



ACLU

AMERICAN CIVIL LIBERTIES UNION
of CONNECTICUT

SPRING / SUMMER 2016

CIVIL LIBERTIES UPDATE



≡ ADVANCING JUSTICE & LIBERTY IN 2016 ≡

In 2016, the ACLU of Connecticut won civil liberties victories on:

Cell Phone Privacy: Connecticut is one of the first states to regulate police “stingrays” (devices that act as fake phone towers to determine peoples’ locations) thanks to this law, which requires police to get a warrant to access peoples’ cellphone information. The bill also requires police to notify people when they have been tracked.

Fair Chance Employment Act: This new “ban the box” law eliminates questions about criminal records on initial job applications.

Student Privacy: This new law protects students’ privacy by limiting how school-contracted groups can use students’ data. The bill also ensures that parents know when schools provide third parties with

their children’s information or when their child’s data may have been breached.

Free Speech: Current state law bans political parties from using out-of-state “circulators”—individuals who collect signatures on petitions to appear on election ballots. A bill to eliminate the ban died in 2016, but the ACLU-CT is representing the Libertarian Party of Connecticut in a suit to challenge it. A judge issued an injunction in our favor, and the case is moving forward.

Detained Youth: New laws will prevent the state from detaining youth for more than 7 days without a hearing, improve police training for working with youth, create a plan to reduce the negative mental health effects on detained youth, and institute truly community-based ways to divert youth from the prison pipeline.

Police Practices: The Freedom of Information Commission ruled that the Stratford Police Department must tell the ACLU-CT whether it has bought or used drones or other spying devices. Thanks to a new law, an independent agency will also examine police training in Connecticut.

LGBT Rights: People serving in Connecticut military departments will have protections for religion, national origin, sex, sexual orientation, and gender identity or expression thanks to this new law.

Remember, freedom can’t protect itself. Your support made each of these victories possible. Enclosed is a donation envelope. Our work is far from done, and we need your help to keep defending your rights in the Constitution State.

Visit acluct.org for updates on past and future priorities and to donate online.

DRIVING PRIVACY PROTECTIONS IN CT

Because of an investment from supporters John and Bruce Barrett of Barrett Outdoor Communications, drivers in Connecticut have had company on their commutes. ACLU-CT billboards (pictured at right) reminded drivers that privacy is not something we can take for granted. The billboards were true. The government really can monitor conversations with trusted confidants or spy on relationships. That is why, this year, your ACLU of Connecticut weighed in on 13 bills related to privacy rights, on issues ranging from police body cameras, to traffic cameras, to medical records, to facial recognition technology. On bills good, bad, and in between, we were there to defend your privacy rights.

Been talking to your rabbi?
The government knows about that.

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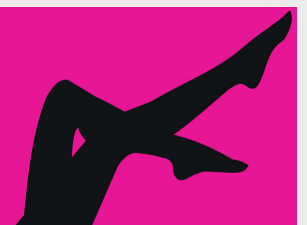
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The government knows
about that too!

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CELLPHONE PRIVACY BY THE NUMBERS



13% of Latino & 12% of Black smartphone owners depend on their phones for internet access, vs. 4% of whites.

13% of low-income smartphone owners depend on their phones for internet access.

62% of smartphone owners find health information using their phones.

1.3 million cellphone information requests from law enforcement officials nationwide in 2011.

14,000 court orders allowing Connecticut police to track peoples' cellphone records since 2005.

ZERO times a Connecticut court has rejected police requests for cellphone tracking permission.

8 months of text messages that police collected from one Connecticut resident's phone. The average American sends or receives 32 texts per day.

1,800 students at West Haven High School, where the conduct policy states that students should "have no expectation of privacy" when it comes to electronic devices.

87% of teens ages 14-17 own cellphones.

DEFENDING FREEDOM IN SCHOOLS



Access to a student's cellphone or laptop can mean access to his or her private world. Our laws need to keep up with students' electronic privacy rights in schools.

This year, after testimony from the ACLU-CT, the legislature took one step to protect students' privacy by regulating how schools share data with outside groups. Connecticut still has work to do, however, to fully protect students' privacy. Before searching a backpack, a school must have a specific, reasonable suspicion that the student has broken the law or a school rule. A bill introduced in 2016 would have held electronic devices to the same standard. This was important in more ways than one. In 2013, nearly one tenth of the more than 2,000 students arrested in Connecticut schools were singled out for non-violent infractions, such as using profanity, and school arrest rates were higher among minority and low-income students. Without protections, a school official could randomly search a student's phone, find profane texts, and call the police. In one instant, a suspicionless search could become an on-ramp to prison. In 2017, your ACLU-CT will be working hard to make sure that when the dismissal bell rings on the legislative session, students' privacy rights are even better protected.

TRAFFIC STOP TRAMPLES RIGHTS

Last May, Woodrow Vereen and his seven and three-year-old sons were driving to get ice cream after a Little League game. Then, they saw flashing blue lights.



Officers Keith Ruffin and Carlos Vasquez of the Bridgeport Police Department had stopped Vereen for allegedly running a yellow light. After Vereen produced his license and registration, Officer Ruffin asked to search the car. Vereen declined. Officer Ruffin ordered him out of the vehicle, frisked him on the sidewalk, and searched the car—all without consent, cause, or a word to Vereen's frightened sons, who sat while the officer inspected around them.

