

ACLU

Florida

Pinellas Chapter

Pinellas Chapter of the ACLU of Florida

2020 Newsletter



YOU'RE INVITED!

JOIN US FOR THE PINELLAS CHAPTER OF THE ACLU OF FLORIDA'S 2020 ANNUAL BILL OF RIGHTS DINNER AND AWARDS

When: March 5, 2020
6-7p.m Reception honoring our Award Winners
7-9 p.m. Dinner and program (see below)

Special Guests: Dr. Micah W. Kubic, Executive Director of the ACLU of Florida
Julie Ebenstein, Senior ACLU Staff Attorney

Where: Banquet Masters | 13355 49th St. N | Clearwater, FL 33762

Cost: \$50.00 (donation is not tax deductible)

RSVP: To reserve online and pay with a credit card:
<https://aclufl.org/2020pinellasawards>

OR

Mail your check for a reservation to:
Pinellas County Chapter Dinner Reservation
ACLU PO Box 12372
St. Petersburg, FL 33733.

Please make checks payable to the ACLU of Florida Foundation (\$50 per person)

QUESTIONS? Email mbuu@earthlink.net or call (727)347-4266

We are pleased to feature as our guest speaker, Julie Ebenstein, of the ACLU Voting Rights Project.



Julie Ebenstein is a senior staff attorney with the ACLU Voting Rights Project. Since 2013, she has litigated voting rights matters around the country, including cases in North Carolina successfully challenging an omnibus voter suppression law; in Ferguson, Missouri successfully challenging the racially discriminatory impact of at-large school board elections; in Kansas successfully challenging the state dual registration system; and in Iowa challenging the state's felon disenfranchisement laws.

A Message From Raymond Arsenault, President of the Pinellas ACLU Chapter

The Pinellas Chapter of the Florida ACLU is one of 13 chapters in the state. Organized in 1968, it currently has more than three thousand members, an active board of directors, and a vigilant legal panel made up of cooperating attorneys. The ACLU of Florida, led by Executive Director Micah Kubic and State Board President Michael Barfield, is one of the largest in the United States, with 160,000 members and supporters. Our chapter board is proud to be part of a vital and growing national organization, more than eight million members and supporters strong, that has been fighting for civil liberties and democracy since its founding in 1920.

Affiliate policy requires each chapter to select one issue as its highest priority, and the Pinellas Chapter board chose voting rights and the implementation of Amendment 4 as a means of restoring voting rights to returning citizens. Two additional areas of local emphasis are immigrants' rights and criminal justice reform.



Our chapter also has a long tradition of involvement in public education and outreach on matters of civil liberties. To this end, for the last 25 years we have sponsored an annual Bill of Rights Dinner which gives us the opportunity to elect officers and board members, to celebrate the importance of the ongoing struggle to preserve civil liberties, and to present two civil liberties awards: the Garner W. Beckett Jr., Award for distinguished contributions to the field of civil liberties and the Irene Miller Award for Vigilance in Journalism.

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This year's award winners— Reverend Andy Oliver and the staff of the University of South Florida, St. Petersburg's student newspaper, *The Crow's Nest*—join the long list of courageous civil libertarians honored by the chapter. We congratulate them, and thank them for representing and perpetuating the ACLU's century-long legacy of citizen action and devotion to the Bill of Rights.

The Gardner W. Beckett Jr. Civil Liberties Award



The **Reverend Andy Oliver**, Senior Pastor of St. Petersburg's Allendale United Methodist Church, is the recipient of the 2020 Gardner W. Beckett, Jr., Civil Liberties Award, an award named for a distinguished and courageous civil liberties attorney who spearheaded the Pinellas ACLU Chapter's Legal Panel from 1968 to 1993. For a quarter century the Pinellas ACLU Chapter has presented an annual award recognizing extraordinary contributions to the advancement of civil liberties in Pinellas County. This year we are pleased to honor a man who has served as a strong and consistent advocate for civil liberties, democracy, and social justice. Promoting democratic discourse and First Amendment principles, he has turned his church into a major venue for civil dialogue and moral regeneration, hosting numerous public events related to important social and political issues. Collaborating with a wide variety of citizen action groups, he has been especially attentive to matters involving voting rights and discrimination against the LGBTQ community.

