



Palm Beach County Chapter

January 2007

Working to Defend Individual Rights

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Annual Meeting and Luncheon

The Board of Directors of the
Palm Beach County Chapter of the ACLU

cordially invites you to attend our
annual meeting and board elections

Sunday February 25, 2007

11:30 A.M.

Cohen Pavilion

**The Kravis Center for the Performing Arts
Okeechobee Blvd., West Palm Beach**

Annual Great Debate topic:

Is it time to end all affirmative action programs?

**Presentation of Harriette Glasner
Civil Libertarian of the Year Award to
Rand Hoch**

The cost is \$40.00 per person.
Send check payable to ACLU-PBC, by Feb. 16th to:

Marcia Halpern

142 Lost Bridge Drive

Palm Beach Gardens FL 33410

For further information please call:

Marcia Halpern 561-622-8560 or

Ethelene Jones 561-687-4433

Monthly meetings of the Palm Beach County Chapter of the ACLU are the 4th Wednesday (except May & December) of the month at 6:30 -7:30 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. For more information, visit: www.aclufl.org/palm_beach

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

It will NOT be shared or used for fundraising.

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

Nominating (Nominates candidates for Chapter Board of Directors and Officer).

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

Legal Panel (investigates and presents, for Board approval, cases worthy of 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

Ethelene Jones, M.D.



The Palm Beach ACLU Chapter's presentation of "Clarence Darrow: The Search for Justice" was a resounding success. The audience of more than 600 people gave a standing ovation and enthusiastic acclaim for Gary Anderson's electrifying performance in this one-man play. Anderson was so convinc-



ing in his portrayal of Darrow, that during intermission, one sympathetic white-haired patron attempted to comfort him. Referring to William Jennings Bryant's opposition to Darrow in the Scopes Monkey Trial, she patted Gary Anderson's arm and told him, "Don't let it get you down, Clarence. Friends fight!".



Pictured above are some of the committee members with Mr. Anderson.

By March, the number of seats on the Palm Beach Chapter Board is likely to be expanded from 15 to 40 to enable us to produce more informative events that energize our members and supporters. This requires a bylaws change that cannot be accomplished before chapter elections in February. If the amendment is approved, the President will appoint 25 additional members to the Board.

If you are an ACLU member who is interested in joining the Board, in order to be eligible for a Board seat, you must have attended 3 board meetings in the 12 months preceding your election or appointment or worked on a committee.

Slate of Board Members and Chapter representatives to State Board

Slate for Chapter Board:

Nancy Blackburn
 Marcia Halpern
 Ethelene Jones
 John Pauly
 Amy Pasquantonio
 Charlie Sorce
 Zoe Stout
 Bob Terpstra
 Gregg Weiss

Slate for State Board Representatives:

Carol Greene
 Ethelene Jones
 Geoffrey Kashdan
 Marcia Hayden
 John Pauly

Bios of the candidates will be available at the annual meeting and online at: www.aclufl.org/palm_beach

If you haven't renewed your membership, please do so in time to vote at the annual meeting.

Harriette Glasner Awardee—Rand Hoch

Attorney Rand Hoch founded the Palm Beach County Human Rights Council, Inc. in 1988. The Council is a non-partisan, non-profit organization that has been a leader promoting the civil rights for lesbians and gay men in Palm Beach County. Rand served as the Council's President through 1992, when he was appointed by Governor Lawton Chiles to serve as Florida's first openly gay judge. During his Judicial tenure as a Judge of Compensation Claims, Rand served as the President of Florida's Conference of Judges of Compensation Claims and as Vice President of the International Association of Lesbian and Gay Judges. Following his

retirement as a judge, Rand has become a mediator, specializing in employment disputes. In November, 2006, Rand was again elected to serve as the Council's President.

Through his work with the Council, Rand has been instrumental in having the City of West Palm Beach and Palm Beach County enact laws that prohibit discrimination in employment and housing, providing domestic partnership benefits for their employees, and establishing domestic partnership registries covering all GLBT couples residing anywhere throughout Palm Beach County.

