

Victories for 2015:

January: Platte County Public Defender gets more funding from county board, enough to hire fulltime paralegal. Public Defender writes, “We believe that we will be able to meet the constitutional requirements of effective representation for the foreseeable future. We could not have accomplished this task without your help and guidance! Thank you so much for all the work you and the ACLU did to help us alleviate our caseload issues!”

January: OPS Superintendent apologizes to parent Alex Gates for threatening comments he made after Gates spoke at a school board meeting. In October, Gates testified at public hearing about parents’ concerns with elementary principal. The Superintendent accused Gates of age discrimination and slander, warning him “You better get a lawyer.” ACLU wrote letter in autumn 2014, but response wasn’t until January 2015.

March: Bellevue City Council considers a “Citizens Code of Conduct” that would prohibit anyone from being “offensive” in city hall and other vague unconstitutional terms. ACLU warning letter results in proposal being abandoned.

April: Gender questioning college student informed they must wear dress for choir performances at UNK. ACLU information provided allowed student to self-advocate with director and student was allowed to wear male outfit instead.

April: Raymond Central High School refused permission for GSA. Parent obtained ACLU materials and self advocated to obtain permission within a day.

May: Waverly High School GSA granted permission after students fought for 4 years without ACLU help—they had a 200 signature petition asking for the GSA. Granted within 24 hours of ACLU contact.

May: Kearney High School graduation dress code required slacks for boys, dresses or shorts for girls. Gender fluid student wanted to wear slacks but was informed they would not be permitted to walk in graduation since they were born male. Granted within 8 hours of ACLU contact.

May: Shelton High School refuses to allow valedictorian to say in his speech to the graduating class of 11 students: "Coming out was the hardest thing I've had to do, and I have felt the repercussions, both positive and negative. Positively, the support and love of my close family and friends. Negatively, the rejection associated with stigma and not fitting the cookie cutter.". ACLU letter results in speech being given as student wrote it.

August: Hastings Public School employees told to sign loyalty oath per outdated state statute. One employee objected due to religious beliefs, another complained because of political principles. ACLU letter results in school agreeing no one had to sign the oath, and no one will be retaliated against for refusing to sign.

Victories for 2014:

In November, the Omaha Mayor requested a new policy permitting city police to access library patron information "in case of safety or emergency situations." ACLU warns such information is private and would require a warrant. Library board votes to reject Mayor's effort, thanks ACLU for assistance.

In October, Douglas County joined Hall, Lancaster and Sarpy County in refusing to honor ICE detainer requests. Douglas County was significant because it accounted for ¼ of all ICE detainers in the state the previous year.

In July, woman with kids in foster care complained through her Legal Aid attorney that the foster family had enrolled her children, including a 4 year old, in a private Christian school instead of public school. ACLU wrote letter for Legal Aid to present to DHHS, and the caseworker immediately reversed the foster parent's decision.

In June, South Sudanese Association of Omaha complained older teenage refugees were being denied enrollment in high school because they were "too old to get enough credits to graduate." OPS was trying to direct these students to just take ESL classes instead. After ACLU letter, OPS apologized, directed all staff to admit older teen enrollees and eliminated one office where the problems originated.

In April, the Crossroads Center homeless shelter promised to reform their practices involving people living with HIV. We'd received a complaint from the Nebraska AIDS Project that a homeless woman staying at the shelter was denied access to ever enter the shared kitchen space. Other residents (and her minor children) started asking why she never took a turn washing dishes or serving meals and as a result her HIV status was disclosed. After ACLU letter, the shelter promised to draft a new anti-discrimination policy, train their employees and volunteers, and invite the NAP trainers in for a session.

In April, Crofton high school student Michael Barth was informed by the NSAA he would not be permitted to perform his award winning speech due to the controversial nature of the readings—which were not explicit, but were about gender identity. After an ACLU warning letter, the student was permitted to give his speech as originally intended. ACLU actively following up with NSAA to change their policy which led to the censorship to prevent future problems.

In March, Creighton City Council backed down after receiving ACLU promise of a lawsuit to defend local resident Michael Nutting. Nutting wrote letters to the editor criticizing decisions by the council and had received a cease and desist demand from the city attorney, threatening a lawsuit if he didn't publically apologize for his criticism.

In January, the Nebraska Supreme Court again ordered DNA testing for Juneal Pratt. We filed an amicus curiae brief supporting his primary attorney from the Nebraska Innocence Project.

Douglas Sundquist was a massage therapist with a DUI who was ordered to attend AA in order to receive his license back. Sundquist objected to AA as an atheist who does not believe in a higher power. After ACLU letter in January, Sundquist received his license without any further need for classes.

Victories for 2013:

In January, Juneal Pratt given DNA testing by Nebraska Court of Appeals following ACLU amicus in support of his Innocence Project attorney's work.

In January, parents of a pretrial detainee in York County jail called. Their son had a diagnosis of bipolar schizophrenia and had gone 7 days without his prescribed Zyprexa. He'd told his father he was now hearing voices again. ACLU contact with jail got him his medication in 12 hours.

