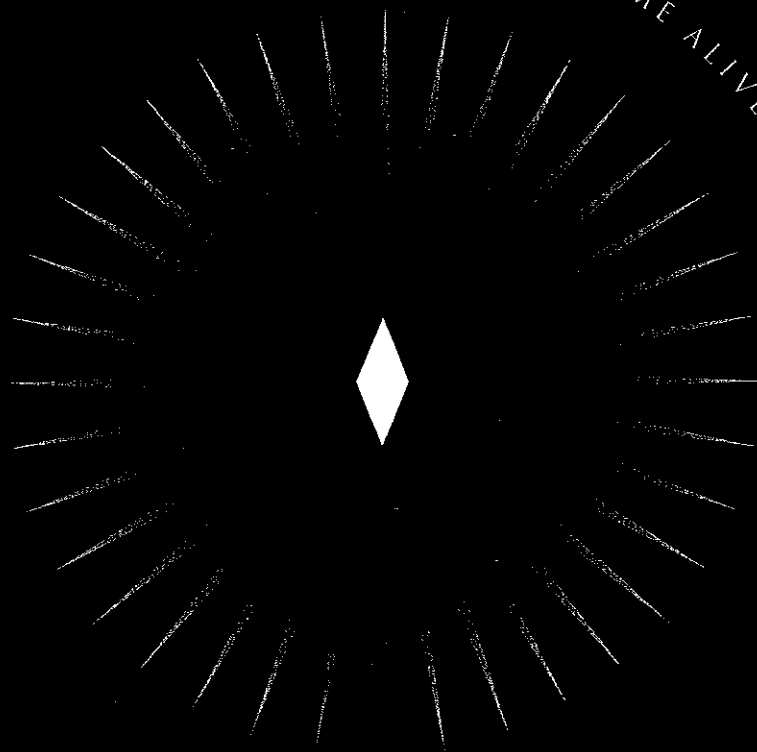


KEEPING FREEDOM'S FLAME ALIVE FOR 75 YEARS



A HISTORY
OF ACLU
IN OHIO

A HISTORY OF ACLU IN OHIO

By Betsy Leis

Originally published October 1995

ACLU of Ohio
4506 Chester Ave.
Cleveland, OH 44103

216/472-2200
www.acluohio.org
contact@acluohio.org



■ Introduction

Seventy-five years ago, Roger Baldwin, founder of the national ACLU, traveled throughout the U.S. in search of true civil libertarians willing to join his fight for civil rights. As part of his whistle stop tour, Baldwin met with Wallace Metcalfe and other members of a local Youngstown group called the Youngstown Workers Defense League (Walker, 69). In 1920, the ACLU became an official organization in Ohio through its affiliation with the Defense League, with Mr. Metcalfe as secretary. The chapter was recognized as one of the fifteen original affiliates in the 1921 National ACLU Annual Report, "A Fight For Free Speech." The following year's annual report noted that of all the local committees in the United States, none was more active than Youngstown. This began the long tradition of American Civil Liberties Union activism in Ohio, and so begins our journey through the history of the Ohio chapters.

The early days of the ACLU were not marked by strong membership or supported by permanent staffs and offices as they are today. In fact, it was such an unknown organization that often members joined mistakenly thinking that it was a labor union. Primarily, the first chapters consisted of a handful of dedicated members who utilized their own resources and contributed not only their precious time, but also their telephones, offices, houses, and personal funds to the organization. In the 1920's and 1930's, the chapters were not yet firmly established. The limited existing records of those days suggest that at-large members were organized into committees that served as contacts for the national ACLU to reach if they discovered a civil rights problem in the area.

■ Youngstown — 1920

Soon after the Youngstown Workers Defense League became the ACLU of Youngstown, their local activism on civil liberties issues made the ACLU a household name. One of these first fights involved a member of a group later known as the Communist Party USA, who was arrested by the Youngstown police for passing out leaflets. According to James Thomas, the Youngstown chapter intervened on the man's behalf after his appeal to the national ACLU. Two years later another controversial group required the assistance of the ACLU. In a letter to the edi-

tor, Wallace Metcalfe spoke on behalf of the Youngstown chapter in support of the KKK's right of freedom of speech and assemblage; at the same time, he called the group "un-American." In Metcalfe's letter of response to a speech made by Rev. A.C. Archibald of the First Baptist Church against the KKK, he nicely summarized the ACLU's position on the first amendment by stating, "While condemning bigotry on one side [Rev. Archibald] approved of its use on the other side" (*Youngstown Daily Vindicator*, 9-24-22). This case illustrates how the ACLU, from its conception, has followed its creed of defending the Bill of Rights, even if that means supporting unpopular groups such as the Nazis, Communists, and the KKK.

In 1922, the Ohio connection to the ACLU expanded when two "committees" in Cleveland and Cincinnati joined the previously established affiliate in Youngstown. According to the National Annual Report from that year, Marvin C. Harrison became secretary of Cleveland and Mrs. Mary D. Brite claimed that honor in Cincinnati.

