



Palm Beach County Chapter

September 2006

Working to Defend Individual Rights

Inside this issue:

Darrow Event	p 1
Letter from President	p 2
Tasers	p 2
Thought Control	p 3
Bill of Rights	p 3
History	P 4
Call for Attorneys	p 4

Clarence Darrow: The Search for Justice

Mark your calendar for this Must-See event.

Wednesday, November 1, 7:00 pm

Duncan Theater at Palm Beach Community College
4200 S. Congress, Lake Worth, FL

Monthly meetings of the Palm Beach County Chapter of the ACLU are the 4th Wednesday of the month at 6:30 at the Community Foundation, 700 S. Dixie Hwy Ste 200, WPB

All members of the chapter are welcome.

We can build a strong, effective chapter by having many interested and active members.

Email Address Request

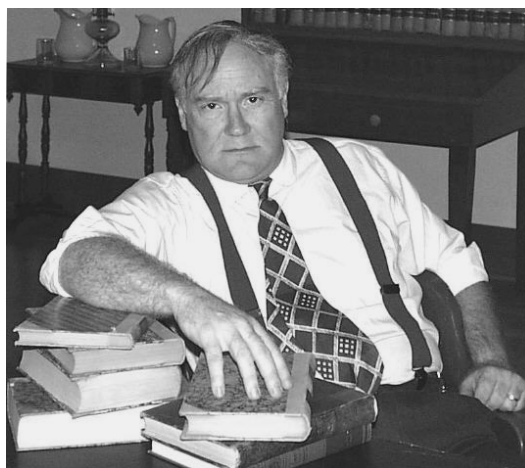
The Board would like to be able to communicate quickly and at no cost when an issue demands our attention. We can save a lot of money by emailing newsletters in future. Please provide your email address by emailing pbcacclu@adelphia.net

Gary Anderson, the renowned portrayer of Clarence Darrow, will bring Mr. Darrow to life on stage and in the aisles of the Duncan Theater. Anderson has masterfully portrayed the brilliant and infamous Darrow before audiences all across the country. The Eureka Times Standard says of his performance, "Anderson's Darrow is in the same league as Holbrook's Mark Twain."

Clarence Darrow was a passionate defender of causes and people that society shunned. Darrow never lost a Death Penalty case. He saved 102 men from execution, including the wealthy child murderers Leopold and Loeb and the Scottsboro Boys – Black men falsely convicted of raping a white woman. Many of the civil rights and liberties he fought to protect from 1894 until his death in 1925 are in the headlines today: Creationism versus Darwinism, freedom of speech, racial profiling, the death penalty, hate crimes, police misconduct.

Darrow's courtroom eloquence is

legendary. Former Supreme Court Justice, Frank Murphy said of a trial Darrow argued before him, "This was the greatest experience of my life. This was Clarence Darrow at his best. I will never see anything like it again. He is the most Christ-like man I have ever known."



Gary Anderson introduces this legal giant to theatergoers who want to think and learn, all the while being entertained. From the moment he takes the stage, Anderson mesmerizes the audience, immersing us in the historic

controversies of Darrow's remarkable career. This is the best there is in live theatre!

**For tickets, Call
1-866-813-7761**

**\$15 Advance orders by mail
or phone**

\$20 At the door

\$10 Students

Following is a list of **standing committees**. Please volunteer for one or more of these committees. Email pbcaclu@adelphia.net with your intentions and suggestions.

Nominating (Nominates candidates for Chapter Board of Directors and Officers)

Membership (conducts membership drives and actively seeks new members for the Chapter)

Legal Panel (investigates and presents, for Board approval, cases eligible for ACLU action)

Fund-Raising (conducts fundraising activities in conjunction with the State and National ACLU)

Legislative (works with State and National ACLU organizations to lobby legislative bodies regarding civil liberties issues).

Information and Education (responsible for disseminating information to the public about civil liberties issues)

Letter From the President

On Wednesday evening, November 1, the Palm Beach County ACLU Board and volunteers will hold the largest and most ambitious fundraiser we've ever undertaken with the presentation of "**Clarence Darrow: The Search for Justice**".

I saw the show last year with friends. It was an emotional, informative evening. Gary Anderson, as Clarence Darrow, relived the legendary trials of Darrow's career, stepping down from the stage to deliver impassioned arguments to the audience-jury. This is a "*warts and all*" presentation of Darrow. He was brilliant; he was a philanthropist, a loving grandfather of three and an egotistical grandstander who may

have been guilty of jury tampering. This is the man behind the legend, not always the hero and not always at his best, with serious legal problems of his own that scarred and haunted him forever.