Ariana tried to start a Gay Straight Alliance at Bellevue West High but was told it wasn't necessary since the school already had a diversity club. After ACLU letter sent in March, school backed down and permitted the GSA.

March Against Child Abuse intended to hold a local demonstration as part of a world wide movement every April. They planned to stand in front of the Gering courthouse, but city officials told them they would have to pay a substantial sum of money for the permit. After ACLU letter sent in March, city permitted the demonstration for free.

Lancaster Public Defender's office requested help from our office for one of their clients in jail. The detainee has a serious eye condition—he'd previously had surgery, but the eye is nearly closed and very damaged looking. Upon arrest, he had prescription eyedrops to keep the eye lubricated and functioning, but the jail had not given him the medicine for over three months. After ACLU letter was sent in March, jail got the drops to him immediately.

Shelton Public Schools K-12 music program for the holidays included a written program describing the "true origin" of the song "Twelve Days of Christmas." That origin was supposedly a Christian metaphor, but the entire concept was an urban myth—as well as proselytizing. A warning letter to Shelton Superintendent said another violation could result in legal action.

Marco Silva is a citizen of Peru legally present in the United States. He is a traveling evangelical minister who collects funds for an orphanage in Peru. While traveling on I-80 near Seward, he was pulled over for a supposed traffic infraction (though no ticket was issued). He willingly consented to a search of his car, and then faced several hours of questioning and harassment about the \$14,000 cash and checks he had from the collection plate. He was finally permitted to go, but the cash, checks and credit card machine were seized by the county. ACLU intervention resulted in a return of the property and money in June, four months after it was taken.

Lincoln wishes to install surveillance cameras on O Street to monitor the area where several bars were located. ACLU submitted objection testimony in July with draft policies to consider for maximum protection of citizen privacy.

Railyard Entertainment District in downtown Lincoln announced a planned dress code that would ban “excessively baggy clothing,” clothing with obscene messages, ballcaps to the side, men’s tank tops, and wave caps. Contact with the Lincoln City Attorney in September confirmed they agreed with us that the dress code could not apply to the streets or sidewalks.

ICE agents were reported at the Butler County Courthouse on “Spanish day” as well as random days in Douglas County. Attorneys reported seeing the agents stopping people to question them about their immigration status. A letter to the regional ICE headquarters was sent in October but also the Nebraska Supreme Court was advised by Justice John Irwin about ACLU’s concerns in order to pass word to local county judges that they could request ICE agents to stay away from courthouses for fishing expeditions.

Juan Castenada was a juvenile offender sentenced to life without parole before the US Supreme Court abolished JLWOP. We filed an amicus curiae brief with his public defender, requesting resentencing. In December the Nebraska Supreme Court granted his request and remanded.

A Legal Aid client Siefker whose child was receiving DHHS services for his severe autism was requested to turn over her own medical / mental health records for DHHS to just look at without any basis for concern that the mother was a problem. ACLU amicus brief filed with the Nebraska Supreme Court. Court rejected the effort to get mother’s records.

The Village of Alexandria (population 177) attempted to pass an ordinance restricting sex offenders from residing near certain categories (schools, day cares, etc.), but the village added more categories than permitted by state statute. They tailored their ordinance to include “bus stop” in order to specifically eject one resident. Warning letter resulted in ordinance being limited to what state law permits.

City of Lincoln (finally) amends city code to permit demonstrations, rallies, etc., to be conducted with a waiver for indigent groups who cannot afford insurance. All started with Diana Wulf’s pro hemp rally in 2010.

Victories for 2012:

Barney Meyer in Platte County Jail was denied mail order Bible study materials. A warning letter to the Sheriff resulted in the materials being made available in January.

High school student at Beatrice High complains a science teacher has creationism poster in her classroom and tells her students evolution is only taught because she's forced to. ACLU contact with Principal in April results in apology and assurance the poster has been removed.

Claudia Leiva Deras v Cass County Jail case settled with new policies on required reporting of suspected sex abuse, required training of high management on jail sex abuse, and cash settlement for plaintiff.

A teenager at the Lancaster County Juvenile Youth wasn't getting a diet appropriate for her Muslim beliefs. When she asked for a pork-free diet, she was told to eat what she was given. The teen had to simply eat the few items she could, and had lost ten pounds by the time she informed her Legal Aid attorney of the problem. In May, a letter from the ACLU got her a pork-free tray at the very next meal.

Kearney elementary school dismisses 5th graders 15 minutes early to permit them to receive Gideon Bibles on school sidewalk. ACLU writes warning letter and Superintendent apologizes in May, promising it will not happen again.

Photographers rights public education effort with a letter to every law enforcement agency in May results in positive feedback. Nebraska Law Enforcement Training Academy agreed to include information in future continuing education curriculum.

Alexander Shacklett was Muslim student called a "terrorist" and other slurs by his fellow students at CL Jones Middle School in Minden Nebraska. ACLU warning letter resulted in parent's satisfaction.

