



Big Win for Women's College Sports

Quinnipiac University has made a major new commitment to women's sports in the settlement of an historic lawsuit brought by the ACLU of Connecticut and cooperating attorneys on behalf of the women's varsity volleyball team.

The consent decree was announced in April, about a month after U.S. District Court Judge Stefan R. Underhill denied Quinnipiac's motion to lift an injunction that prevented it from cutting the volleyball team. Underhill ruled that the university had failed to prove it had stopped violating Title IX of the Education Amendments of 1972, which prohibits gender discrimination in college athletics.

The lawsuit, which was certified as a class action on behalf of all the female athletes at Quinnipiac, was approved by the court on June 20. (The full decree is available at acluct.org/qu) The case was litigated by ACLU of Connecticut Legal Director Sandra Staub, Alex Hernandez and Jonathan Orleans of Pullman & Comley and Kristen Galles of Equity Legal.

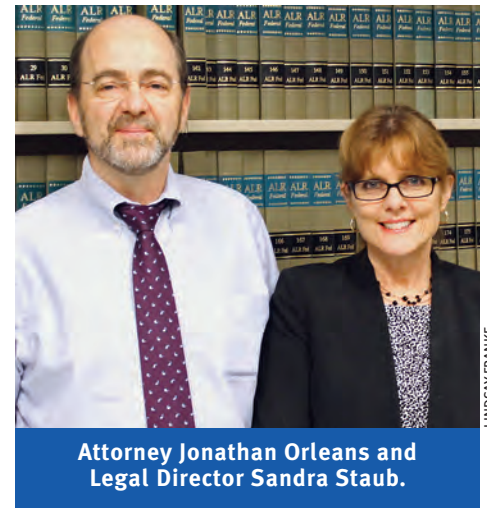
The proposed agreement requires Quinnipiac to:

- Treat two more of its women's teams as

"sports of emphasis," which will lead to more scholarships, more coaches, and better facilities.

- Increase its commitment to women's track by increasing the number of scholarships, coaches, and competitions, as well as building an indoor track and field facility that meets NCAA competition standards.
- Authorize the maximum number of competitions for all its teams.
- Spend at least \$5 million improving the facilities used by women's varsity teams, including locker rooms.
- Spend about \$450,000 annually improving its women's athletics program by, among other things, increasing coaching salaries, hiring more coaches and academic support staff, and providing greater access to athletic training and conditioning services.
- Allocate up to \$175,000 during each of the next three years for additional improvements for women's sports.
- Hire a referee to monitor its progress.

"We're very pleased with the multitude of benefits and increased opportunities this settlement will provide for female athletes



at Quinnipiac," Orleans said. "We look forward to working with the university as it implements the terms of the settlement."

"This case demonstrates to colleges and universities across the country that they can and must provide their female athletes with equivalent and meaningful opportunities for real competition," Staub said. "It validates the struggle and sacrifice of the courageous volleyball players and their coach who initiated this lawsuit and persevered on behalf of equality for all women in college sports."



Voting Rights: Advances and Losses

The Supreme Court of the United States recently invalidated part of the Voting Rights Act in a major setback for equality at the polls, but the state of Connecticut continues to move toward expanded voting rights.

The state legislature passed a resolution during the 2013 session that sets a November 2014 referendum on amending the state Constitution. Voters will decide whether to change the constitution to allow early

voting and no-excuses absentee voting.

The ACLU of Connecticut supported the resolution, arguing that early voting would increase voter participation and ease congestion at the polls. Thirty-two states already permit early voting.

Unfortunately, another measure to support voting rights failed to reach a floor vote. The ACLU of Connecticut, after hearing reports from voters across the state about poll workers demanding photo ID, supported legislation that would require that voter ID requirements be posted at all polling places.

Connecticut requires identification to vote, but many forms are acceptable, and a driver's license or other government-issued photo ID is not required.