■ Cincinnati and Cleveland — 1922

The Cincinnati chapter has the distinction of being involved in *Johnson et al. v. State of Ohio*, the first case brought under the Ohio Criminal Syndicalist Act (Sterling article, 94). This act, established on May 7, 1919, made it illegal to advocate "criminal syndicalist doctrine" and was in direct response to the Bolshevik Revolution in Russia. On August 1, 1929, three members of the Communist Party drove from Cleveland to Martins Ferry to protest the arrest of two fellow communists just weeks before. After speaking and distributing pamphlets around Public Square, the three were arrested, denied a fair trial, and imprisoned with complete disregard of the Bill of Rights (Sterling, 96). ACLU cooperating attorney Alfred Bettman of Cincinnati won the case before the Seventh District Court of Appeals for Belmont County.

Cleveland also was a very active chapter in the 1920's and 1930's, although there were "too few emergencies in Cleveland to justify a permanent office," according to Roger Baldwin (1-8-36 Letter to Maurice Horowitz). Some of the first cases involved questions of unionization, Communism, and religious freedom. For instance, in a letter to the New York office, a Cleveland ACLU member discussed a case of the dismissal of four teachers for organizing a local union, although the



school board insisted their decision was based on “inefficiency” (Sept. 3, 1935). Exactly two years later, in 1937, the Cleveland chapter was involved in an appeal for Dominic Stevko and Paul Hanus, Jr. who were denied naturalization petitions because of their membership in the International Workers’ Order. The judge in this case referred to Dilling’s “Red Network” and discovered that the aliens were represented by lawyers who “appeared for the ACLU,” which unfairly biased his judgment (*Civil Liberties Quarterly*, p. 3, Sept. 37). This case shows how controversial the ACLU was in these first years, when suspicions of subversive activity and communist ties could easily end careers, ruin lives, and destroy a person’s credibility.

■ Ohio League for Constitutional Rights — 1935

The pioneering members of the ACLU in Youngstown, Cincinnati, and Cleveland were soon joined by a group in Columbus called the Ohio League for Constitutional Rights (OLCR) in 1935. Their mission statement, “to preserve the basic rights guaranteed by Constitutional law of the state of Ohio and the nation,” encouraged cooperation with the ACLU on state matters (6-1-37 Letter). Although the group never had affiliate status, according to Lucille Milner of the New York office, they were in “close touch with them” (1-28-36 Letter to Mr. Talber). Robert Mathews of Columbus was the secretary and Robert Wilkin was the chair of the OLCR. Although the group was based in Columbus, their members were spread throughout Ohio and included men like Jack Day of Cleveland, Norton Neipp and Professor C.J. Bushnell in Toledo, Walter Shepard from Columbus, Robert Corwin of Dayton, and Professor Lawrence Sears in Delaware. These men acted as liaisons between the OLCR and the ACLU.

Like the ACLU, the Ohio League for Constitutional Rights was subject to suspicion. In a nasty article in *The Nation*, author Benjamin Stolberg accused the OLCR of being a fascist organization (8-14-37, V145, N7). This accusation was later retracted in a statement calling the group “an authentic civil liberties organization,” albeit so “extremely cautious and ultra-conservative as to annoy some of its more progressive friends in Ohio” (9-4-37, V145, N10). Judge Jack Day, in his article, “To Defend and Preserve” described many of the cases for which the OLCR got this dubious reputation (*Ohio Lawyer*, V5, p. 8, 1991). The issues



were similar to ACLU cases involving movie censorship restrictions; a teacher's right to political activity; the right of a hearing and prompt decision on a misdemeanor charge; rights of Jehovah's Witnesses; and freedom of speech.

■ 1950's — Rebirth of an Organization

Like most other non-military organizations in the United States, the ACLU's activity slowed considerably during World War II. But when the soldiers came home from Europe and Asia, a phenomena dubbed the "Second Red Scare" took over the United States, and acted as a jump start to civil libertarians all over Ohio. It could be said that Senator Joseph McCarthy was directly responsible for the founding of most of the existing chapters in Ohio today. The 1950's marked the start of five new chapters in Yellow Springs, Akron, Oberlin, Toledo, and Dayton, as well as the resurrection of existing chapters in Cleveland, Columbus, and Youngstown. The 1950's also saw the birth of a statewide organization of the ACLU, or the ACLU of Ohio.

■ The Granville Conference

With more and more people terrorized by the Ohio and the national HUAC, or House on Un-American Activities Committee, along with outrage stemming from other infringements of civil rights, the ACLU picked up great momentum in this era. On April 1, 1951, a group of leaders in the ACLU gathered together at a monumental meeting called the Granville Conference. Oscar Steiner, Ralph Rudd, Jack Day, Ed Bowers, Robert Mathews (from the OLCR), and Julian Renswick were among the few who gathered together to discuss the possibilities of an official Ohio affiliate of the ACLU. Coincidentally, this was the same month that Ohio started its hunt for subversives (Twining). Due to the urgency of the situation, the leaders agreed to meet again only three weeks later on April 22. This time 31 civil libertarians were present, including Howard Metzenbaum, Emily Rounds, Edgar S. Byers, Julian Renswick, Robert Stafford, John Barden, James Paradise, and representatives from Akron and Oberlin. The ACLU of Ohio was formed with a \$10,000 budget; Jack Day became the first state chairman. This position was perfect for Day, because he was a national representative of the



ACLU and had previous experience as field secretary of the OLCR. In addition, he had been offered a position of succession to Roger Baldwin, the national president, but had to refuse since he felt he could not live on the meager salary that came with the job.

