

CLEVELAND LIBERTY

Profile: Al and Mickey Stern

Signing on for the big life

At the back of the audience Al and Mickey Stern sat holding hands. They had returned this evening to the ACLU, where Al has worked since 1993, to hear Mary Beth Tinker speak at a program commemorating the Bill of Rights anniversary.

Tinker, now a woman in middle age, had been an ACLU client in the eighth grade. Wearing black arm bands to school in quiet protest of the napalming of other children, she and her friends were suspended for bearing witness to violence.

Someone called the ACLU. The case went to court and Mary Beth became the Tinker in *Tinker v. Des Moines Independent Community School District*, one of the most important Supreme Court decisions for young people in our lifetime. That happened forty years ago and Tinker has been an activist all those years.

At this program, Mary Beth urged high school students in the audience to become social activists. Not in a preachy "step up to the plate" kind of way, but more in the way of someone recommending a good restaurant. "Become an activist. It's a great life. You'll meet cool people and have adventures. You'll love it."

Al and Mickey Stern signed up for that life a long time ago. The big life.

It started with trying to save the Rosenbergs from the electric chair. Mickey and a friend from Flora Stone Mather College organized a meeting and Al attended. Most productive meeting of their lives, you could say. Exciting but scary. The government was looking for Communists, following people. Friends were going to jail.

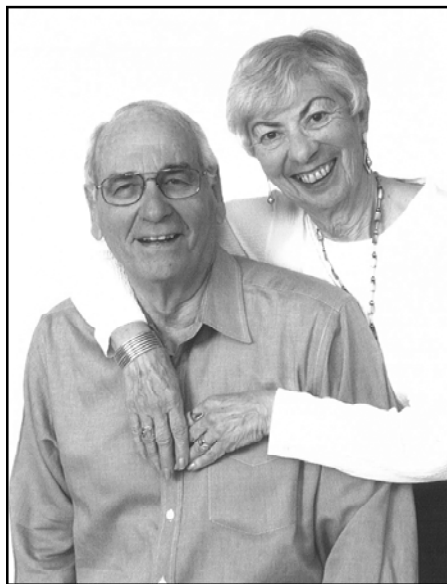
Still, people fall in love

From the wedding to a little place in Cleveland Heights, then with children coming (three eventually; Laura, Brian and Gary) to a house in Warrensville Heights and a community facing the beginning of an unsettling integration challenge.

Social movements are made up of people and families and their lives and in much of Greater Cleveland change was about who would go to school with your kids and who you would sell your house to and how your neighbors would feel about that. And would you take a chance? Justice was something people were dying for. It was that important.

Al and Mickey felt the change. Mickey riding an overnight bus both ways to march with Martin Luther King Jr. and a half-million others. Mickey marching led to eyes opening. Someone had a dream and they understood it. Activism with CORE (Congress of Racial Equality) followed.

Time for another meeting. Their living room became the place where ideas about fairness and equality were turned into actions. These meetings became the Warrensville Heights Neighborhood Forum and a place to "be the change you want to see."



Al and Mickey Stern

Restore lost liberty

When the 110th Congress convenes in January 2007 both the Senate and the House will have Democratic majorities and Democrats will be in control of the legislative process. What promise does this hold for the future of civil liberties in this country?

In anticipation, the ACLU of Ohio, along with the National ACLU Legislative Office in Washington, is developing programs that will take center stage in our efforts to reverse the damage done to the Bill of Rights. We will focus on legislation such as the Patriot Act, the Military Commissions Act of 2006, and the many executive orders issued by the White House that we call the "Abuse of Power."

Restore Habeas Corpus.

When Congress passed the Military Commissions Act, S.3930, it partially removed a cornerstone of our Constitution and legal heritage – the writ of habeas corpus. We must not keep people in detention camps for years without any charges against them or any legal due process for determining their future. Policy recommendation: Congress must restore the protections of habeas to people who have been designated "enemy combatants." Congress must also ban the use of coerced evidence in the military commissions, limit the president's unfettered authority to define torture and abuse, end government kidnapping and torture, and close Guantanamo.

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Next neighborhood, Ludlow – same thing. Change wasn't a slogan, it was life. A big life.

Give peace a chance

Somewhere in here Al made a living. It turned into a good one, and they shared it. Passionately and generously.

Racial justice, and now add peace. President Eisenhower said not to worry about nuclear radiation. Not that big a deal. Al and Mickey helped start a Sane chapter in Cleveland - The Committee for Sane Nuclear Policy, whose national leader was two-time Nobel Prize winner Linus

Now it's time for Women's Liberation More meetings, only they called them consciousness-raising.