Cori Clark at Beattie Elementary School in Lincoln was being called a "whore" and "slut" by other children. Other students threatened to hang her

from a meathook and shoot her. ACLU warning letter resulted in school claiming this was the first they'd heard of the problem and action to resolve the problem to the satisfaction of the family.

Danny Grumbles at Minatare High School was bullied by his former teammates from the football team. ACLU warning letter resulted in resolution to the satisfaction of the family.

Unitarians demonstrating for marriage equality on Valentines Day are told they must stand in the gutter rather than the sidewalk of the Lincoln Federal Building. Security officers say the sidewalk is "federal property" and not available for leafleting or signs. After ACLU contacts Government Services Agency, the GSA apologizes in June, agrees that future protestors may use the sidewalk freely.

Gering Public Schools plan to require random drug testing of teachers abandoned after ACLU warning letter. School says in July "We don't want to poke that bear."

Lincoln refused Diana Wulf permission to hold a marijuana legalization rally in a public park unless she posted a bond for \$1,000,000. City ordinance permits discretion by Parks Director for when to require a bond, and has no waiver for indigent grassroots groups. ACLU intervenes, threatening suit. In August, City Council approves amendment to ordinance that removes discretion and permits waiver for indigent groups.

Hunter Spanjer at Grand Island public preschool was told he couldn't use the American Sign Language sign for his name since it violated the school's weapon policy. After ACLU warning letter in September, school reverses self.

Ralston High School student told he could not wear high heeled boots since he was male. After ACLU intervention in September, he was permitted to continue wearing clothing of choice, including full drag to his Prom.

People's City Mission Curtis Center houses homeless veterans with a federal VA grant. Complainant atheist described compulsory classes in Bible studies, threats of eviction if he failed to attend services, and constant proselytizing. After he contacted ACLU with his concerns, the Mission evicted him in retaliation. VA intervened in October, suspending

placements and funding to Mission while simultaneously finding neutral housing for this veteran and two other dissenters.

In October, a door to door salesman was ticketed in Albion for failing to pay for a peddler's license, which city law only required of out-of-towners. Before ACLU could even act, the ticket was dismissed because Charles Robinson told the judge the ACLU was investigating. He reports the prosecutor sighed and said "Fine, then I'll dismiss the charges."

Lincoln city employee was denied bereavement leave after her inlaws were both killed in a car crash—because her spouse was a woman. After ACLU contact with City Ombudsman, the bereavement leave was granted.

Larry Tourangeau's 8 foot sign "F*** the Grand Island Police" was the subject of multiple prosecutions in misdemeanor court. In the fall of 2012, the city finally dismissed the last of their charges.

Lancaster County Court judges were ordering juveniles to remain in school, even though state statute permits withdrawal at 16 with parent's consent. Some parents whose children had disabilities or suffering severe bullying wanted their children to be done with school but were facing court orders. ACLU warning letter sent resulted in cessation of practice.

Victories for 2011:

Overton Public School: outsiders handing out Bibles during school assembly. After ACLU contact, Principal promised that from now on, Bibles may be at a table where students can approach but—like all other outside groups—that's all.

I Heart Boobies bracelets/shirt at Scottsbluff High School permitted after ACLU letter.

Scottsbluff "legalize marijuana" protest held in public park was told to stay off sidewalk so that passing cars wouldn't see signs. ACLU emergency call/letter solved problem so protest continued on sidewalk.

Prisoner newsletter banned from prisoner Alemu until ACLU threatened suit. MIM newsletter now approved for mail.

William Weldon permitted access to public library in Oxford after initially receiving lifetime ban for “shushing” librarian.

Three county jails told us they created a new policy prohibiting shackling of pregnant women after receiving our letter advising them of 8th Circuit decision.

Frank Shoemaker license plate “NE 420” permitted less than 24 hours after ACLU files federal suit for free speech.

Judge rules in our favor in ballot access case “Citizens in Charge v. Gale.”

Nebraska resident Scott Vogt wrote a check to pay a ticket from Clark Kansas. He wrote “Fuck the Police” in the memo line and received a threat of prosecution for terroristic threats. ACLU Nebraska warning letter received no response but also no further threats or prosecution.

Victories for 2010:

Schuyler Public School registration form threatened criminal prosecution and expulsion if student was not legal. ACLU threatened suit, school changed form. We held education session for immigrant parents in area.

Fremont DMV confiscated documents brought in by Hispanic woman, a naturalized citizen renewing her license. They implied they might be fraudulent and would require several weeks to verify information, during which time she could not drive. ACLU intervention got same-day return of documents and renewal of her license.

Nebraska Supreme Court rules in our favor on Darren Drahota, overturning his conviction of disturbing the peace. ACLU amicus curiae brief authored by Mike Fenner of Creighton.

Victories for 2009:

LaVista City Council proposed new inspection ordinances for renters without any notice to residents: city would only give notice to the landlord (since “more convenient” for the city). ACLU warning letter resulted in proposal being abandoned.

DMV changed their requirements for what must be shown to get a new driver's license after sex reassignment. They used to require bottom surgery; new regs just ask for a doctor certifying letter without medical details.