ACLU-CT Releases Privacy Guide

A new guide from the American Civil Liberties Union of Connecticut explains privacy rights in Connecticut and identifies the gaps and gray areas where those rights are endangered.

From surveillance cameras and wiretapping to drug testing and GPS tracking, *Privacy Rights in Connecticut* examines legal precedents under the state and federal constitutions, as well as relevant laws, cases and contracts.

The intent is to inform people living in Connecticut of their rights, to provide a practical and comprehensive legal reference for attorneys and law enforcement personnel and to guide legislators and policy



makers in addressing privacy concerns.

"Advancing technologies invade privacy, and the law is not keeping up," said Sandra Staub, legal director of the ACLU of Connecticut. "We want not only to provide a practical guide to the current state of privacy law but to expose those areas where new and comprehensive protection is needed."

A copy of the guide (in PDF format) may be downloaded free from acluct.org/privacy. A limited number of bound, printed books are available for \$12.50, including the cost of shipping, from the ACLU of Connecticut, 330 Main St., First Floor, Hartford CT 06106. Please make the check to ACLU Foundation of Connecticut.

Military Sex Assault Lawsuit Advances

The U.S. Department of Veterans Affairs has agreed to release previously withheld records about disability compensation claims involving sexual violence in the military, partly settling two federal lawsuits brought under the Freedom of Information Act by the ACLU of Connecticut with the Service Women's Action Network and the national American Civil Liberties Union.

The VA agreed to release records regarding claims filed, approved, rejected, or remanded in relation to military sexual trauma and requests for treatment of post-traumatic stress disorder, depression, or anxiety that stemmed from military sexual trauma. The records will be released without charge to the plaintiffs.

The agreement does not resolve separate Freedom of Information claims filed by the plaintiffs against the U.S. Department of Defense in the same cases.

"This settlement will benefit those who have suffered after putting their lives on the line for our country," said Andrew Schneider, executive director of the ACLU of Connecticut. "These records will help us understand more clearly the extent of the abuse and how many service members are receiving the treatment and assistance they need in its wake."

Claim Settled in Wallingford Pregnancy Discrimination Case

When Wallingford Police Officer Annie Balcastro learned in January 2012 that she was pregnant and unable to continue to work on patrol, she asked the police chief if she could be temporarily reassigned.

The chief denied her request for light duty and, instead of making a reasonable effort to transfer her to a suitable temporary position, gave her no other option than to take unpaid leave.

The ACLU of Connecticut, along with the American Civil Liberties Union and Outten and Golden LLP, filed a pregnancy discrimination charge with the Connecticut Commission on

Human Rights and Opportunities. In May 2013, the town of Wallingford agreed to settle the case for a negotiated sum.

"I was relieved when I learned that Connecticut protects pregnant women in the workplace," Balcastro said. "You shouldn't have to choose between working and starting a family."

"We're very pleased with this settlement for Officer Balcastro and we want other pregnant employees to understand their right to be accommodated under the Connecticut statute, particularly women in jobs traditionally held by men," said Sandra Staub, legal director of the ACLU of Connecticut.

Civil Liberties Beacon, Summer 2013

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Protecting Civil Liberties Where You Live

Freedom of expression and privacy are among the most frequently threatened rights on the local level, and the ACLU of Connecticut continually addresses civil liberties issues in the state's 169 towns and cities. Please keep an eye open and let us know (info@acluct.org) about potential violations where you live.

Wolcott T-Shirt

Seth Groody believed he was protected by the First Amendment to the U.S. Constitution when he wore a T-shirt opposing same-sex marriage to Wolcott High School last year. But school officials told him to take the shirt off. In February, under threat of a lawsuit from the ACLU of Connecticut, the Wolcott Public Schools acknowledged that Seth was right. Attorney Christine L. Chinni, representing the school district, affirmed Seth's free speech rights in a letter to the ACLU of Connecticut. "We disagree very strongly with Seth's views on same-sex marriage and gay rights, but that has no bearing on his right to express those views," Legal Director Sandra Staub said. "We're very glad that the Wolcott Public Schools also recognize this."