The Irene Miller Award for Vigilance in Journalism



Nancy McCann, senior investigative reporter, and her colleagues at *The Crow's Nest*, the student newspaper serving the University of South Florida, St. Petersburg, have been awarded the 2020 Irene Miller Award for Vigilance in Journalism, an annual award selected by the board of directors of the Pinellas ACLU Chapter. Named in honor of Irene Miller, a stalwart civil libertarian who served as chapter president for several years prior to her death in 2000, the award recognizes superior journalism practiced in the best traditions of a free press upholding the rights guaranteed by the First Amendment. During the past three years, under the supervision of Professor Rob Hooker, reporter Nancy McCann, along with editors Emily Wunderlich, Whitney Elfstrom, and Michael Moore Jr., and other members of the Crow's Nest staff, have earned a reputation for investigative excellence and uncompromising adherence to fairness and freedom of expression. Their vigilant reporting on two major controversies—the administrative consolidation of the university of South Florida and the unionization efforts of adjunct faculty—stand out as models of what a free press can accomplish under difficult circumstances. They are students, but they are also our teachers.

What Is the Pinellas Chapter Legal Panel and What Can It Do?

The Pinellas Chapter legal panel is a small group of volunteer attorneys and other chapter members who meet monthly, usually on the second Thursday of each month at noon for lunch, currently at The Hangar at Albert Whitted Airport.

During these meetings we discuss cases, which we refer to sometimes as complaints, that we have received from the ACLU of Florida and we determine if they are an ACLU case or if we can refer the complainant to another lawyer or other outside resource. If we agree that the complaint appears to be an ACLU case, then one or more attorneys are assigned to contact the complainant and otherwise investigate the case. Often litigation is not called for, and cases can be resolved simply by contacting the governmental entity that caused the complaint and explaining our position.

In the past couple of years, members of our panel have done an excellent job of listing and tracking these cases and reporting back to the ACLU of Florida so that people who write to us are not lost in the shuffle. We also keep very good minutes of these cases and our decisions.

So what makes an ACLU case?

It has to involve an issue where action (or inaction) by a governmental entity at the national, state, or local level has affected the constitutional or civil rights of the complainant, that this action does not just affect the individual complainant but is likely to affect many other people. The case involves not complicated factual

issues but rather specific legal issues involving constitutional rights and civil liberties, and that the complainant has no other legal recourse through more conventional avenues.

For further information, contact the Chair of the Legal Panel, Catherine Blackburn at:

Blackburn Law Firm, PLLC
cathy@lifeplanlaw.com
5230 Central Avenue
Saint Petersburg, FL 33707
727-826-0923 (phone)
727-826-0925 (fax)

KEY ONGOING ACTIVITIES:

- WORKING WITH VARIOUS COALITIONS SUCH AS THE PINELLAS FOR IMMIGRATION JUSTICE (SEE BELOW)
- PARTICIPATING IN THE PRIDE FESTIVAL AND THE REV. MARTIN LUTHER KING JR., DAY PARADE
- ORGANIZING AND STAFFING THE BANNED BOOK BOOTH AT THE TAMPA BAY TIMES FESTIVAL OF READING AND BILL OF RIGHTS DINNER

Tent “Courts” in Brownsville, Texas Push Asylum Seekers Back Into Horrific Conditions in Mexico.

ACLU and the Pinellas Coalition for Immigration Justice

By Wender Snyder,
Pinellas ACLU Board Member

The judge looked anxiously out the four by six foot television screen in the makeshift “tent court” to see whether there were any outside observers in the back of the room. In the bottom right corner of the screen we could see what the judge—who was in another detention facility—could see: ourselves, twenty or so observers behind the six immigrants whose hearing was being held.

The judge recited the immigrants’ “rights” with translation into Spanish only (no indigenous languages). The judge then called each of the six immigrants before him one at a time and recited their five identical allegations and single charge:

“Allegation One: You are not a citizen of the United States.