The organizing days of the early 1950's were not without controversy, even within the ACLU itself. Max Ratner and Ken Roose met with Oscar Steiner of Cleveland during the affiliate organizing meetings. Later, Steiner sent the two men as delegates to the Spring 1954 biennial meeting at the national ACLU, which was debating whether to allow Communists on the board. Considered a black chapter in ACLU history, the "1940 Resolution" stated that no member could serve on the board or staff of the ACLU who supported totalitarian governments. It eventually led to the expulsion of a national member. Max and Ken, who both fervently disagreed with this action, became so incensed at the meeting that Max, who was a Quaker and conscientious objector, almost came to blows!

From the first Granville Conference until January 1954, the ACLU of Ohio was led by Oscar Steiner and Jack Day of Cleveland, and James Paradise of Cincinnati. The ACLU of Ohio was recognized by the National ACLU after a meeting in Marion, Ohio on January 23, 1954. Steiner was elected chairman. In his summary of the reasons for the establishment of a statewide affiliate he stated, "If those in local groups, who were concerned about civil liberties problems in Ohio, were to do anything on a statewide basis, it would have to be done through joint effort." (Minutes, 1-23-54). Dr. Edwin Brown of Cleveland was named executive director.

■ Local Chapters

Soon after the first Granville Conference, local chapters started to organize and become stronger in their fight for civil liberties. Despite the geographic distance between the chapters and the very different local concerns, these chapters all had a few things in common. All were grassroots organizations which drew their power from the membership level and then later became associated with the Ohio affiliate. Additionally, these early members did not solely belong to the ACLU, but spread their talents among many other liberal organizations at the same time, including the NAACP, League of Women Voters, Citizens



for Human Arms Race Education, Ohio Consumer League, and Housing Opportunities Made Equal (HOME) in Cincinnati, to name a few. The chapters themselves generally started small, holding meetings in people's homes and publishing one member's home phone number in the telephone book for the public to call for assistance. Some of the chapters situated close to a university often included many dedicated students and faculty.

As activists formed chapters around 1950, there was a great amount of personal risk in being associated with the ACLU. The organization was commonly suspected of being a "Communist sympathizer" in a time when "communism" was a dirty word. In light of this, the founders and early members were all committed and extremely brave to stand up for what they believed in.

Although they shared many commonalities, each chapter had its own personality, its own group leaders and radical thinkers, and its own distinctive history.

■ West Central Chapter, Yellow Springs — Founded in 1948

- **Founders:** Hardy Trolander, Ed Churchill, John Sparks, Shirley Johnson, Genoveve Heteley Scott, Albert Stewart, Herman Schnurer
- **Early Members:** Philip Rothman, Robert Porter, Charles Hatcher, Dorothy High, Valdemar Carlson (Chairman in 1952), and Dorothy Scott, Jessie Triechler

The Civil Liberties Committee of Antioch College, begun in 1940 with 6 members, was the first organization with ties to the ACLU in Yellow Springs. In a letter to Dr. Edwin Brown, chairman of ACLU of Ohio, Constance Guarnaccia, secretary, explained the existence of the committee as a "community government committee composed of faculty and students at Antioch. The members may or may not be members of the ACLU although the chairman usually is" (12-7-53).

The chapter began in 1948 with about 20 members, mostly students and faculty of Antioch. By March 30, 1950 the minutes reflect a total of 30 members. The Yellow Springs ACLU was very active from the start, organizing membership drives, radio spots, and debates. Al Denmon was instrumental in initiating another new program called the Friday



Forum on the Antioch campus, where speakers gave talks on various civil liberties issues.

One of the most controversial issues for this chapter involved a conservative newspaper called the *Yellow Springs American*. The paper was forced to shut down after it lost the financial backing of two major advertisers for publishing attacks on the faculty members of Antioch College. On May 24, 1954, a local "smear sheet," *The Firing Line*, published criticism from the American Legion which said the ACLU supported left but not right wing causes such as that of the *Yellow Springs American* and its editor, Ralph Shupe. This caused a great scandal around town and in many ACLU chapters around Ohio. Finally, Caldemar Carlson, chair of the Yellow Springs chapter, wrote a letter to Edwin Brown of Cleveland explaining the situation and clarifying the chapter's decision not to intervene. It also mentioned that Shupe's paper was made of diehard McCarthy supporters.

■ Akron — Founded 1950

- **Founders:** James Thomas, Max Ratner, and Elsie Revans

The Akron chapter began in 1950 with the help of James Thomas' invaluable previous experience with the Youngstown chapter. Although off to a good start, the Akron chapter membership began to wane until it ceased to exist on June 1, 1957. Due to a drive organized by James T. Haight, new bylaws were adopted on November 21, 1957 and the chapter was officially re-welcomed by the ACLU of Ohio in December. Although the Akron chapter had a modest budget, with just \$20 in the treasury in 1961, they have been in the spotlight on many occasions for their civil liberties actions.

Several civil rights cases involving the Akron chapter have captured national attention. One of the earlier cases, in June 1958, involved a fight over the constitutionality of compulsory education for an Amish sect. In another ground-breaking decision during the late 1970's, attorney Dan Wilson won a case for the ACLU to desegregate the Akron public schools. Later, cooperating attorneys Steve Landsman, Gordon Beggs, Wayne Hawley, Dennis Haines, Patricia Vance, Lou Jacobs, Gail White, and Janet Beshoof, et. al., won a stunning victory in the U.S. Supreme Court in 1982 in *Akron Center for Reproductive Health, Inc. v. City of Akron*. The decision struck down a 1978 city ordinance requiring 24-



hour parental notice and consent, or the consent of the court, when a teenager under the age of 15 sought an abortion.

