

Annual Meeting: Civil Liberties and the Obama Administration Saturday, March 21, 2009 — 2-4pm, Selby Library

Colonel Michael Pheneger (U.S. Army, Ret.) — ACLU of Florida's National Board Representative and a member of the ACLU's National Executive Committee — will be the featured speaker at our **Chapter's Annual Meeting on Saturday, March 21, 2009, from 2-4pm at the Selby Library.** He will be speaking about the new Obama Administration and its likely effect on civil liberties. The meeting is free and open to the public.

Well known for his protest demonstration of waterboarding, which packed the house in

Tampa last year, Colonel Pheneger frequently speaks for the ACLU of Florida on issues involving civil liberties and national security. And he has the insider's information to do it. He spent 30 years on active duty as a U.S. Army Intelligence Officer, serving in Germany, Vietnam, Korea, Panama, and the Middle East. Before retiring in 1993 he worked as Deputy Director of Intelligence for Central Command and was the first Director of Intelligence for U.S. Special Operations Command at MacDill Air Force Base.



Colonel Michael Pheneger

He teaches courses on the Constitution, the Bill of Rights, Terrorism, and various geopolitical issues for USF's Learning in Retirement Program.

The Selby Library is located at 1331 First St. in Sarasota (Five Points).

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Local Student Activist Produces Student Civil Rights Forum

The next generation of civil rights leaders and activists is alive and well and not only speaking out but developing and presenting educational programs.

Nathan Robinson, a recent graduate of Sarasota's Pine View

School and a sophomore at Brandeis University, was inspired by last summer's ACLU Membership Conference in Washington D.C. He developed a power point presentation on Student Civil Rights, based on the

ACLU of Florida's Student Rights Handbook (visit www.aclufl.org to download your own copy of the Handbook) and then presented it at a forum he organized at the Selby Library in January.

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2009 "Banned Books Bash" — April 13-17, 2009

Once again this year, the ACLU-FL Sarasota/Manatee/De Soto Chapter is putting Banned Books in the spotlight — specifically, the dozens and dozens of books that some people in America didn't think you should read.

Over the years, people have tried to ban books such as *I Know Why the Caged Bird Sings* by Maya Angelou, *The Chocolate War* by Robert Cornier, *Of Mice and Men* by John Steinbeck, *The Catcher in the Rye* by J.D. Salinger, and

Harry Potter by J.K. Rowling.

Our Banned Books Bash features a special ACLU 15%-off coupon from our friends at Sarasota News & Books — good for a discount on any book in their store, banned or otherwise. Coupon appears below!

Check out our banned books display at Sarasota News & Books (1341 Main Street, at the corner of Palm Avenue).

Also, don't miss our special screening of Ray Bradbury's

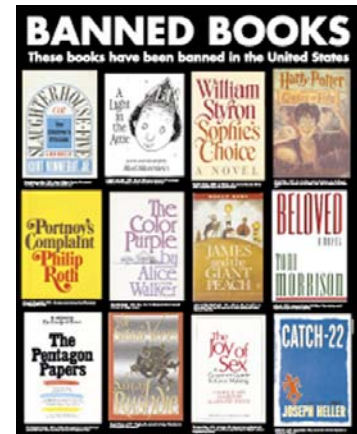
classic anti-censorship film *Fahrenheit 451* at the Selby Library, downtown Sarasota — Thursday, April 16th at 2pm. It's an award-winning film, set in a future world of total censorship, where it's a crime to read books! The job of a "fireman" in this world is to find books and burn them. The film is absolutely free, so bring your family and friends. (As you may know, 451° Fahrenheit is the temperature at which paper burns.)

Banned Books Appreciation Week!

April 13—20: **Sarasota News & Books**
(1341 Main Street, downtown Sarasota),
is giving all ACLU members . . .

15% off any book in the store!

Just bring along this coupon for your discount.



Local Student Activist Produces Student Civil Rights Forum

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The presentation was followed by a lively panel discussion with questions from the audience. The five panel members represented widely diverse viewpoints on the issues of student rights and student limitations. Participants on the panel included Sarasota Police Chief Peter Abbott, long time friend of the local ACLU

Chapter; Attorney Adam Tebrugge, a 23 year veteran of the public defender's office; ACLU Regional Director and attorney Rebecca Steele; Sarasota County schools director of discipline, Dr. Linda Post; and college student Paul Waters, who worked with teen court while a high school student in Sarasota. Future plans are to introduce similar programs directly into area schools.