The 1950's had drowned a lot of women. The lovely house and the lovely children and adored husband were great, fabulous. But somewhere in there a woman's true voice grew fainter. For Mickey the need to breathe became the need to change and to make change. Before 1970 no one said the awful "A" word. No abortion talk here. You could go to jail. Young or poor or desperate and pregnant? Sorry.

Mickey didn't like that answer. So, she worked and worked. She counseled and she referred, and she raised money and had meetings, of

Healing the world

Al and Mickey – Laura, Brian and Gary in tow make the family trip to Israel in 1974. Earlier they had joined with others to establish the Jewish Secular School, now the Jewish Secular Community. They are still on war footing in Israel following the Yom Kippur War. You wouldn't know it from the papers but there are plenty of Jews and Palestinians who want peace and Al finds them.

Al becomes national chair and leader of the Shalom Network which leads to New Jewish Agenda which leads to Americans for Peace Now, where he is still. He's persistent about this. He means it, but he's not mean about it. His positions may be controversial, but he is gracious.

Throughout these years Al and Mickey were always aware of the ACLU. A good friend and a good fundraiser, Harold Levine had persuaded Al to become more involved, and more than a nominal financial supporter.

Al ended up on the ACLU board of directors. No good deed goes unpunished.

The anti-retirement

When it comes time to leave his business (this is not retirement, it's on to the real work) Al applies for and gets a senior position at the ACLU office. He works hard for no pay. (We allow vacations. There are countries to travel to and grandchildren to see.) Al thinks about legislation and organizes meetings and he tries to get people who were elected to serve the people, to actually serve the people. He takes speaking requests. He edits the newsletter and somehow becomes the chief fundraiser. He is Mr. ACLU around Cleveland. That's at least three senior positions. I don't think he remembers signing on for that one, it just sort of happened as he hangs out being helpful.

Don't know what to do with yourself? Listen to Mary Beth Tinker. Become an activist. It's a big, interesting life and you might get to meet Al and Mickey Stern along the way. It's one of the best things that have happened to us.

Chris Link
Executive Director



Mickey and Al Stern were deeply involved with antiwar efforts in the 1970's. Above, Al (center) is joined by (left to right) Daniel Ellsberg; a Kent State University student leader; Jane Fonda; and Julian Bond at a 1974 press conference at Kent State University on the anniversary of the May 4, 1970 shootings.

Pauling. Our children are in danger. Time for action. People really needed to hear Pauling so they rented Severance Hall and picked Dr. Pauling up at the airport. Mary Beth said you would meet interesting people.

Al would spend a good part of his life from 1963 to 1975 working to stop one war. In the beginning it was the Indo-China Peace Campaign which brought all kinds of people to Cleveland. And that war, that nightmare begot the shootings at Kent State and the draft

And the Weathermen and SDS – radical social changers.

Al and Mickey had children in school, a house, a growing business, activism in an unsettled world. It's a big life. George McGovern, Jane Fonda, Julian Bond, Holly Near, Daniel Ellsberg, lots of interesting people had walk-ons.

It's an activist life, and they love it.

One day the FBI came to the door wanting to talk about those radicals and Mickey said, "Not without a lawyer." They didn't come back. Good lesson.

Al and Mickey marched and organized and spoke, and brought others to speak. And those activists brought more ideas.

course. It became a job. A career. A passion. And Al learned some new tricks about running a house and parenting. Good for all of us.

And when the law changed and still no one had the courage to provide services. How do we care for women?

Well, Mickey and friends start them. Simple right? A whole new medical service with stigma and protesters thrown in. They figured it out. It's Preterm and today it thrives. Strong, solvent, serving women. And Mickey is there, still.

Mickey thinks a lot about power and money – the using and the giving of it. She and others create another big idea. Women giving money – philanthropy that comes from and thinks about women – it's a revolution. And then there's art by and about women, Mickey and friends bring a monumental work to town called The Dinner Party by Judy Chicago. A book couldn't cover The Dinner Party. Raise more money than you ever thought possible, recruit more volunteers than you could ever meet, find and gut a building and put on a show. But we get ahead of our story.

Voting in Cuyahoga County: Better or worse?

After the disastrous primary election in May 2006, the Cuyahoga County Board of Elections (BOE) had to move quickly to regain the public's trust before the November general election. The Cuyahoga County Election Review Panel, in a comprehensive report of the problems in the primary election, outlined recommendations for the BOE, including better absentee ballot counting, poll worker training, and communications between polling locations and the BOE.