■ Cleveland — Restarted in 1950

- **Founders:** Judge Jack Day, Oscar Steiner, Ralph Rudd
- **Early Members:** Laura Monroe, Bernard Berkman, Max Wohl, Harold Levine, Norma Coffey, Ben Sheerer, Ed Bowers, Laura Ober, Martha Thomas

The ACLU in Cleveland died with the arrival of World War II, but re-emerged in 1950 when it was recognized by the national ACLU. According to Jack Day, the chapter had a “modest beginning” due to lack of members. As he recalls, “For years you’d see the same people at meetings.” In addition, “People didn’t want to pay even minimal dues and we were constantly struggling to meet our budget.” (*CCLU Newsletter*, 1994). With a small office staffed by one secretary, most of Cleveland’s legal action between 1947 and 1968 took place through amicus briefs. Cleveland, like Yellow Springs, gained a lot of publicity by arranging debates and radio talks to spread the word about the chapter and civil liberties.

After its reorganization, the Cleveland chapter first focused its lobbying efforts on maintaining the rights of Communists and Fascists. In the November 23, 1953 Annual Report, for example, the Cleveland chapter discussed monitoring the Blackburn Commission, which was trying persons suspected of subversive and illegal activities. The chapter also fought House Bill 308, which made “illegal and provide[d] for the investigation of certain ‘subversive’ activities.” They also questioned the constitutionality of a Cleveland city ordinance prohibiting speech in city parks.

That same year, a censorship committee was established to grapple with Councilman Joseph Flannery’s ordinance outlawing sinful books and pictures. The ACLU of Cleveland became concerned when the police started enforcing the law, and bookstores retracted “sinful” books by authors such as Freud and Apuleius, a Roman philosopher (*Plain Dealer* article, OHS Papers).

The Cleveland ACLU also tackled famous cases such as the Oscar Smilak case; Jack Day and Jack Dworkin won the case in the Supreme



Court in November 1953. Mr. Smilak was taken directly from his arraignment before a legislative and investigating committee on charges of contempt of court, and incarcerated in a state hospital for thirty days without a hearing, all based on a statement by the prosecutor.

In 1961, cooperating attorneys Jack Day and Bernard Berkman took another landmark case, *Mapp v. Ohio*, to the highest court. The court decision established that evidence seized illegally cannot be used in state court criminal proceedings, since the Fourth Amendment exclusionary rule applies to state and local police as well as federal law enforcers. Fred Livingston, Julian Renswick, and Bernard Berkman assisted in the writing of the amicus brief in that historic case.

Cleveland captured national attention again in 1964 with the famous "obscenity" case *Jacobellis v. Ohio*, when Justice Potter Stewart commented that he couldn't define obscenity but he "knew it when he saw it."

■ Cincinnati — Restarted in 1950

- **Founders:** James Paradise, Mrs. Frances Schmidt, Rev. Maurice McCrackin, Edward F. Alexander, Theodore Berry, George Bidinger, Morse Johnson
- **Early Members:** Marjorie Wright, Margaret Robinson, Chuck Judd, David Sterling, Abe Goldhagen, Margaret Kapp, Fred Kapp, Rev. Robert J. O'Brien

In the winter of 1949, a group of civil libertarians met downtown to discuss over lunch the problems with segregation, education, housing, and anti-communism in Cincinnati. Eventually this group became the ACLU of Cincinnati, with James Paradise as its primary founder and first president. As in Cleveland, the chapter began small but in the later 1950's its membership reached 250. Beginning with a very small legal staff with a few dedicated cooperating attorneys, it wasn't until 1960, when Marjorie Wright became the first full-time worker, that the ACLU of Cincinnati actually had an office.

In June 1961, student David Kuhn and faculty member Dr. William Jenks of the University of Cincinnati founded the "Students for Constitutional Freedoms." Although not affiliated with the ACLU, the group worked with the local chapter on many issues.

One of the Cincinnati chapter's first battles was against the local



paper. *The Cincinnati Enquirer*, supportive of HUAC or the House on Un-American Activities, published a list of people suspected of "subversive" activities in an article entitled, "Calling the Roll" (May 1950).

With such a strong conservative majority in the city, the Cincinnati chapter never had a lack of work. Issues such as the censorship of the book *Lolita* from the public library; protecting the jobs of people fired under the Industrial Security Act; integrating Coney Island; and abolishing HUAC all kept members very busy. In 1969, Allen Brown, a cooperating attorney for the ACLU, helped out on the Brandenburg case, which invalidated the Smith Act and all state sedition laws restricting radical political groups. The October 5, 1964 minutes explain that Mr. Brandenburg, a KKK member, was indicted for criminal syndicalism.