Allegation Two: You are a citizen of [at this hearing, Honduras, El Salvador or Cuba]

Allegation Three: On or about [various dates in November 2019], you arrived at [various locations, usually Roma, Texas] without a valid, unexpired immigrant visa, border crossing card or other document required by Section 212(a)(7)(A)(i)(I) of the Immigration and Naturalization Act.

Allegation Four: You arrived in the United States without any valid traveling document such as a valid unexpired passport or other document specifying your name and nationality as required by the regulations issued by the Attorney General of the United States.

Allegation Five: You were not admitted or paroled to the United States.

Therefore, you are charged with being a deportable person under the Immigration and Naturalization Act.”

We were there as members of the Pinellas Coalition for Immigration Justice, which the Pinellas County chapter of the ACLU of Florida voted to join in early August. The Coalition persuaded Rep. Charlie Crist to send letters to the Department of Homeland Security and the Department of Health and Human Services demanding information regarding the Homestead Detention Facility for Immigrant Children, and sent people to the Homestead facility to protest the conditions there. Homestead was eventually closed in September 2019, although recent reports suggest it may be reopened.

After Homestead was closed, Coalition members met with Josh Rubin at the Tampa Theatre’s showing of the documentary “Witness at Tornillo.” (For more information about Josh, go to: <https://www.bigeasymagazine.com/2019/02/01/witness-tornillo-child-detention-camp/>). Josh told us he next intended to witness at Brownsville, Texas, where across the border in Matamoras, the conditions of asylum seekers under the Migrant Protocol Program (“MPP”), otherwise known as “Remain in Mexico,” were known to be horrific: no food, no water, no shelter provided either by the government of the U.S. or the government

PHOTO CREDIT

of Mexico. Josh planned a big event for January 12, 2020; we said we would join him.

We drove for three days, bringing a large amount of supplies. On the morning of the 12th, we gathered in Xeriscape Parke, next to the International Bridge to Matamoras and opposite the tent courts on the U.S. side. We met with several founders of Team Brownsville, a group of volunteers that has been providing food, clothing and other humanitarian services to the asylum seekers in the Matamoras camp for the past two years. (For more information, go to: <https://www.journalgazette.net/opinion/sunday-centerpiece/20191124/food-and-thought>).

The next day, we walked over the bridge to Matamoras. From the top of the bridge we could see the first rows of the five-person tents crowded together that shelter the asylum seekers. We were overwhelmed by the poverty. A crowd gathered around our Spanish-speaking colleague seeking information and possible legal assistance. One man said: "I've been here for eight months, but they told me I need a "form" to prove that I was here before July 18 [the date MPP went into effect] in

order to get out of this camp. Where do I get this form?" (The answer, we discovered later, is that there is no such form. There is effectively no way for this man to be able to prove that he arrived before July 18. This is just one of the many ways the government makes it near impossible for anyone to obtain relief).

Over this time, Rep. Joaquin Castro eventually led the Congressional Hispanic Caucus over the bridge to Matamoras. For an article on that trip and the press conference that followed, go to <https://www.cbsnews.com/news/lawmakers-condemn-horrific-conditions-faced-by-asylum-seekers-returned-to-mexico-2020-01-17/>.

You can help alleviate this humanitarian crisis. There is a tremendous need for:

- Spanish-speaking lawyers to represent asylum seekers
- Witnesses to protest in Xeriscape Park and to observe court proceedings
- Funds for food, clothing and water purification

To find out more about how you can help, go to: <https://www.teambrownsville.org/>.

ELECTIONS:

MEMBERS WHO ARE ELIGIBLE TO STAND FOR REELECTION IN 2020:

- RAY ARSENAULT
- SAM SCHRIFT
- MARIA D. VESPERI
- NANO RILEY
- JERRY MOORE

MEMBERS WHO WERE ELECTED OR REELECTED FOR TWO-YEAR TERMS IN 2019:

- KATHRYN ARTHUR
- LLANI O'CONNOR
- CATHERINE BLACKBURN
- STEPHANIE OWENS
- MARGARET EVANS
- JAY SOKOLOVSKY
- JEFF HARPER
- WENDY SNYDER
- BRUCE HOWIE