If you are passionate about keeping the government out of religion, about opposing racism, government conspiracies, union-busting, the death penalty, civil liberties violations then you will cheer this performance. Plan to attend. Bring your family, friends and co-workers.

The ACLU Chapter Board has a **new meeting place**. Board meetings are held at the Community Foundation

Ethelene Jones, M.D

Bldg, 700 South Dixie Hwy, Suite 200, West Palm Beach 33401 at 6:30 pm on the 4th Wednesday of each month and are open to members. The participation of all members is welcome.

Several members have requested that more chapter activities be held in **South County locations** to be more accessible to members who live in the Boynton Beach to Boca Raton area. I invite South Palm Beach County members who are interested in planning ACLU activities for the South County area to respond to our e-mailbox at pbcaclu@adelphia.net.

Tasers

In March, 2006, 2 ACLUFL staff members and 12 Florida ACLU chapter reps met via a 1-hour conference call to begin the Taser Action Plan, the ACLUFL's latest endeavor. Also on that call were ACLUFL Field Coordinator, Kileen Marshall, Northwest Regional Office Director and Panhandle Rep, Susan Watson, and Lorie Fridell, Taser expert and State Board member.

Tasers are devices, also known as "stun guns," which are used by law enforcement officers to deliver electric volts to subdue a subject that officers feel threaten their safety or that of others. In the past, batons, OC (mace spray) or firearms – weapons considered to be

more lethal than Tasers – were used to equalize a confrontation between officers and subjects.

The Taser chapter action plan is being implemented in response to reports of several Taser related deaths. "The goals of the Taser chapter action plan," says Fridell, "are to work with local law enforcement agencies to adopt appropriate Taser policies and to collect comprehensive data on Taser use." To that end, local ACLU of FL chapters are forming committees to establish a dialogue with local enforcement agencies. The ACLU recognizes and acknowledges the bene-

fits of Taser use but is concerned with the possibility of improper or abusive use which could unnecessarily result in death.

The PBC ACLU Chapter has formed a Taser committee, chaired by Barbara Walker. The committee has requested a meeting with PBC Sheriff Ric Bradshaw to begin learning about the Sheriff's Office policies, training and data collection concerning Taser usage. "It is important to remember," says Kileen Marshall, "that the ACLU of Florida does not yet have a policy regarding Tasers, other than that the issue needs to be studied further."

by Barbara Walker

Whoever Controls the Language Controls the Thought : 1984 in 2006

by **Geoffrey Kashdan**

In contemporary America, political debate has moved dangerously close to Orwell's vision of thought limited by carefully designed language. The Republican Party's master of language control is Frank Luntz. His Democratic counterpart is the cognitive linguist, George Lakoff. Luntz has made brilliant use of focus groups to test the emotional impact of constructed phrases. Lakoff has written and lectured on the use of *frames*, a mindset created by the use of one word or term versus another. With such language manipulation two people discussing what seems to be the same issue or bill are actually talking past each other. This

makes understanding and compromise difficult or impossible. A perfect example is the Republican insistence on calling the tax on tremendous inherited estates a *Death Tax*. Democrats talking about the exact same tax refer to it as the *Estate Tax* which is its real title. The difference in terminology is highly significant in terms of this tax being supported or opposed.

In order for people to understand what is happening to political discourse, one must have an understanding of why what one calls this tax is so critical to how people vote. In brief, since everyone dies the name *Death*

Tax implies that this bill is taxation on death and opposing it is in everyone's best interest. However, if the opposition can convince people that this tax impacts only the richest .05% of the population, is triggered only by enormous estates and is a vital source of income for the general welfare of the 99.05% of the population who will never receive such a windfall and therefore never pay this tax then it makes sense to support the such a tax.

In future articles I will present information about how civil libertarians can use the research of cognitive linguists to win acceptance and cull support for our issues.

Board of Directors

Ethelene Jones, M.D.