■ North Central Chapter, Oberlin — Founded 1951

- **Founders:** Max Ratner, Shirley R. Johnson, Kenneth Roose, John Sparks, Genevieve Heteley Scott
- **Early Members:** Mr. and Mrs. Rollinger, Joseph King, Mrs. "Bumpy" Stevenson, Prof. John McKee, Dan Stein, Blair Stewart, George Simpson, John Manwell, Allen Wertzell, C.D. Stevens

In April of 1951 the smallest village in the United States became affiliated with the ACLU (Ken Roose). By September 1954, the Oberlin chapter had about 65 members; by 1965 that number had risen to 95, with many members affiliated with Oberlin College. The North Central chapter primarily dealt with civil liberties issues through lobbying, since any cases it received were referred to Columbus. In 1965, the chapter decided to encourage student activism by sponsoring dorm and supper visits to the Oberlin campus, with many prominent speakers participating. In addition, they organized a Student Activities Night for recruitment purposes (10-4-65 Minutes). Oberlin also has the distinction of being one of the first communities to have an open housing law. The city government often called on the services of the ACLU and Jack Day of Cleveland to assist it against community protests of the law.

More recently, the North Central chapter became involved in legal actions attracting national attention. In 1987, an Elyria sixth grade gym class was subjected to a strip search for missing rings and money. ACLU cooperating attorneys Bruce Campbell and Freddie W. Springfield sued the school board and settled out of court with the insurance company.



Each girl and her parents received \$10,000.

One of the most astounding facts about the North Central chapter is the working relationship between the police department and the ACLU. Harvey Gittler, a legal liaison and chair of the chapter, was instrumental in setting up a correctional officers training program which includes a lecture on the Bill of Rights. This program has been replicated by many other police departments, although not many ACLU chapters have been as involved as in Oberlin. For his efforts, Mr. Gittler was honored by the Chief of Police at his retirement celebration.

■ Central Ohio Chapter, Columbus — Founded 1952

- **Founders:** Jack Childers, Judge James Thomas, Bishop John Burt

In November 1952, the Ohio League for Constitutional Rights merged with the ACLU to form the Central Ohio Chapter. It wasn't until April 1954 that the first legal committee was established, although before this date the chapter had been active in several prominent cases (4-23-54 OCLU Minutes). For instance, during September 1948, Milton Farber, a volunteer attorney in Columbus, defended Frederick Fox at an extradition hearing to send him back to Florida as a fugitive of a Florida chain gang (M.C. Harrison Papers, WRHS). Farber cited cruel and unusual punishment in his defense.

This civil activism continued throughout the 1950's and 1960's in the form of legal aid and lobbying. One labor lawyer in Columbus, Rankin Gibson, fondly remembers the debates and discussions regularly held, including some on unions and management in the 1960's. Earlier in that decade, ACLU cooperating attorney William Vanalstyne got involved in a case fighting against the Communist Goods Ordinance. The law said that Columbus stores could not sell products made from Communist nations unless there was a sign identifying their origin. During this case, an unusual anonymous brief turned up at the ACLU office. Later, it was identified as the work of lawyers hired by Lazarus, a department store in Columbus who wanted to strike down the law, but could not support the ACLU publicly. During the 1970's, the Central Ohio Chapter argued another great case, *Hannahs v. Endry*. Rankin Gibson, representing the ACLU, helped to protect the right of a high school paper to be free of censorship except in matters of libel or obscenity.



■ Northwest Ohio Chapter, Toledo

— Founded 1952

- **Founders:** Rev. Arthur Olson, Mr. and Mrs. Knoke, Mr. and Mrs. Robert Billstein, Mr. and Mrs. Julian Bulley, Mrs. Annabelle Epstein, Mr. Ronald E. Girkins, Mrs. Eve Hartman, Mrs. Elizabeth Gould Hochman, Mrs. Inda Fornoff Kneeshaw, Mr. Clayton Rusch, Dr. and Mrs. Ernst Sternfeld, Alvina Littlefield, Dorothy Mathney, Leon Williams
- **Early Members:** Guy Davis, Willard Smith, Earnest Grey, Gardner Williams

The ACLU had contacts in Toledo as early as the 1930's, but it wasn't until 1952, when a group of civil libertarians, including many Unitarians and Methodists, gathered together to form an official chapter. One of the earliest cases in Toledo occurred in June of 1934 when the national ACLU called upon local attorneys Edward Lamb and Morton Neipp to defend the rights of onion weeder strikers who were attacked by the police and company "thugs" (*Civil Liberties Quarterly*, p.3).

But the case which really established a need for a chapter in Toledo arose in 1951, when Julian Bulley was fired from the University of Toledo for political reasons. Ever since this rallying case, the chapter has enjoyed a large membership. Eventually the growing number of members forced the "Toledo Chapter" to change its name to represent the greater region of Northwest Ohio.

The Northwest chapter played a large role in maintaining civil liberties in the area. In recognition of Bill of Rights Day on December 15, 1959, the chapter dedicated a stone monument to Lucas County, Ohio inscribed with the first ten amendments. Prior to this, Rankin Gibson, a local attorney (now in Columbus) helped to arrange the gift of a framed copy of the Bill of Rights to all the judges in Lucas County.

Some of the cases that Toledo attorneys worked on involved the rights of mental patients in 1958; fighting the enforced Sunday observance of the Blue Laws in 1959; and the right to work. In 1965 the Toledo chapter is mentioned in the Oberlin minutes as an acting anti-HUAC Commission for the ACLU of Ohio.