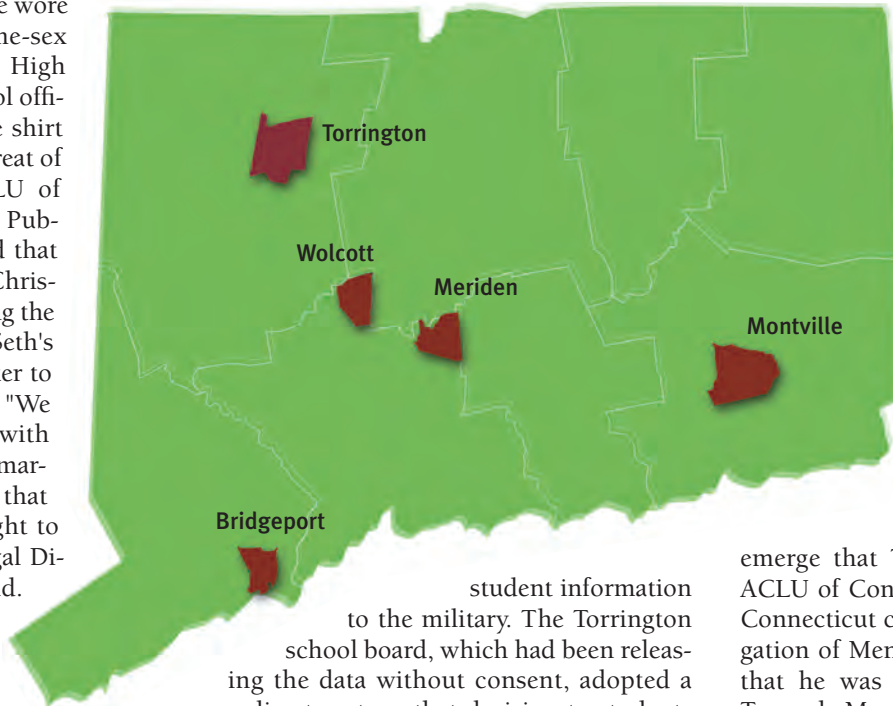
Upside-Down Flag in Meriden

A Meriden man who opposes the state's new gun laws flew his American flag upside-down in protest in April. When local police officers told him he couldn't fly it that way, the ACLU of Connecticut intervened on his behalf with a letter to city officials. Two days later the police chief and city attorney acknowledged the man's right to fly the flag upside down and promised that he would not be hassled by police.

Torrington Student Privacy

Many parents don't realize that vocational testing in high schools can put personal information about their children in the hands of military recruiters—even if

the parents have signed a form to prohibit the release of that information. The ACLU of Connecticut provided testimony to the Torrington Board of Education about how the information collected in the Armed Services Vocational Aptitude Battery is distributed to recruiters without the knowledge or consent of students or their parents. The good news is that the loophole is easy to close. The schools can simply choose not to automatically release



student information to the military. The Torrington school board, which had been releasing the data without consent, adopted a policy to return that decision to students and their families.

Montville Senior Safety Zones

Last year the Montville Town Council passed an ordinance that banned registered sex offenders from so-called senior safety zones—housing projects for the elderly, senior centers and the like. After the ACLU of Connecticut objected to the ordinance as unconstitutional and counter-productive, the council voted in January to repeal it. A subsequent effort to enact a state law establishing senior safety zones, also opposed by the ACLU of Connecticut, did not pass. (Watch video of a conversation between council member Rosetta Jones and ACLU-CT Executive Director Andrew Schneider about the topic

at acluct.org/montville.)

