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## ACLU WORKING IN THE LEGISLATURE

Having 22 new senators in the state legislature means this will be a session of surprises. Here are some of the other bills we've marked as high priorities for this session:

**Abolish the death penalty (LB 476):** The first big surprise of the session! This bill has already advanced out of the Judiciary Committee, allowing the full Unicameral to debate the death penalty for the first time in almost 20 years. We testified at the hearing.

**Adoption rights (LB 571):** This bill would allow any two adults to adopt a child together, regardless of their marital status. Right now the law only allows married couples to adopt jointly. That means single parents and gay parents aren't able to provide two legal parents for their children. We believe this is a key issue to protect children.

**REAL ID (LB 285):** After Congress passed the REAL ID Act to require a uniform driver's license to identify all Americans, the states were left to implement the flawed law. We believe this will only create privacy problems and identity-theft nightmares.

**Bullying in schools (LB 205):** This bill will require every school district to have an anti-bullying policy to protect students. We regularly receive complaints from families whose children have experienced sustained abuse on the basis of their race, disability or sexual orientation. It's important that schools recognize their responsibility to protect all students.

*(Continued on page 2)*

## RELIGIOUS RIGHTS VINDICATED IN WISNER

Two Jehovah's Witnesses who were going door to door as their religious ministry were threatened with arrest by police in the small town of Wisner this fall. The city claimed that anyone who wanted to visit the town with pamphlets was required to register with the city clerk first, and the church members had not done so. They hadn't registered for two good reasons: one, they didn't know about the requirement and two, they knew the US Supreme Court has said the First Amendment protects leafleting and pamphleteering from any restrictions. Even a minimal registration requirement is considered "chilling" on religious and political speech. After ACLU Nebraska Legal Director Amy Miller contacted them, the City Council passed a resolution to change the city ordinance and apologized for the incident.

*Continued from page 1* **Prohibit sexual orientation discrimination (LB 475):** Senator Chambers has brought this bill forward in past years and this year his bill is even more comprehensive.

These are just a smidgen of the bills we'll be testifying about before the Unicameral. The issues on other bills range from privacy concerns to prisoner issues to religious rights.

We encourage you to cut out the form on the opposite page and return it to our office if you're willing to have us contact you as a citizen lobbyist. **Your voice can be much more important to your home senator than staff members' statements.** As an example, consider what happened with the adoption bill (LB 571): we were in search of co-sponsors for the bill, and the staff was successful in finding only one sponsor. Then a woman living in Lincoln, hearing of our need, emailed her senator and personally asked for the senator to consider signing on. We got word within the hour that we had a second sponsor!

Of course, you can also lobby on your own. The Legislature has a new website that allows you to read any bill online, look at biographical information about the senators, learn what the hearing schedules for public comment, and email/phone contact information. Visit the Unicameral at [www.nebraskalegislature.gov](http://www.nebraskalegislature.gov).

### **PHONE SPYING COMPLAINT DISMISSED**



In January, the Nebraska Public Service Commission issued a ruling dismissing our complaint against Verizon and AT&T. We'd filed the complaint after national news reports revealed these two phone companies cooperated in the National Security Agency's warrantless wiretapping program of Americans. Reports leaked from Washington variously indicated that major telephone companies voluntarily provided the NSA access to customers' phone records.

While the Fourth Amendment of the Bill of Rights absolutely prohibits this sort of government abuse, Nebraska state laws also prohibit phone companies from sharing customers' information without permission. We therefore filed our complaint in June, 2006, charging state law violations.

"The state commission is responsible for overseeing phone companies' conduct," said Legal Director Amy Miller. "Since it is clear the federal government was violating citizens' privacy, we turned to state authorities as our only recourse. We have strong state laws protecting consumers from companies who change the terms of service. What is more of a change than turning over our private records without informing us?"

Verizon and AT&T filed motions to dismiss the complaint, arguing the state commission had no jurisdiction over them and refusing to admit or deny whether they handed over customers' records to the NSA. In the dismissal order, the Commission held it was "not the appropriate agency or body to determine the lawfulness of the alleged disclosure to the federal authorities."

We're obviously disappointed by the dismissal, but that doesn't mean the fight is done. Whether it's another state phone commission or a federal judge, we are confident that the warrantless spying on innocent Americans will be held to be unconstitutional.

## ARE YOU WILLING TO BE A CITIZEN LOBBYIST?

ACLU hopes to gather as many people as possible who are willing to mail, email or phone their state senator during the 2007 legislative session. We know you can't make it to all the hearings—that's our job—but sometimes contact from a voter in the senator's district makes all the difference.

If you'd be willing to be added to our list of people we call upon when a call or letter is needed on a specific issue, **please fill out the form below and return it to ACLU Nebraska**, 941 O Street #706, Lincoln NE 68508 or email us this information: [info@aclunebraska.org](mailto:info@aclunebraska.org)

Name(s): \_\_\_\_\_

Address: \_\_\_\_\_

City, State and Zip Code: \_\_\_\_\_

Phone Number(s): \_\_\_\_\_

Email: \_\_\_\_\_

Legislative District # or State Senator (if known): \_\_\_\_\_



### STILL SMACKING OUR LIPS FROM THE CHOCOLATE PARTY....

The 2nd annual ACLU chocolate holiday party and fundraiser held Friday, December 8 was a great success. Almost 100 people enjoyed the desserts, wine and holiday displays in Jack Saltzman's home in Lincoln.

Board members, card-carrying ACLU members and new friends mingled for several hours and met our new Executive Director Laurel Marsh. The delicious

Left to right: ACLU Board member Dave Moshman, Sara Moshman, ACLU Board member Rachel Yamamoto

desserts were generously donated by the following restaurants and individuals: Billy's Restaurant, Chez Hay Catering, The Dish, The Grain Bin, Kim Nash, Perkin's Bakery, Stauffer's Café and Pie Shoppe, Sweet Magnolia's, thé CUP, The Tea Room at Studioville, Village Inn, Wilderness Ridge, and Yankee Hill Country Club.

Mark your calendar now for the 2007 Chocolate Party, which will be held Friday, December 7th from 6:30 to 9:30 pm. Tickets will be available at the door.



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## **STAND UP WITH THE ACLU**

### **JOIN US IN CYBERSPACE ON MYSPACE**

MySpace.com is a website that allows people to post their interests and meet like-minded folks. If you're under the age of 30, you may even have a MySpace account. ACLU Nebraska now has a MySpace page as a way to communicate about events and breaking news. We particularly hope to find younger members with this tool.

We already have college students from UNO, UNL, and Chadron State who are connected to ACLU Nebraska through MySpace.

Whatever your age, visit [www.myspace.com/aclunebraska](http://www.myspace.com/aclunebraska) to join this free service and meet other civil libertarians.

### **JOIN US FOR DINNER**

Save the date for the ACLU Annual Dinner! We'll be honoring civil libertarians and listening to ACLU National Legal Director Steve Shapiro's keynote speech on Saturday, April 28 in Lincoln. Stay tuned for ticket info.