■ Youngstown — Restarted 1952

- **Founders:** James Thomas, Abe Harshman, Bishop John Burt, Judge Ford, Mr. Maag, Morris Slavin, Eugene Green, Joe Schevoney, Paul Stevens, Hudson Cary, Rev. Frank Schulman.

This self-described “radical” chapter began in 1952 with the conglomeration of many at-large members. From the start, the Youngstown chapter had strong local support from the editor of the *Youngstown Vindicator* and by many trade unions. Members initiated many new activities. A speakers bureau supplied activists such as Sid Roberts, Morris Slavin, and Abe Harshman and others for public debates. In the 1960’s a “Court Watch” was established after the chapter received several complaints against Judge Morley for not allowing plaintiffs time to be heard.

After May 4, 1970, the ACLU was spotlighted for writing an amicus brief for the families of the Kent State victims, including a student from Youngstown, Sandra Shower. Local lawyers were assisted by the ACLU of Ohio under the direction of Benson Wolman. Niki Schwartz (in Toledo) became involved when he represented the student president of Kent, who was wrongfully indicted on charges of rioting. In addition to the Kent State riot cases, the Youngstown chapter earned a strong reputation for fighting for civil liberties on issues such as police censorship of books, the erection of the 10 commandments in City Hall, and police brutality. More recently, in 1990, the Youngstown chapter took the case *Eastwood Mall v. Slanco* to the Supreme Court. Unfortunately, the Justices decided that speech in shopping malls is not accorded the same protection under the Ohio Constitution as under the U.S. Constitution.

■ Dayton — Founded 1953

- **Founders:** Tom Talbot, Mildred Stibitz, William Lenmann, Myron T. Murray, Charles Washington, S.C. Britton
- **Early Members:** Betty-Ruth Fanning, Charles Briggs, Charles Anderson, Asher Bogin.

On July 28, 1953, a Dayton chapter organizing committee met at a luncheon at the Central YMCA (*Dayton Daily News*, 7-29-53). Although there were 20 members of the national ACLU in the area, 57 Daytonians turned out for a meeting about the ACLU five months later on January 8, 1954. Like many of its fellow chapters, Dayton was ac-



cused of subversive activities, but denied the charges in June of 1954. As soon as the chapter got on its feet, it started organizing debates on different issues through the University of Dayton.

Dayton also was the center of an "Impeach Nixon" campaign under the leadership of chapter chair Dean Dye. They placed several ads in the paper, and set up a P.O. box. People sent responses in overwhelming numbers.

One important case involving Dayton cooperating attorneys actually originated in Yellow Springs. In March 1964, a black student from Antioch College wanted a hair cut, only to find that the one and only barber, Louis Gegner, refused to do it, claiming he didn't know how to cut "black hair." After many student protests and rallies, Asher Bogin of Dayton was called in. He found a white music professor with curly hair very similar to the student's and surprisingly enough, the barber had no problem at all cutting this man's curly mop. In the end, Mr. Gegner was forced to close up his shop and move to Athens. In the early days, Dayton lawyers often assisted Yellow Springs on legal issues, and later Mr. Bogin established an office in the area and made a trip to Yellow Springs once a week.

■ Athens — Founded 1969

- **Founders:** Victor Goedicke, Benson Wolman, Norma Coffey
- **Early Members:** Jack Arbuthnot, Bruce Ergood, David Horn, Darrell Howe, Peter Kousaleos, Lester Marks, Mary Morgan, Rodger Rollins, Ed Sanford, Elizabeth Smith, James Tong, Lane Tracy, George Weckman, Bob Whealey, Bob Winkler

Benson Wolman from Columbus and Norma Coffey from Cleveland visited Athens to attend an organizational meeting at the Bakers Union in 1969 to encourage at-large members such as Victor Goedicke to start a local chapter of the ACLU. At the start the chapter only numbered 10-15 members. They never had a legal director, but relied solely on the talents of their cooperating attorneys. Just as in Oberlin, the ACLU of Athens performed most of its services out of court, by focusing their campaign for civil liberties on writing letters and lobbying.

Despite the proximity to Ohio University, the members of the chap-



ter did not include a student representation. In fact, Victor Goedicke's attempt to start a university chapter failed on two separate occasions. According to Mr. Goedicke, southeast Ohio is not fertile land for civil liberties and so the chapter was never very strong. In 1984 the chapter started dying out from lack of support, but through a handful of members' efforts, it was re-invigorated.

Despite its small support, the Athens chapter has assisted in some important cases, including a 1989 freedom of speech debate. A Racine High School senior, Elizabeth Smith, included in her graduation address several remarks critical of the school board. In retaliation, the board withdrew her name from a national honor society. Ivan Gluckman, a lawyer from the honor society, worked with ACLU attorneys in Athens to get Elizabeth reinstated.

Other cases of note in Athens include issues of police censorship, housing discrimination based on religious orientation, and illegal seizure of goods.

■ Oxford and Geauga Chapters

Two other chapters worth noting in this history are the Oxford chapter, organized April 18, 1961, and the Geauga chapter, briefly established in the 1970's by Bonnie Huffman, a former nun.

■ IN APPRECIATION

The ACLU of Ohio would like to express its deep appreciation to Intern Betsy Leis for her commitment and hard work in researching the history of our affiliate. Ms. Leis, a history major at Cornell University, spent the summer of 1995 interviewing dozens of ACLU leaders and activists across Ohio, gathering and reading historical documents, and recording the facts and anecdotes that follow.