Students at Grand Island High School wanted to observe the National Day of Silence in honor of GLBT persons who have been silenced in society. The students would hand out flyers describing why they were silent, but the kids would still participate fully in class. The school administrators initially said no--the flyers couldn't be distributed since they could be a "safety issue" to allow students to bring a box into school. Huh? After ACLU contacted the school's attorney, the Day of Silence was observed and the flyers were handed out with no problems. Tyler Pierce, the student responsible for organizing the event, will be trying to organize a GSA for the school next year.

Blair High School parent complains a minister was permitted to offer an invocation and benediction at graduation ceremony. Negotiations take a while but school confirms in January there will be no future graduation prayer.

Bellevue East High was grudgingly willing to permit the Gay Straight Alliance to form a group, but still stonewalled by refusing to allow the club to have a photo in the yearbook. In February, school backed down and yearbook photo was included.

David Dell obscenity charges finally dismissed after he was ticketed for yelling at a pro life protestor at Planned Parenthood.

Raymond Central High School student reports his first period teacher is adding to the Pledge of Allegiance recitation each day "With liberty and justice for all, born and unborn." ACLU contact with Principal and Superintendent results in teacher ceasing practice and apology from school.

Five counties (Hall, Platte, Phelps, Lincoln, Dawson) refused marriage licenses to anyone not a citizen. ACLU had received complaints from latino residents, and then confirmed with a private tester. ACLU threatened suit and all five backed down and changed their practices.

Public employee in Fremont told he was going to be fired for violating a rule that all employees live in the city limits. His wife lived in Lincoln and he spent most of his free time in Lincoln, but he maintained his own apartment and voter registration in Fremont. After ACLU warning letter, he kept his job. (September)

North Platte Housing Authority proposes drug testing of all employees. ACLU sends warning letter about unconstitutionality of drug testing without individualized suspicion and proposal is abandoned. (July)

Omaha passes night owl anti loitering ordinance directed at North Omaha youths in late hours. ACLU warns the ordinance is unenforceable and reaches out to criminal defense attorneys to contact us if there is any ticket received by their client. Ordinance appears (as of 2012) to have never been implemented.

Victories for 2008:

North Platte proposes outlawing all sexually oriented business within city limits. ACLU warns its would violate First Amendment

Victories for 2007:

- Residents at the Bridgeport public housing complained the staff engaged in religious proselytizing to the elderly and low income people living there. They reported the staff led residents in prayer, censored what movies would be shown in the public room, and even attempted to tell residents what decorations they could have inside their rooms. After ACLU intervention, the Bridgeport Housing Authority apologized and agreed to re-train employees about appropriate conduct. (August '07)
- Southeast Community College in Beatrice informed one employee she could not display political cartoons on her office door. After ACLU intervention, the College initially decided to treat all employees the same--by telling all the employees to remove everything personal from their doors! However, a month or two later the College decided to allow the personal items to be restored. (June '07)
- Edward Zepeda is a Hispanic man living in Lincoln. When he went to renew his Nebraska ID card, the employees at the

Department of Motor Vehicles asked him embarrassing questions, suggesting he was probably illegal and attempting to engage in fraud. After ACLU intervention, the DMV Director apologized. (May '07)

- Dave Homan was angry at the Region II providers in his hometown of North Platte. He made several signs that he strapped to his vehicle that expressed his criticism of the agency. The agency hired a lawyer who threatened Dave with criminal prosecution and a libel lawsuit if he didn't take down his signs. After ACLU intervention, Dave was allowed to keep expressing himself without harassment. (March '07)
- In 2007, Raymond Central K-12 student chose to stay silent and seated during the Pledge. His teacher questioned and harassed him, and then sent the student to the Superintendent's office. The Superintendent also pressured him to participate. ACLU letter to school board results in apology and cessation of problem.

Victories for 2006:

- City of Wisner had an ordinance requiring anyone wishing to go door-to-door to first stop and register with the city clerk. The ordinance was being used to force Jehovah's Witnesses to stop proselytizing. ACLU contacted the Mayor and the city amended the ordinance to no longer apply to religious or political (ie, non-commercial) leafleting activities. (December '06)
- Holdrege Public School allowed youth ministers to roam through the school, talking to children in the hallways and at lunch about their church's programs and after school Bible study. After ACLU intervention, the Superintendent stopped the practice of allowing minutes onto school property during school hours. (November '06)
- Shelton Public Schools was allowing the minister from a local church onto school grounds during the school day to distribute "Awana" flyers for Bible youth study. After ACLU intervention, the Superintendent agreed to warn all teachers to prevent such activity again. (September '06)
- Bellevue East teacher complained teachers were expected to participate in the daily recitation of the Pledge of Allegiance. He objected based on free speech and religious grounds. After ACLU contact, the Superintendent assured us the Pledge was optional for

everyone (students AND staff) and that he had sent a reminder to this effect to all staff. (March '06)

