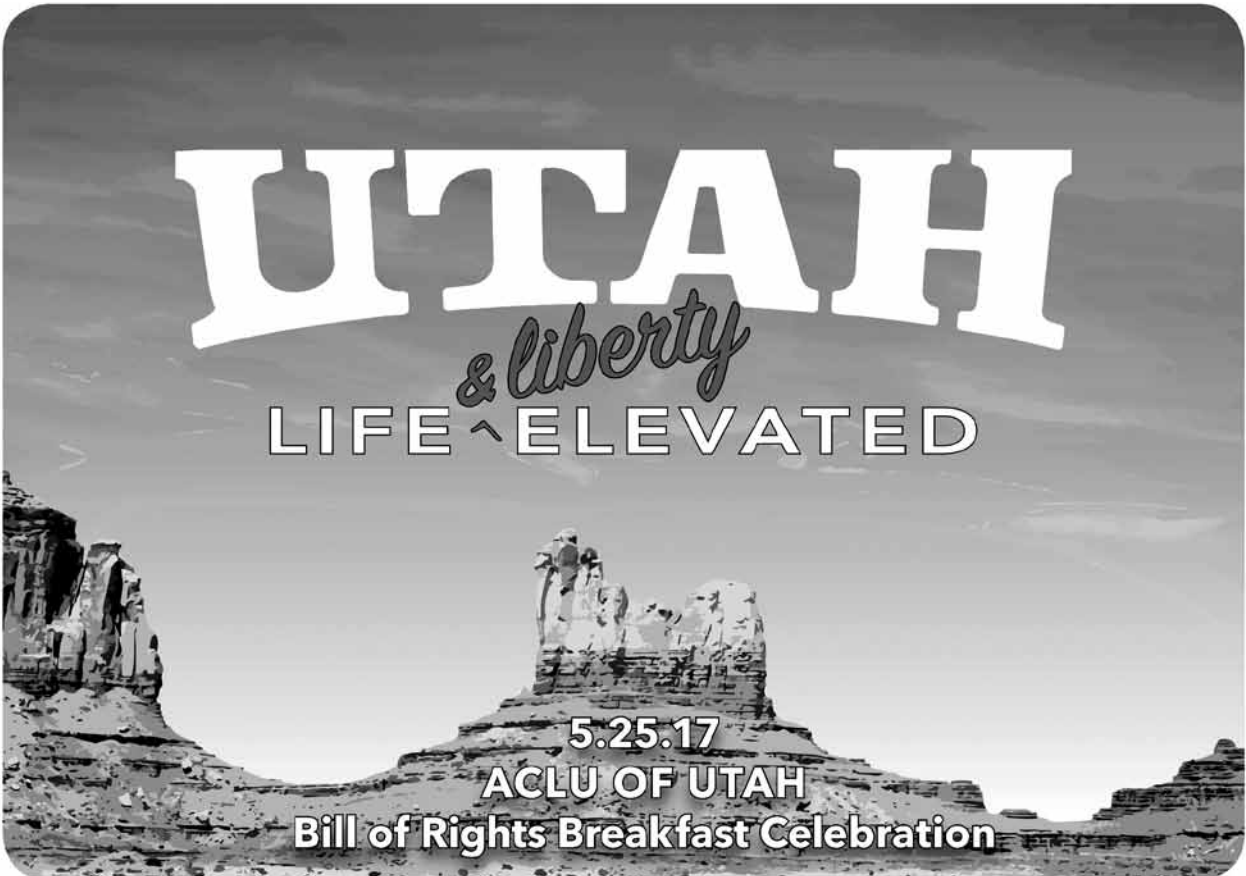
2017 Bill of Rights Breakfast Celebration

Thursday, May 25 • Utah Cultural Celebration Center • West Valley City

Breakfast & Socializing: 7:30am • Program: 8:15 - 9:30am

Join us as we celebrate the incredible community that stands together to protect and defend civil liberties in Utah!

THIS IS A FREE EVENT (and so are the Mimosas and Bloody Marys!)



RSVP ONLINE BY MAY 15

This year’s awardees include:

Mickey Duncan Award - for excellence in civil liberties legal advocacy:
David Reymann

As an attorney, David has been a long time advocate for, and protector of, First Amendment rights and government accountability. David has frequently teamed up with the ACLU of Utah on important issues like forcing Salt Lake City to release video footage of the police shooting of Abdi Mohamed and intervening in the Ogden “Gang Injunction” case, *Weber V. Ogden Trece*.

Torch of Freedom Award - for advancing civil liberties: **Damon Harris**
Damon is trusted by activists, advocates and community leaders due to his ceaseless work for police accountability, drug policy reform and racial justice. Damon is a co-founder of Utahns Against Police Brutality and Salt Lake Cop Watch, and serves on the executive committee of the Community Coalition for Police Reform.

Youth Activist Scholarship Awards: Jessica Rodriguez and Yearim De Leon (Read about these inspiring young leaders on page 7)

If you would like to be a SPONSOR or a FUNDRAISING TEAM LEADER, please contact Cassie Taylor at ctaylor@acluutah.org
● Find more information and to RSVP visit our web page at www.acluutah.org ●