Through this project, Ms. Leis has herself contributed to the preservation of civil liberties for us all.



■ ACKNOWLEDGMENTS

I'd like to thank the following people for their contributions to this history:

| | | |
|--------------------|----------------------|--------------------------|
| Judge Jack Day | Ralph Rudd | Mudd Learning |
| Loretta Dahlstrom | Niki Schwartz | Center, Oberlin |
| Betty-Ruth Fanning | Morris Slavin | College |
| Rankin Gibson | David Sterling | University of |
| Victor Goedike | Jason Stevenson | Cincinnati Library |
| Florence Harshman | Gene Trolander | Archives |
| Shirley R. Johnson | Hardy Trolander | Ohio Historical |
| Charles Judd | Jean Tussey | Society Library |
| Judy Knight | Max Wohl | Antioch University |
| Karyn Leitzell | Benson Wolman | Library |
| Christine Link | Western Reserve | Cleveland Public |
| James Paradise | Historical Society | Library |
| Max Ratner | Princeton University | Hap Cawood, Editor, |
| Calvin Routh | Library | <i>Dayton Daily News</i> |

In addition, I would like to give a special thank you to Naomi Twining for sharing with me information from her upcoming book on the history of the ACLU in Ohio.

— Betsy Leis

■ BIBLIOGRAPHY

Markmann, Charles Lam. *The Noblest Cry: A History of the ACLU*. New York: St. Martin's Press, 1965.

Walker, Samuel. *In Defense of American Liberties: A History of the ACLU*. New York: Oxford University Press, 1990.

SPECIAL NOTE: Every effort has been made to ensure the factual accuracy and correct spelling of names in this history. While some of this material was gathered from historical documents, other portions were collected during personal interviews with activists, with no written record available for cross-checking. Therefore, we welcome your corrections and updates. Please refer to the address at the end of this book to share any changes.



■ RECOGNITION

The American Civil Liberties Union of Ohio wishes to recognize the contribution of the women and men who lent their time, talents, professional skills and financial resources to the fight for civil liberties over the last 75 years.

This list represents almost a year of research by our activists and staff. We deeply regret any errors or omissions and we would love to hear from you if you can add to our historical record. *See the last page of this list to find out how to make a correction or addition.*

Bryan Adamson
Russell Adrine
Robert Armbruster
Elinor Alger
Charles Anderson
David Anderson
Molly Anderson
Robert App
Arnold Applebaum
Joyce Applebaum
Margaret Barnettson
Naomi Barnett
Ann Barnum
Russell Baron
Rick Baum
Eugene Bayer*
Gene Bayless
Gordon Beggs
Steve Behr
Norman Bell
Bernard Berkman*
Mrs. Theodore Berry
Barbara Kaye Besser
Howard R. Besser
Asher Bogin
Cecilia Bonnacio
Francis Boumphrey
Jean Braucher
Jennifer Branch
Charlie Briggs
Mary D. Brite
Harland Britz

Allen Brown
Reverend Edwin Brown
Thomas Buckley
Julien Bulley
Jerry Bunge
Bishop John Burt
Halle Butler
Terrence Butler
Bruce Campbell
J. Dean Carro
Sue Carter
Margaret Caruso
Ford Cauffiel
Jack Childers
Edmund Churchill*
Arthur Clubok
Norma Coffey
Caryl Cottone
Alexander (Sandy)
Craig
Loretta Mikolaj
Dahlstrom
Faye Dambrot
Guy Davis
Eliot Davis
Julia Davis
Jillian Davis
Judge Jack Day
Charles Delbaum
Andrea DeUrqueza
Lorrie Dirkse
William Doll

Vivian Donaldson
Timothy Downing
Bernard Dushman
Melvyn Durchslag
Tina McMahon
Dyehouse
Lori Elliott
Clyde Ellis
Richard Embs
Gail Engerholm
Jesse Epstein
Marion Epstein
Morton Epstein
Larry Fairbanks, Jr.
Betty-Ruth Fanning
Jeffrey Feldman
Steve Feldstein
Tom Fernald
Yolanda Fernandez
Mirta Figuera-Rivera
Dr. R. Vance Fitzgerald*
Theodore Folkman
Dennis Frazier
Stanley Freedman
Barbara Fuchsman
E. Marianne Gabel
Jeffrey Gamso
Carol Ganzel
Dewey Ganzel
Steve Gard
Susan Gellman
Benjamin s. Gerson