Even though the board implemented parts of the recommendations during the November general election, problems still occurred. Misapplication of the law left many voters questioning whether their vote would actually be counted.

With last-minute changes issued by the Secretary of State regarding ID requirements and poor poll worker training, some voters were asked for additional ID when what they had was actually sufficient under the law. They were then forced to vote a provisional ballot, which is a ballot that is counted only after the BOE confirms that that voter is properly registered.

In addition to ambiguity regarding ID requirements, which forced thousands of voters to vote a provisional ballot, many voters in Cuyahoga County had trouble with their absentee ballot request. Some did not receive their ballot in time or had to pay extra postage to get it to the BOE by deadline, while others had to make follow-up calls to ensure their ballot was mailed to them at the correct address.

While we expect some kinks in polling locations on Election Day, a large number of precincts in Cleveland Heights did not open on time or did not have enough functioning machines. The BOE must find out why this happened.

In preparation for high-voter turnout and confusion over new ID requirements, the ACLU of Ohio undertook an expansive, statewide voter education program, which included sending e-messages and an informational piece to members with updates about registration deadlines, ID requirements, and provisional ballots. More than 10,000 Voter Empowerment Cards, a wallet-size card detailing voters' rights, were distrib-

uted. On Election Day, the ACLU of Ohio took voter complaints by phone and web to discover the nature and location of vote failures in the state.

While other parts of the state saw a rise in midterm election voter turnout, in Cuyahoga County only 39 percent of eligible voters turned out. What problems will occur when 50 percent or more of voters turn out to vote? The BOE has a responsibility to the people of Cuyahoga County to run a fair, accurate, and reliable election. They have a responsibility to do better. For up-to-date voting rights news and information and how you can get active, visit www.acluohio.org.

Adrienne Gavula
Program Associate



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Stop illegal spying and investigate the scope and severity of damage to Americans' privacy.

Congressional leaders must stop being a rubber stamp for the president's abuse of power. We need to know the scope of the program, who has been spied on, what has been done with the information, and who authorized the program.

Policy recommendation: Congress should de-fund this illegal program and undertake a thorough investigation of the NSA's warrantless eavesdropping.

End the state secrets policy and special security information designations that deny court review of human rights and constitutional violations.

The government has used these tactics to deny court review of key facts that could reveal unconstitutional and illegal actions by federal officials.

Policy recommendation: Restore greater transparency to government by limiting the state secrets doctrine and the use of the Sensitive Security Information designation for unclassified material. Congress must also strengthen FOIA and protect whistleblowers.

End racial profiling.

Not only is racial profiling fundamentally un-American, it is also an ineffective law enforcement method that erodes community trust. Police have used racial profiling to target people of color for traffic stops and arrests, using bias to guide their work.

Policy recommendation: Work with congressional allies to pass legislation that bans racial, ethnic and religious profiling by federal, state and local law enforcement.

Al Stern
Legislative Coordinator

Join the Cleveland ACLU Legal Committee

Are you an attorney interested in becoming more involved with the ACLU? If so, please join us for our monthly gatherings to discuss current legal matters in the Cleveland area. Meetings are usually held on the first Tuesday of every month at noon at the Max Wohl Civil Liberties Center, 4506 Chester Ave., Cleveland. There is free parking and lunch is served. To receive email notices for meetings, please contact us at contact@acluohio.org.

Guantanamo attorney defended detainees' rights



Lieutenant Commander Charles Swift

On October 8, 2006 the ACLU Cleveland Chapter was honored to host Lieutenant Commander Charles Swift, United States Navy, as the keynote speaker for the Ed Likover Memorial Lecture / Cleveland Chapter Annual Meeting. Swift was the defense counsel in the landmark Supreme Court case *Hamdan v. Rumsfeld*. He spoke about his experience representing Salim Ahmed Hamdan, a detainee in the notorious Guantanamo Bay Prison who was facing trial by a military commission.

In 2005, Swift's dedication to preserving the rule of law was recognized with the Medal of Liberty Award presented by the national ACLU and led to his selection as runner up for "Lawyer of the Year" by the National Law Journal. In 2006, Swift was named one of the 100 Most Influential Lawyers in America by the same publication.

Swift's lecture was extremely timely, as both the House and Senate had approved the Military Commissions Act the week prior to his visit. One hundred and fifty people turned out on a beautiful Sunday afternoon to hear him speak, including many long-time ACLU members as well as guests. Prior to the lecture, the ACLU provided an opportunity for eight students from the Case Law School to meet with Swift and discuss in depth the *Hamdan* case. His lecture, "Justice at Guantanamo," is available as a video and audio webcast at www.acluohio.org.