Vereen, a music minister and juvenile detention officer, reached out to the ACLU-CT. This April, we sued Officers Ruffin and Vasquez for violating

Vereen's Fourth Amendment right to freedom from unreasonable searches.

Under the Alvin W. Penn Act, a law for which the ACLU-CT pushed, police in Connecticut must file reports about who they pull over in traffic stops. According to that data, police disproportionately stop and search Black drivers like Vereen, particularly during daylight hours.

People have a right to privacy and freedom from unreasonable searches, whether police are searching a car or a phone. With brave clients like Woodrow Vereen, your ACLU-CT will keep holding police accountable to the Bill of Rights.

PRIVACY IS A RACIAL JUSTICE ISSUE

Privacy is about more than Apple and the FBI; it is also an issue of racial justice. Here are three reasons why:

1. Disparities in Punishment

In 2016, the ACLU of Connecticut testified against allowing police to use drones without warrants. One of our concerns was that police would use this technology to spy on predominately minority and low-income communities—it's a legitimate worry, based on disparities in how police already use some technologies. Because of a law we pushed for in 2015, for instance, we know that police in Connecticut use stun guns more against Black and Latino residents.

2. Biased, Politicized Targeting

When we put up billboards in New Haven warning that the government can tell if you attend a protest, we weren't joking. Law enforcement officials have spied

on people, including individuals who support racial justice, purely because of politics. Infamously, after Martin Luther King, Jr. delivered his "I Have A Dream" speech, the FBI began spying on him using wiretaps. More recently, the FBI tracked protestors' phones at a Black Lives Matter rally in Minnesota and surveilled vigils in predominately Black neighborhoods in Washington, D.C.

3. Profiling Entire Populations

This year, some presidential candidates called for constant surveillance of Muslim neighborhoods. Unfortunately, this type of profiling has already happened in some places. In Boston, for instance, police targeted predominately minority neighborhoods with automatic license plate reader programs, which capture information about where and when someone drives, even if he or she is not suspected of a crime.

Moving Forward

Privacy is a right. It should belong to everyone, no matter how much money they have, where they live, what they believe, or what they look like. Yet time and again, low-income and minority individuals, communities, and civil rights organizations have been unjustly subjected to police surveillance.

By advocating for strict rules for how police use license plate readers, facial recognition technology, and other tools that can track entire groups of innocent people, your ACLU of Connecticut is working to make sure that this discrimination can't happen here. With your help, the ACLU of Connecticut can make sure that justice prevails in today's surveillance era.

STAY TUNED!

This year, the clock ran out on drone privacy & bail reform efforts. In 2017, the ACLU-CT will again push for drone regulations and criminal justice reform.

CIVIL LIBERTIES—A LOOK AHEAD



BY ANDY SCHATZ,
PRESIDENT OF THE ACLU OF
CONNECTICUT

Securing civil liberties is a team effort, and we are proud that our team

includes you. Together with your support and a small but mighty staff, the ACLU of Connecticut's in-depth legislative advocacy, bold legal work, and galvanizing outreach and communications form a cohesive machine for defending and expanding civil liberties in the Constitution State.

This integrated advocacy strategy is working. In the past five years, your support made possible groundbreaking laws on transgender rights, racial profiling, police excessive force, criminal justice, and police Tasers. This year, with the voices of ACLU-CT members like you calling for change, Connecticut began leading the country in

protecting cellphone privacy. Your fellow ACLU-CT advocates bravely shared their reentry experiences to successfully shepherd the Fair Chance Employment Act. Because of your generosity, LGBT military members can serve equally, detained youth will be treated more humanely, and police are more accountable to communities.

Your investment also continues to support legal work that upholds our constitution and ensures that hard-earned legislative wins for equality, liberty, and justice are not empty promises. This year alone, you have enabled legal victories in Connecticut for free speech and government transparency.

In the next year, you again have the opportunity to help create bold, lasting civil liberties policies. Advocates' voices at the state and local level can catalyze comprehensive student privacy protections, drone regulations, bail reform, and more.

Our legal cases will continue to promote and defend justice. You can keep up with all this and more at acluct.org.

Your ACLU-CT depends on the generosity of each of us as individual donors. And your financial support also helps ACLU National protect civil liberties throughout the country, including voting rights and gender and reproductive rights wherever they are under attack. Please join us to ensure that all civil liberties victories stay won—because freedom can't protect itself.

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PLEASE NOTE OUR NEW ADDRESS

WHAT THEY SAID >

“I am at a loss for how putting a man in a cage for 23 hours a day without human contact will do anything to improve that person.” – Dan Barrett, speaking to the *Connecticut Law Tribune* about solitary confinement

“There are no disposable people. We all have value.”
– Anderson Curtis, an ACLU-CT Lobby Day advocate, on why the Connecticut Fair Chance Employment Act is important to him

“As [David] McGuire said, ‘Bail should be based on a person’s flight risk or danger to society, not on the money in his or her pocket.’” – *The New Haven Register*, concluding its editorial supporting bail reform

“To the extent that the use of circulators constitutes First Amendment activity, its First Amendment rights are accordingly chilled.” – U.S. District Court Judge Janet C. Hall, issuing an injunction in favor of the ACLU-CT’s client, the Libertarian Party of Connecticut

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