Thank you Nathan for organizing the great forum!



Nathan Robinson—young activist

¡Vamos a Cuba! - Florida's own Banned Book

Book banning in 21st-century America is not tolerated, except maybe at the Miami-Dade School Board.

In early 2006, the ACLU of Florida warned the school district that if they banned the children's book *¡Vamos a Cuba!* and its English equivalent *A Visit to Cuba*, a lawsuit would follow. The book is part of a series that shows children ages 5-7 basic facts about other countries, such as the foods they eat, the clothes they wear and the things they do.

The school board, however, voted to ban the book against the advice of the district's superintendent, the school board's own attorney, as well as two separate committees comprised of educators, parents and librarians. The board, in a politically charged vote, claimed the book did not accurately portray the Castro regime. Later, the district would yank every book in the 24-book series off the shelves, further making school children the losers in this battle.

The ACLU does not make idle threats and so, in June 2006, we filed suit against the Miami-Dade County school district demanding that the books be returned to the shelves. Librarians and experts testified that the book is age appropriate and that it should in fact remain on the shelves. The Florida Library Association even filed an amicus brief in the case. The ACLU prevailed in the federal district court and the school district quickly appealed — throwing more taxpayers' money at the problem they themselves had created.

One and a half years later, the 11th Circuit reversed the district court's decision, ignoring many of the facts and cherry-picking the ones that yielded the desired result. The ACLU of Florida and cooperating counsel are looking at the decision and will be moving forward to protect free speech in this, our free country. Stay tuned!

"Censorship is censorship no matter what words you use to describe it. If every parent and administrator had the chance to remove books that contain ideas they don't agree with, the library shelves would be empty. The answer in a free society is always to add more speech, not limit it," said Howard Simon, Executive Director of the ACLU of Florida.

Chapter Project — More Reading Materials Needed in the County Jail



When possible, the ACLU works to protect civil liberties without entering the courthouse. The local Chapter is currently working with those in charge of the County Jail to put an end to their embargo on all reading materials in the jail, including newspapers, magazines, and books. There is very little reading material available to inmates other than a few romance novels and a bit of religious writing. We hope to get this resolved without litigation.

Local Lawsuits Continue

Free Speech ... Just not in front of Whole Foods

About a year ago we reported on a lawsuit filed by Whole Foods against a person who, while standing on the sidewalk by the store was soliciting signatures for a petition. (See: United States Constitution, Amendment I; published 1791, for more on freedom of speech and the right to peaceably assemble and to petition.)

You have no doubt seen signs posted by Whole Foods denying people the right to solicit, canvass, demonstrate, picket or distribute literature not just in the store but on the sidewalks and parking lots adjacent to the store. And you may have wondered if they were serious. They were.

This year, we again report on that

lawsuit which continues. Glenn Katon, Becky Steele, Grissim Walker and Michael Barfield are currently handling the case. At the time of this writing we are waiting for the court to decide who owns the sidewalk. Whole foods says they do. The ACLU says the public does. Whole Foods says the sidewalk was put in for their purposes, that they paid for it. The ACLU says it was put in by and for the city, that the city donated the land along with \$4 million to the developer to develop the land and to build a public garage on it. Whole Foods would have no authority over what goes on on public property. If the judge agrees that the land belongs to the public, then we expect it to dismiss the case filed by Whole Foods against the ACLU's client, and people will be allowed to petition outside of

Whole Foods. Stay tuned--we should hear any day now, and we'll let you know, maybe even at the **Annual Meeting on March 21! Be there! 2-4 p.m., Selby Library.**

Sarasota Noise Ordinance

At the time of this writing, the ACLU is preparing to file suit against the City of Sarasota challenging its Noise Ordinance on the grounds that the ordinance is not content-neutral and allows the particularly onerous seizure of an auto vehicle based simply on the evaluation by the enforcing officer as to how far away the noise is (25 feet or more) and whether it fits the noise description. The ordinance applies specifically to deep rhythmic based sounds and appears to be directed at rap and rock music with a deep rhythmic reverberating bass.



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Visit us on the web:
www.aclufl.org/sarasota

Save the Date!

Saturday, March 21, 2009

- Annual Meeting and Chapter Election @ 2:00pm. Free and open to the public! *Only members may vote in chapter election; you may join/renew at the door.
- Location—Selby Library at Five Points