Rand has also been the prime mover in securing domestic partnership

benefits for employees of the Palm Beach County School District, the Port of Palm Beach, the Office of the Supervisor of Elections, the Office of the Property Appraiser, and the Office of the Public Defender. For this work, Rand received the Palm Beach County Legal Aid Society's Community Service Award In 2005. Rand also drafted the amendments to the Palm Beach County School District's anti-harassment policies, which now protect students from harassment and discrimination based on sexual orientation.

Rand has served on many Boards and task forces, and is currently on the Board of Florida

Board of Directors

Board of Directors

Ethelene Jones
Chair

John Pauly
Vice Chair

TBA
Secretary

Marcia Halpern
Treasurer

Nancy Blackburn
Jim Green
Marcia Hayden
Geoffrey Kashdan
Allen Taylor
Barbara Walker
Zoe Stout

State Board Delegates

Nancy Blackburn
Ethelene Jones
John Pauly
Zoe Stout

Stage.

He lives in West Palm Beach with his partner, the actor Michael Thayer.

PBC ACLU's Greatest Hits (cont'd)

Jim Green

Doe v. Florida Supreme Court and the Florida Bar, 734 F.Supp. 981 (S.D. Fla. 1990)

Declared unconstitutional a regulation requiring confidentiality of complaints against lawyers to the Florida Bar.

Doe v. State of Fla. Judicial Qualifications Commission, 748 F. Supp. 1520 (S.D. Fla. 1990)

Declared unconstitutional a Florida constitutional prohibition on disclosure of fact that complaint had been filed with Judicial Qualifications Commission

Naturist Society, Inc. v. Fillyaw, 958 F.2d 1515 (11th Cir. 1992)

The Naturist Society, Inc., wished to engage in protesting, distributing literature, and other expressive activities in John D. MacArthur Beach State Park. [Not the nude peace symbol case.]

The Palm Beach ACLU chapter appealed the District Court's upholding that the park was a non-public forum and, therefore, subject to such restrictions. The Eleventh Circuit Court of Appeals found that the park was a traditional public forum, and that the bans or limitations on expressive activities violated the First Amendment.

The Bill of Rights (part two)**Allan Taylor**

The Bill of Rights contains a host of rights in just ten Amendments. The 1st Amendment alone prohibits Congress from passing laws that:

1. respect an establishment of religion,
2. prohibit the free exercise of religion,
3. abridge freedom of speech,
4. abridge the freedom of the press,
5. interfere with the people's right to peacefully assemble,
6. prevent the people from petitioning the government for a redress of grievances.

Other Amendments prohibit unreasonable searches and seizures (4th), cruel and unusual punishment (8th), and the right to a trial by jury in most cases (7th). The 5th Amendment forbids compelling a person to be a witness against himself in any criminal case ("taking the 5th"). People accused of crimes have a right to a speedy and public trial, an impartial jury, and to be confronted with witnesses against them, according to the 6th Amendment.

The 9th Amendment made it clear that the Bill of Rights was not a complete list of rights. Other rights, not mentioned in the Constitution itself or in an Amendment, are retained by the people. The Supreme Court has recognized certain "unenumerated" rights not listed in the Constitution. Various Amendments (especially the 14th Amendment's "due process" clause) have been cited by the Supreme Court to explain such unenumerated rights as the right to travel, the right to freedom of association, and the right to sexual privacy (which includes the right to an abortion and the right to consensual sex between adults).

The 10th Amendment, which reserved to the states the legitimate powers that were not delegated to the federal government by the Constitution, has stirred debate throughout American history. Although the states had to give up many powers in order to create a new Constitution, they insisted an amendment be added that affirmed their ongoing role in governmental matters.

4500 Biscayne Blvd., Ste 340

Miami FL 33137

Visit us on the web:

http://www.acluf1.org/palm_beach
pbcaclu@adelphia.net

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