Chair

tba

V. Chair

Turia Hayden,

Secretary

Marcia Halpern,

Treasurer

Nancy Blackburn

Geoffrey Kashdan

Jim Green

Marcia Hayden

John Pauly

Allen Taylor

Zoe Stout

Barbara Walker

State Board Delegates

Nancy Blackburn

Turia Hayden

Ethelene Jones

John Pauly

Zoe Stout

The Bill of Rights (Part One-Background)

Allan Taylor

The first ten amendments of the U.S. Constitution, collectively known as the Bill of Rights, was enacted in 1791, only 4 years after the Constitution itself was signed. Precedent for a bill of rights can be found in an early English law. In 1689, a document called the Parliament's Bill of Rights was adopted in England. It consolidated laws from the past, granting liberties in various circumstances. For example, it prohibited cruel and unusual punishment and excessive bail, while providing for the right to bear arms and the right of petition for relief of grievances. Also, in early America, some states adopted their own bill of rights, while others incorporated fundamental guarantees into their state constitutions.

Today we take the Bill of Rights for granted. This acceptance belies the fierce battle that was fought over its very existence. Federalists, who believed there should be a strong national government, opposed a Bill of Rights. They feared it would overly burden the Constitution with too many restrictions. Alexander Hamilton and Noah Webster, ardent Federalists, argued that state constitutions and bills of rights, as well as provisions in the Constitution (see e.g.-Article 1, Section 9 and Article 4, Section 2) were adequate protection against an abusive and overbearing federal government. Federalists felt that liberty was better served by avoiding a list of rights on the federal level.

Anti-federalists, such as Patrick Henry and Samuel Adams, were wary of a strong central government. They wanted a Bill of Rights to protect the people from a distant and impersonal Congress, afraid it would violate people's rights if they were not spelled out in amendments to the Constitution.

Thomas Jefferson and James Madison, although instrumental in the writing and enactment of the Constitution, both advocated a Bill of Rights. (Although Madison was against it before he was for it!)

We'll examine the specific amendments of the Bill of Rights in a subsequent article.

The Palm Beach Chapter Needs Volunteer Lawyers

James Green

The ACLU's history is rich and colorful – from Clarence Darrow's passionate defense of John Scopes for his teaching of evolution in the Tennessee schools to former ACLU staff attorney (now Supreme Court) Justice Ruth Bader Ginsberg's pioneering work for gender equality to our Palm Beach Chapter's victories against the Palm Beach County School Board for forcing students to recite the Pledge of Allegiance. As a volunteer lawyer, you can take pride in our history and traditions and be assured that your efforts will add to our ability to continue to be a principled voice for individual rights and civil liberties in the federal and state courts in Florida.

As an ACLU cooperating attorney, you have a unique opportunity to advance and defend civil liberties and core constitutional rights in Florida. That can prove a daunting but rewarding job. Many of our cases assert valid claims on behalf of persons who otherwise might not be represented.

As an ACLU volunteer, you are joining the nation's largest public interest law organization, uniquely dedicated to preserving freedoms contained in the United States and Florida Constitutions. Each year the ACLU and its state affiliates litigate more cases before the United States Supreme Court than any other entity, except for the United States government. The important contributions made by the ACLU are due largely to the dedicated service of lawyers like you who volunteer their time, skills and expertise. Experience is not necessary: we will team you with an experienced ACLU lawyer, either on staff or a fellow volunteer.

ACLU's Greatest hits from Palm Beach County

Jim Green

Have you ever asked yourself what has our chapter accomplished?

For the next several newsletters we will highlight a few of the cases from our archives.

1. Wallace v. Town of Palm Beach, 809 F.2d 1525 (11th Cir. 1987)

This ruling declared Palm Beach worker identification laws unconstitutional; Palm Beach laws were lampooned as Apartheid in Doonesbury comic strip during trial .

2. Kerr, et al. v. City of West Palm Beach, 875 F.2d 1546 (11th Cir. 1989)

This ruling reinstated a jury verdict finding that the city encouraged an atmosphere of lawlessness and was grossly negligent in the supervision of the police canine unit.

3. American Civil Liberties Union, Inc. v. The Florida Bar, 744 F.Supp. 1094 (N.D. Fla. 1990)

This declared an unconstitutional application of Canon 7(B) of the Code of Judicial Conduct to campaign speech.

4500 Biscayne Blvd., Suite 340
Miami, FL 33137

NONPROFIT ORG
US POSTAGE
PAID
PERMIT #1916
MIAMI, FL

Visit us on the web:
http://www.aclufi.org/palm_beach
email: pbcacclu@adelphia.net