- Two seniors from Sutton High School complained that past graduation ceremonies included a prayer offered by a local minister or priest, and that the recent Veteran's Day mandatory assembly included a prayer as well. Contact with the Superintendent resulted in his assurance that there would be no graduation prayers (he asserted there were no plans to hold any) and that he would take steps to prevent prayer at future Veterans' Day assemblies. The 2006 graduating class (class size 28 students) will graduate without illegal proselytizing. (Feb '06)
- Isaiah May was thrown out of Beatrice High basketball games on two occasions because he was wearing a tshirt that said "Heckler" and the school dress code prohibited any "negative" messages at games. May was not a student at the school--he just was attending the game as a member of the public. After ACLU intervened, the school amended the dress code policy to allow members of the public to wear whatever they wanted. (Feb '06)
- Paul Sanders, Sr., was put in jail in Lancaster County because he owed child support. He uses an asthma inhaler and was prescribed nitroglycerin for his heart, but both his nitro and his inhaler were taken away from him when he was booked into jail. After ACLU contacted the jail, both medications were restored to him so he could have them with him at all times. (Feb '06)
- Rudy Rosales was a Native American pretrial detainee at the Lancaster County jail. He wanted to get visits from his spiritual advisor, a local practitioner of Native American ceremonies who leads the state penitentiary prisoners in their religion. The jail said no visits--they would let a Christian minister visit him or someone the jail selected for Native American beliefs, even though there was no security problem with Rudy's personal advisor. After ACLU intervened, the jail agreed to contact visits to allow ceremonial practices. (Feb '06)
- The tiny village of Mullen passed new inspection ordinances, giving the city permission to enter and inspect any building that is hooked up to electrical or water utilities: no standards or due process protections were included in the new ordinance. William and Theresa Cash contacted us, objecting to the new laws. We drafted new language to bring the local laws into compliance with

the Constitution and the Village Board adopted the new law. (Jan '06)

Victories for 2005:

- City of Omaha's swimming pool dress code modified to allow religious and disability exemptions after suit was filed for Lubna Hussein. Hussein, an Egyptian Muslim woman, had been refused entry with her three small daughters because she would not remove her head scarf. (Feb '05)
- Omaha Central High student would not stand for Pledge of Allegiance due to his personal and religious beliefs. The teacher harassed him and continued to regularly urge him to go ahead and stand, despite a previous reprimand for doing so. ACLU letter to principal resulted in an announcement to all faculty reminding them to cease such harassment. Students were informed they could report any problems to the principal. Family reports teacher harassment stopped. (Feb. 05)
- Petition gathers for Nader campaign went to jazz festival at the Omaha Lewis & Clark riverfront park. The jazz festival promoters had a permit from the Parks and Recreation Department, and the boundaries of the permit were not clearly marked. The promoters kicked the petitioners out from even the sidewalk outside the park and threatened police action if they came back. Negotiations with the city produced a new policy of only granting permits with clear boundaries to prevent future misunderstandings of where a permit holder's authority ended. Clients reported satisfaction. (Jan 05)
- Lancaster County Clerk staff refused to allow gay activist students to even have a copy of the marriage license applications. ACLU intervened as an open records violation. Clerk issued an apology and now has made the applications available in paper form to all members of the public. (Mar '05)
- Muslim prisoner in Douglas County Correctional Center needed a Halal diet for his religious beliefs. The jail was only providing a vegetarian diet, which didn't meet his religious or dietary needs. ACLU intervention produced the right result: the prisoner began receiving Halal/kosher meals. (Apr '05)
- Millard North students distributed flyers at school encouraging other students to use independent media in order to learn more

about US military actions. They were threatened with suspension by the Principal if they brought the flyers back. ACLU intervention resulted in the school announcing the students could return with the flyers without any future retaliation. (May '05)

- Ogallalla valedictorian wanted to give her graduation speech to include a quote from her family priest: "If you think it's hot here today, think how hot it is in hell." The school forbade use of the word "hell" as obscene. ACLU intervention resulted in the school backing down and allowing the student to give her own chosen speech. (May '05)
- Kearney religious group conducts sweatlodge ceremonies in their leader's backyard. The city only would allow fire permit to the group if they agreed to (1) call every neighbor before every ceremony ahead of time and (2) cancel the ceremonies if the wind speed at the city airport got above 10 mph. ACLU intervention resulted in a modification so the group only has to call the fire department (rather than neighbors too) and the wind speed will be measured by the actual location (rather than the far away airport strip). (June '05)
- Elkhorn Junior High in Omaha was displaying a banner for the Christian church meeting at the school on weekends. The banner was left up all through the week, appearing to be a free advertisement or endorsement for that religious group. ACLU intervention resulted in the banner being displayed only during the time services were actually held. (June '05)
- Kenton Wainwright was suspended for 3 days from Benson High after the principal heard a CD Kenton made with his friends outside of school. The school believed the rap music was obscene and threatening. After ACLU negotiation, the school agreed to remove the suspension from Kenton's permanent school record. (August '05)
- Clerks of the Court are supposed to display the judicial bypass forms in every courthouse so that a scared pregnant teen doesn't have to ask anyone for help--this is mandated by state law. We found a lot of courthouses were not obeying the law. We wrote to the Nebraska Supreme Court Administrator who then wrote to all the Clerks warning them to obey the law and including a copy of our legal memo. (Sept. '05)