Board transitions

As part of the October 8 Cleveland Chapter Annual Meeting, new board members were approved while others concluded their terms of service.

The Board of Directors thanks Cheryl Weinstein for her dedication

during her six years of board service.

The Board also gratefully acknowledges these returning board members, Peter Cohn, Jessie Hill, and Edward McKinney, who have agreed to serve a second term.

Additionally, the Board welcomes new members Veronica Dahlberg, Tracey Lind, and Mark Weber.

Board candidates serve three-year terms and are selected by the Cleveland Chapter Board Nominating Committee. For more information about chapter activities, please visit the ACLU of Ohio's website at www.acluohio.org and click on the "Find Your Local Group" link.

Laura Klingler
Program Associate

2007 Freedom Tour will feature Lucasville and Darrow plays

Freedom Tours take civil liberties around the state with innovative and exciting events. Over the past two years, the ACLU of Ohio has planned racial profiling forums with David Harris, author of "Good Cops: The Case For Preventive Policing," and national security discussions with Bruce Schneier, author of "Beyond Fear: Thinking Sensibly About Security In An Uncertain World."

More recently, we organized election dissection panel discussions in Akron, Cincinnati, Cleveland, Columbus, and Toledo, featuring community leaders who reflected on what the 2006 election results mean to civil liberties.

The centerpiece of the 2007 Freedom Tour is the play "Lucasville: The Untold Story Of A Prison Uprising," scheduled for Cleveland Saturday, April 28, 2007.

In the tradition of "The Exonerated," "Lucasville" is a moving and powerful theater presentation, written in cooperation with the five men who were sentenced to death for their alleged roles in the 1993 uprising that rocked the maximum-security prison in Lucasville, Ohio. These men are still sentenced to be executed, still pursuing their appeals, and still struggling against injustice.

"Lucasville" will tour as a companion piece with the nationally renowned one man show "Clarence Darrow: The Search for Justice." Mr. Darrow, the legendary attorney, was the nation's staunchest opponent of the death penalty, saving 102 men from execution. Check our website www.acluohio.org for details.

Adrienne Gavula
Program Associate

Clients needed to challenge Ohio Patriot Act Only the brave need apply

Many State of Ohio agencies and departments are requiring people and businesses to sign a form titled "Declaration Regarding Material Assistance/ Non-assistance to a Terrorist Organization." Among those required to sign are new employees of the State of Ohio and its subdivisions (including colleges and universities), those seeking or renewing various licenses, and those individuals or businesses doing \$100,000 or more of business with the State.

We have heard from people across Ohio who are offended by this requirement and concerned about their constitutional rights. As we continue to prepare additional legal challenges to these intrusive and unnecessary forms, we want to hear from anyone affected by this requirement. Please write, call or email our office to discuss your legal rights: 4506 Chester Ave. Cleveland, OH 44103; 216.472.2220; contact@acluohio.org.

Gary Daniels
Litigation Coordinator

Shaker Heights police consider use of force Guns, batons or Tasers?

In late November 2006, the Shaker Heights Police Department announced plans to purchase 50 new Tasers in response to incidents in the past two years where officers have been hurt trying to subdue suspects.

Throughout the nation, many municipalities are using Tasers while apprehending suspects. Typically, one shock from the weapon will incapacitate a person for a few minutes so that officers can safely arrest a suspect who is struggling or is aggressive. The small devices, which deliver 50,000-volt shocks through cables that shoot onto the target, are considered to be much safer than guns, batons, pepper spray, and beanbag guns.

But, like any weapon, Tasers can be dangerous or even lethal in untrained or reckless hands.

Shaker Heights and other police units implementing Tasers must have training programs, protocols, supervision and accountability for the use of this powerful weapon.

The Taser itself can provide a large level of accountability because each time one is used, its use can be recorded and officials can view these logs to see if a Taser is used too frequently or if a suspect or officer is being untruthful about its use. This can lead to a greater degree of oversight of police and also helps officers wrongly accused of being abusive to suspects. All police departments using Tasers should take advantage of this recording function.

Shaker Heights Police Chief Walter Ugrinic has said that he will train officers and be certain that they use the Tasers responsibly and will be accountable for any who abuse the devices. Hopefully Shaker Heights police will be able to avoid the excessive use of Tasers experienced in other cities.