| | | |
|-----------------------|------------------------|-----------------------|
| Eleanor Gerson | Peter Joy | Jeffrey J. Margulies |
| Eleanor Gerson | Charles M. Judd | Jennifer Margulies |
| Wendi Gerus | Eliot Kalman | Kent Markus |
| Judge Rankin Gibson | Jean Kamp | John S. Marshall |
| Jerry Gilden | Joshua Kancelbaum | Andre Martin |
| Harvey Gittler | Peggy Kapp* | Joe Maskovyak |
| Victor Goedicke | Judge Nelson Karl | Robert E. Mathews |
| Jerry Gold | Joyce Garver Keller | Mark McCalla |
| David Goldberger | Steven Keller | Cassandra McConnell |
| Abe Goldhagen* | Amy King | Robert McConnell |
| Paul Goldstein | Brad Koogler | Reverend Eugene |
| Paula Goodwin | Alan M. Krause | McCrackin |
| Scott Greenwood | Sandy Kreitzer | Gwendolyn McFarlin |
| Linda Grashoff | Melodee Siegel | George McGaughey |
| Judge Burt W. Griffin | Kornacker | Wallace Metcalfe |
| Lynn Griffith III | David Kuhn* | Marc Mezibov |
| William Grim | Nina Kuhn | Paul Moke |
| Robert Gutzwiller | Judy Kunzler | Laura Ober Monroe |
| Dennis Haines | Edward Lamb | Christine Montefiore |
| Marvin C. Harrison* | Steve Landsman | Maggie Moore |
| Abe Harshman* | Stanley K. Laughlin | Elliot Morgenstern* |
| Alan Hart | Simon Lazarus | Daniel Morgenstern |
| Judie Hartley | Louise Lefkort | Polly P. Morgenstern |
| G. Weir Hartman | Timothy E. Leiden | Michele Morris |
| Wayne Hawley | Betsy Leis | A.J. Muste |
| David Heaton | Karyn Leitzell | Jerry Needels |
| Samuel N. Heller | Mike Leizerman | Morton Neipp |
| Lawrence Herman | Lori Leon | John Nestor |
| Lon Herman | Ester Lerner | Spencer Neth |
| Connie Hilton | Peter Levin | Frank Newbauer |
| Mike Holz | Harold Levine* | Ed Newman |
| David Horn | Marcia Levine | Kevin Francis O'Neill |
| Dina Horwedel | Mark Levy | Stephen Olden |
| Dr. Robert F. Jackson | Emily Lewis | Frank Olmstead |
| Ruth Jackson | Toby Lewis | Bill Van Olstein |
| Maggie Jackson | Bella Likover | Montgomery Ostrander |
| Louis Jacobs | Edward Likover* | James Paradise |
| David Jamison | Alvina Littlefield* | Sally Perper* |
| Wendy Jerome | J. Wesley Littlefield* | Louis Phillips |
| Shirley R. Johnson | Fred J. Livingstone | Nancy Pierce |
| Douglas R. Johnson | Susan Looper-Friedman | Lee Pizzimenti |
| Morse Johnson | Janet Lyon | Tanya Poteet |
| Karen Jones | Staughton Lynd | Mark Prajsner |
| Steve Jones | Alice Malin | Norma Preston |
| Sidney D. Josephs* | Daniel Margolis | Jane Randall |
| | Richard Margolis | Valita Randolph |

A HISTORY OF ACLU OF OHIO



Max Ratner
Paula Reed
Michael Richter
Eileen Roberts
Margie Robinson
Odelia Robinson
Lois Robinson
James K. Rogers
Kenneth Roose
Robert Rotatori
Margo Roth
Robert Roth
Calvin Routh
Ralph Rudd
Jennifer Rudinger
Julie Ruhlin
Ellen Simon Sacks
Robert Salem
Stephen Samuels
William Sanborn
Richard Sapphire
Richard Schafer
Leonard Schwartz
Niki Schwartz
Daniel See
Linda See
Donald Shartzner
Benjamin Sheerer
Judy Sheerer
Walter W. Shepard
Jeffrey Sherman
Robert Sherman
Amy Shevrin
Madeleine Siegel
George Simpson
Michael Slanco
Morris Slavin
Joseph Sommer
Marco Sommerville
John Sparks*
George Speaks
Oscar H. Steiner*
David Steiger
Debbie Steiger
David Sterling

Mickey Stern
Albert Stern
Jason Stevenson
Roselyn Sukenik
William Sukenik
Maxine Surprise
Julian Suso
Pamela Swanson
Teri Thienhaus
James Thomas*
Ruth Thomas
Robin Thomas
Martha Thomas
Norman Thomas
Judge William K.
Thomas
Tonyia Tidline
Howard Tolley
Doug Tracy
Gene Trolander
Hardy Trolander
Naomi Twining
Robert Umholtz
Patricia Vance
Philip Varner
Raymond V. Vasvari
Louise Vitale
Sherrie Voyles
Rita Jean Wagar
Herbert Wainer
Nancy Walters
Daniel Warren
Robert Whealey
Ann Wightman
Kathy Wiley
Frank Wilkinson
Noreen Willhelm
Marc Williams-Young
Dan Wilson
Ron Wingate
Sonia Winner
Doris Wohl
Max Wohl
Sylvia Wohl
Benson Wolman
Reid Wood

Nancy Woodside
Marjorie Wright
William Wright
Gregory Yarwick
Henry Young
Ouida Young
Herbert Zafren
Miriam Zafren
Dan Zavon
K. Ann Zimmerman

*Denotes deceased.



STAFF — 1995

Michelle C. Broome
Gary Daniels
Joan M. Englund
Emily Harrison
Judith B. Knight
Abby Levine
Christine A. Link
Michelle M. Martin
Ann M. Rowlett
William M. Saks
Sheryl Lynn Smith



*To add or correct names,
please write to:*

ACLU of Ohio
Foundation, Inc.
1223 West 6th Street
2nd Floor
Cleveland, Ohio 44113-
1353.

*After January 1, 1996,
use this address:*

American Civil Liberties
Union of Ohio
Foundation
1266 West Sixth Street,
Suite 200
Cleveland, Ohio 44113