- Troy Veltrop was angry at his local city government in Humboldt, Nebraska. To show his disdain, he put a sign in his front door on 8 1/2 x 11 paper that simply said "Fuck Humboldt." A Richardson County deputy sheriff visited, warning him to take down the sign or face disorderly conduct charges. ACLU warned the county attorney and sheriff that the sign was protected free speech, and no further harassment occurred. (Nov '05)

Victories for 2004:

- Nebraska Hall of Fame Commission met for their once-in-five-years meeting to vote on new inductee into the Hall of Fame. In addition to other open meetings violations, the Commission did not allow full public comment. Some people were allowed to speak who were supporting the nominations, and Senator Ernie Chambers was called upon to speak even though he had not signed in, but a citizen who was angered by the nomination of "homo-hunter and red-baiter" Senator Wherry was not allowed to speak about her concern that the McCarthy-era figure was a poor choice. Though the citizen had signed in and waited to be called upon, she was passed over and the meeting was closed. She even approached the Chair to remind him she intended to speak, but he refused to allow her to comment. Senator Wherry was then voted into the Hall of Fame. ACLU wrote Commission, requesting a new meeting be convened to allow public comment and Commission agreed. Meeting was rescheduled for 2005 and the induction of Wherry was voided until proper procedures and public comment can be taken. (June '04)
- Homer Public Schools graduating class of 2004 was a class of 33 students in a town of 600 people. They have included prayer at graduation in past--once a teacher and other times a minister offered the prayer. A student complained and we contacted the Superintendent. He promised future ceremonies would conform to the law. Student confirmed the May graduation went smoothly and legally, with no prayer. (May '04)
- Wayne State College student who is biologically male but identifies as female was dropped from "Rape Aggression Defense" class because the school wanted it to be for females only. The class was part of a necessary physical education credit for client,

but also important to her because she experienced threats and intimidation regularly. Since the class was not a physical contact class, just instruction and one session demonstrating the techniques on the instructor, federal law prohibited the gender prohibition. Intervention with Wayne State resulted in an apology to the student and a promise the class would be open to all regardless of gender or sex in the future. (Jan '04)

- Two Lincoln inmates who were deaf were denied accommodation of their disability. ACLU intervened successfully in both cases. Prisoner at the Pen was fitted with both his hearing aids he'd been without for months, and the pretrial detainee at Lancaster County Jail was finally allowed to access rehabilitative services with the use of a sign interpreter, including at AA meetings and religious services. (Feb. '04)
- Sheri Sullivan was the victim of a sexual assault while incarcerated. She was transferred from York Prison to the Douglas County Correctional Center to appear in court against the guard who assaulted her, but the DCCC refused to provide her with the medication already prescribed by the state prison psychiatrist. Without her anti-anxiety medication and because of the strain of confronting her perpetrator in court, Sheri began experiencing a mental health breakdown. ACLU intervention got her sent promptly back to York for care, and an agreement with the County Attorney that future hearings would be handled in a way that would ensure Sheri's medication would remain constant. (Aug. '04)
- The Church of the Awesome God, a chartered Presbyterian church, was renting space in Lincoln because they could not yet afford their own church building. Since the area was zoned "Industrial," the city began threatening criminal action and eviction if the church didn't move. Negotiations with the Planning Commission and City Council resulted in a change to the city ordinance to allow churches as a use in Industrial zones. (Sep. '04)
- Mark Townsend was doing a short sentence in the Saline County Jail. He needed his prescribed anti-anxiety and anti-depressant medication, but his repeated requests went unheard. After a letter from ACLU Nebraska, he reported they immediately provided his mental health medications and addressed some minor physical complaints he had that hadn't even been mentioned to ACLU or brought up in our letter. (Oct. '04)

- Larry Lentz, a 64 year old veteran, was charged with "flag desecration" after flying his American flag upside down. Loup County Sheriff and a deputy came to Lentz's house three times, charged him with the crime and confiscated his flag, threatening him he should not purchase another one. Single call to the Loup County Attorney with a follow-up email enclosing Supreme Court cites resulted in the charges being dropped and the flag was ordered returned. (Nov. '04)
- Hastings firefighters on duty on Election Day were scheduled to work the entire time polls were open. A phone call and faxed letter to the Fire Chief resulted in all the firefighters being allowed time off to vote as required by state law. (Nov. '04)

Victories for 2003:

- Youth incarcerated at the Douglas County Youth Facility complained they could not adequately access the courts because their law library was inadequate and because there was no inmate legal aide program. After negotiating with the Department of Correctional Services, the DCYF agreed to immediately provide new library aides to help prisoners do research, and agreed to start training inmate legal aides within the same week. (March '03)
- Public Defender for Saline County represents indigent people in four different counties with only a single deputy public defender to help her. She contacted us because the Saline County Jail abruptly stopped providing notary public service to the inmates and pretrial detainees. She would have to travel hundreds of miles to get to the jail to perform a simple notarization, even though there were jail employees able to notarize. Many documents require a notary for court filing, so the new policy obstructed the detainees' right to access the courts. Intervention with the Sheriff was effective; notary service was restored. (Feb. '03)
- Anti-war activists handing out flyers at downtown Lincoln post office about the "Virtual March on Washington" were ordered to leave. Negotiation with local postmaster was unsuccessful, so we made contact with the regional United States Post Office attorneys. They issued directions that leafleting outside the post offices was acceptable. Information about the rule was forwarded to Omaha

and Lincoln postmasters, and we created an informative flyer about leafleting rights that was distributed to the anti-war activists as well as published in the Nebraskans for Peace newspaper. (May '03)

- Man visiting friends at UNL dorm was ejected and given a "ban and bar" notice prohibiting him from ever coming back to university property. Notice did not explain his right to appeal and did not give any indication about when an appeal must be filed. We intervened with the UNL legal department to express concerns with the lack of due process in banning a taxpayer from publicly owned property. UNL agreed and created new notices that explicitly advise people of their right to appeal as well as the time frame and procedure. The new notices were sent out to all people in 2003 who had received faulty notices to give them an opportunity to appeal. (March '03)
- Arnold School District was still allowing graduation prayer in the form of a minister giving two prayers and a religious speech at the ceremony for a class of 21 students. We received a parent complaint and negotiated with the school district successfully. The School Board voted to change the prayer policy to comply with the law, and the Superintendent even thanked us for giving the district the impetus to correct a policy he'd wanted for a long time. (July '03)
- Omaha anti-weapons-of-mass-destruction rally sought a permit to use Memorial Park on Dodge Street for an event. Park officials refused to allow the event at that park, citing unwritten policy of allowing only "patriotic" events at Memorial Park. Other events held in the park in the past included Easter morning services, weddings, concerts. After contacting the City Attorney's office, organizers received their permit with an apology, and the City Attorney indicated he would work with park officials to ensure a clear, written policy in the future that will NOT include the "patriotic" requirement. (June '03)
- City of Lincoln Department of Building and Safety announced new policy of searching/inspecting all rental properties regardless of whether there was any complaint or known problem. Notices were being sent to landlords, not to the tenants whose privacy was actually on the line. ACLU worked with the Lincoln City Attorney for several months and new notices were prepared to satisfy due process, including: Notices will be sent to tenants, will include

information about the tenant's right to demand a warrant rather than just submit to the administrative search, will specify the ordinances so citizens can look up the exact terms of the law, and will be sent with a notice in Spanish that tells the tenant that he or she may contact the city if they want the entire notice in Spanish. (Mar '03)

Victories for 2002:

- Coalition Against Injustice in Omaha wished to post signs chastising County Attorney for not filing charges against police officer who shot and killed an unarmed African American man. The group was told such signs would not be permissible except during certain months as 'political' signs are limited to election times. Staff wrote to City Attorney, and received written assurances that the signs were legal and would be allowed. (April '02)
- House of Faith, a storefront church in North Omaha, objected to a liquor license application by Kum & Go. The Liquor Commission initially held the church wasn't a "church" since it was small and rented. ACLU filed amicus curiae brief to the Nebraska Supreme Court and won in case City of Omaha v. Kum & Go, 263 Neb. 724 (2002). (April '02)
- Elementary school kids in Fremont Public Schools received a letter from their school counselor Priscilla Wilson. In the letter, Ms. Wilson encouraged parents to spend more time with their children, to talk to them about drugs, and to try "regular attendance at a place of worship and practicing the principles of that faith...Most children I talk to who do not attend church or Sunday School express a longing for that experience." A call and letter to the Superintendent resolved the matter—the counselor was admonished about the First Amendment and apologized. (May '02)
- Parents of a Grand Island Senior High student complained their son was suspended without the school sending the required written notice and without a hearing. After the ACLU contacted the Superintendent and conducted discussions with the school's attorney, the parents were granted a meeting with the Superintendent, expungement of the suspension from their son's records, and an apology. We also provided the family with information about how to file a complaint

with the Department of Education they may follow up with. (June '02)

- Woman prisoner at York with two years in solitary confinement without adequate mental health care contacted us for help with the conditions of her confinement and to start receiving appropriate medication. ACLU brought the case to the attention of the Ombudsman's office (who had previously opened a file but declined to take action); in concert with the Ombudsman's office and after several joint prison visits to view her cell and confer with the client, the prison officials began providing the requested anti-psychotic prescription and began to make modifications to the conditions of her imprisonment. (June '02)
- Robert Maxfield: Sarpy County Correctional Center prisoner complained he was suffering from a heart condition and was deprived of his cardiac medications since his arrest. He did not have a local doctor or family to provide prescription records. He reported his own complaints were only met with offers of aspirin and that he'd never been seen by a doctor. After an ACLU letter to the jail, he was immediately seen by a doctor, provided with a full examination to determine his medical needs, given his prescriptions, and eventually transferred to a facility with a doctor on staff. (June '02)
- Norfolk High students formed a GSA (Gay Straight Alliance) towards the end of the 2002 school year. The club announcements were not consistently read on the PA system, and the written announcements were printed with a disclaimer "Norfolk High does not sponsor this club" even though other clubs did not have such a disclaimer. The students were informed they could not meet during school hours. The school hosts a number of other extracurricular groups, including several religious organizations, a Kiwanis club, and an anti-racism club. The students sought equal treatment from the principal, the superintendent, and the school board without success. ACLU wrote to the school's attorney threatening suit, and the situation was promptly resolved; the school agreed to provide all announcements equally and has decided that all clubs must meet before or after school hours. The students expressed satisfaction at being treated the same as everyone else. (June '02)
- Tonie Greve: expunged from the Child Abuse Registry after 7 years of being on it wrongfully pursuant to court order. (July '02)