While sometimes necessary, the use of any kind of force by law enforcement against any person is a serious matter. Whether batons, fists, guns or Tasers are used, the least amount of nonlethal force needed to protect safety should be the standard.

For Shaker Heights, the decision to use Tasers is just the beginning of the story.

Mike Brickner
Media Coordinator

New Year's resolutions for Ohio lawmakers

Good riddance to the old legislative session that brought Ohioans such harmful provisions like voter identification requirements and terrorist loyalty oaths. As 2007 dawns and a new legislative session begins, officials have an opportunity to restore and protect the liberties that are critical to every Ohioan. Here are the top New Year's resolutions the ACLU of Ohio hopes every Ohio lawmaker will adopt this year.

- I** mplement sensible drug policies that support ex-offenders in becoming productive after prison.
- N** uture our children with cervical-cancer immunizations at no or reduced cost.
- D** emand a study of Ohio's death penalty to eliminate disparities between rich and poor, black and white.
- E** qualize education for all children regardless of race, ethnicity, sex, gender, religion, or income in a safe environment.
- P** rotect privacy and public records with passage of a bill strengthening Ohio's Sunshine Laws.
- E** ndorse domestic violence protections for all.
- N** egate racial profiling during traffic stops by collecting standardized data including race, gender and age.
- D** eclare fair employment for all Ohioans regardless of sexual orientation or gender identity/expression.
- E** nsure all young people the right to counsel.
- N** ix immigration hysteria and retain human rights for all.
- C** orrect the election process for greater access, fairness and accuracy.
- E** nd the Ohio Patriot Act.



Mary Beth Tinker: Inspiring student activists

Constitutional law students and attorneys know well the court decision in *Tinker v. Des Moines Independent Community School District*. In 1965, when she was 13, Mary Beth Tinker wore a black arm band to school in protest of the Vietnam War. She was suspended, in violation of her free speech rights. The ACLU took her case to the U.S. Supreme

Court, and won. Today, Mary Beth Tinker travels the country, encouraging students to stand up for their rights and speak their minds. Tinker stopped at the Max Wohl Civil Liberties Center on December 14 to share her message, as part of a Northeast Ohio tour that included stops at Shaw High School and Laurel School.

Summer is right around the corner! Save these brown bag lecture dates

Yes, it is cold. Yes, you will be scraping snow off your car and treading carefully on black ice for a few months, but look at the bright side. Your friends at the ACLU are already planning your summer. By the time the leaves return and blue skies become a daily sighting, all of the speakers for our summer Brown Bag Lecture Series will be scheduled and eagerly awaiting your attendance.

Although the lecture series kicks off in June and is run by our summer interns, the selection of speakers, themes, and dates takes place during the cold winter months. On those days that you just cannot bear another snowflake, rest assured the ACLU is working hard to make sure your summer will be eventful and educational. You can prepare yourself for the warmth of the summer sun by block-

ing out the following Brown Bag Lecture dates and times:

Wednesday, June 27th, 12 p.m.
Wednesday, July 11th, 12 p.m.
Wednesday, July 18th, 12 p.m.
Wednesday, July 25th, 12 p.m.
Wednesday, August 1st, 12 p.m.
Wednesday, August 8th, 12 p.m.

All programs will take place at the Max Wohl Civil Liberties Center, 4506 Chester Avenue, Cleveland.

In the meantime, do not be a stranger. We have many great events planned for the winter months. Visit our website for additional details at www.acluohio.org.

Shakyrá Diaz
Education Coordinator



High school intern Dontez Smith of Eash High School peddles ACLU goodies after a 2006 brown bag lecture.

ACLU of Ohio
4506 Chester Ave.
Cleveland, OH 44103

Learn how to restore lost liberty at these 2007 programs

Wednesday, February 7, 2007
Powerful Protest, featuring activist and author Mike Ferner, who will discuss his new book, "Inside the Red Zone."

Thursday, March 8, 2007
Join us as we kick off the first of a four part monthly lecture series examining 20 years of unjust drug laws. The first lecture will examine the vulnerability of women as it relates to drug policy.

Thursday, March 29, 2007
Induced Terror: Doctors Engaged in Torture
Dr. Steven Miles will discuss medical torture and his new book, "Oath Betrayed: Torture, Medical Complicity, and the War on Terror."

Saturday April 28, 2007
Two gripping plays, Lucasville: The Untold Story of a Prison Uprising and Clarence Darrow: The Search for Justice, an examination of the death penalty.

Save these dates and visit our website at www.acluohio.org for additional information regarding times and locations.

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