- Jan and Steve Koch: Four Catholic children from Coleridge placed in foster care were not being allowed access to Mass, CCD classes, or First Communion classes. The foster family announced their intention to place the children in a private religious school (Lutheran) in the fall. After a letter to DHHS, we received assurances that the children would be enrolled in public school and that the caseworker would work with the natural parents to address the children's religious needs. (July '02)
- Heidi Zoellner: UNMC nursing student found that her December 2002 graduation was going to include invocation and benediction by an outside minister. Graduation is "mandatory" for UNMC students unless they complete a waiver form with 4 signatures. After negotiations with the Dean and UNMC officials, they promised to remove the planned prayers. (Dec. 02)
- Broken Bow Nativity Scene: City holiday display in public park contained only a religious display (a Nativity scene) in violation of Supreme Court law. After negotiations with ACLU, the city modified the display to a secular holiday message which comports with the First Amendment. (Dec. 00-02)

Victories for 2001:

- Jose Soto: got prints & photo destroyed after racial profiling stop (June '01)
- Jacob King; US Atty dismissed case, returned money (April '01)
- Hector Herrera: US Atty did not file case, returned money (Mar '01)
- Native American mom's kids apologized to, mom put on PTA committee for sensitivity/awareness raising, bullies disciplined (Jan '01)
- Michael Adkins got mental health meds & then transferred to better facilities at pen after our intervention w/ sheriff of Pierce County (June '01)
- Erica Smith got to participate in wrestling match at David City after calls to the wrestling coach and superintendent of school where match was being held; she then qualified for state championships. (April '01)
- Father attempting to establish paternity for DHHS not willing to give blood draw from him or son due to religious beliefs; after he contacted us, DHHS withdrew their demands and allowed DNA gum swab instead. (May '01)

- UNO student attending 'English immersion' program for foreign Japanese students complained of the English-volunteers proselytizing and using the Bible with the 'captive audience' Japanese students; after Tim contacted UNO, complainant reported the proselytizing ceased. (July '01)
- Hispanic mother and son harassed while getting child's first driving license in Grand Island; examiner questioned validity of out-of-state birth certificate, and showed them a news article about Hispanic illegal aliens being involved in drug trafficking. We complained to DMV, and they investigated, then fired employee. (Spring '01)
- Fremont high school soccer coach engaging in prayers prior to games and distributing flyers with religious themes ("I am my brother's keeper"); Tim complained and school advised coach had been warned to cease such actions. (May '01)
- Petersburg student complains after Superintendent prays during all-school (K-12) mandatory assembly about school merger in March, 2001. ACLU filed complaint with Department of Education; department investigated and then issued private reprimand to Superintendent. (August '01)
- Lincoln City Council public hearing to affect fate of trailer park to be held without Spanish/Vietnamese translation available, although residents of park who wished to testify needed interpreters. Appleseed represented actual residents; they told city to call ACLU and after speaking to Lincoln City Attorney, the translators were provided after all. (November '01)
- Dawnita Michael is African-American; when two Rentway employees mistakenly attempted to repossess her father's computer, they called two Omaha city police to her house. The police entered the house without permission or a warrant and, in front of Dawnita's minor children, threw her to the ground and injured her shoulder. Dawnita was charged with Disorderly Conduct and Obstruction of Justice: cooperating attorney Brent Bloom got the charges dropped entirely. (May '01)

Victories for 2000:

- Everett Wilson: prayers ceased at both senior centers after our intervention (Sep '00)
- Lesbian high school student in Lincoln returned to gym class, sensitivity training to students & staff (Nov '00)

- George Cox 1st amendment rights of public employees vindicated in Nebraska Court of Appeals; we filed amicus (Nov '00)
- Lincoln high school student graduating ahead of time allowed into graduation ceremony after contacting us. (May '00)
- Karen Fieldgrove in Elba, Nebraska, complained when her daughter was disciplined for wearing a 'questionable' taste t-shirt when male students wore similar slogans without discipline. ACLU contacted school superintendent and daughter's discipline reduced—also, school agreed to counsel teachers to apply dress code without gender bias. (Feb '00)
- Westside High School refused to allow a PFLAG ad to run in the school newspaper; after ACLU contacted school, ad was printed in paper. (Spring '00)