Bridgeport Curfew

The ACLU of Connecticut continues to monitor the enforcement of a youth curfew in Bridgeport. Local police reported in March that they had issued eight verbal warnings and three written warnings but no fines for curfew violations. The curfew, which bans people under the age of 18 from being out after 11 p.m. on weeknights and after midnight on Fridays and Saturdays, was passed last July over the objections of the ACLU of Connecticut.

Meriden Taser Death

When Noel Mendoza died in the hospital after being Tasered, he was the third person to die in Meriden after being shocked by a Taser and at least the twelfth in Connecticut. While medical examiners have been reluctant to cite the Taser as a cause of death, evidence has continued to emerge that Taser shocks can kill. The ACLU of Connecticut and the NAACP of Connecticut called for a thorough investigation of Mendoza's June 9 death, noting that he was handcuffed before he was Tasered. Meanwhile, both organizations are working with the city and with state authorities to establish better training and monitoring of Taser use.

Torrington Student Speech

When several students were arrested on sexual assault charges in Torrington, the school superintendent warned students in a letter in March that they could be disciplined for "disparaging" or "inappropriate" online comments directed against other students or staff. The ACLU of Connecticut responded with a letter reminding the superintendent that students have free speech protections under the First Amendment, and that the courts have set limits on how far school officials may go in restricting the things students say.

Pushing Onward for Civil Liberties

The ACLU of Connecticut helped push through legislation for voting rights and immigration reform during the 2013 legislative session while holding the line against red light cameras and several other attempts to limit civil liberties.

Our staff submitted testimony, both written and oral, on 40 bills during the session, which stretched from January to June and was marked by high-profile debates on legislation stemming from the Sandy Hook massacre in December. Unfortunately, many pieces of legislation never received a final vote as the clock ran out and the session ended.

Red Light Cameras

Lobbyists for the companies that profit from automated red light camera ticketing were back again this year to push for legislation to allow red light cameras in Connecticut, and the ACLU of Connecticut rallied again to help block it. Three pieces of enabling legislation (Senate Bill 634 and House Bills 5554 and 6056) stalled in the Transportation Committee after a hearing that included our testimony.

Executive Director Andrew Schneider denounced the cameras as a “scheme that enriches private interests, provides no public benefit and infringes on individual rights,” noting especially concerns about due process and reports of public corruption.

The Trust Act

We testified in favor of this bill, which limits the circumstances in which local law enforcement authorities will comply with civil immigration detainers. The bill instructs law enforcement officers to release people who pose no threat to public safety, even if U.S. Immigration and Customs Enforcement has ordered that they be held for possible immigration violations. There are

several exceptions; immigrants will be held for ICE if they have been convicted of felonies or are already under a final deportation order. Gov. Dannel P. Malloy signed the bill, House Bill 6659, into law.

‘Don’t Ask, Don’t Tell’

Removing a harmful vestige of a policy that punished American military personnel for being honest about their sexuality, the state legislature passed a bill that re-

clearly establishing what information must be reported. The bill, supported by the ACLU of Connecticut, passed both houses of the legislature and the governor has signed it.

Campaign Finance Reform

One unfortunate consequence of campaign finance reform has been infringement of rights to freedom of speech and association, including the rights of advocacy groups and their members. ACLU of Connecticut President Andy Schatz testified this year about a campaign reform bill that included troubling requirements for public disclosure of donors to organizations, such as the ACLU, that don’t participate in election campaigns but in advocacy on public issues. The bill that ultimately passed and was signed by the governor, House Bill 6580, was amended to address many, but not all, of our concerns.

Senior Safety Zones

A bill that would ban registered sex offenders from housing for the elderly, senior centers and other places frequented by senior citizens was voted out of the Committee on Aging and referred to the Judiciary Committee, where it died. The ACLU of Connecticut opposed the legislation as unnecessary, ineffective and an infringement on the rights of former offenders and their families. The legislation, Senate Bill 517, mirrored an ordinance that was passed and then repealed in Montville.

Police Complaints

Following the release of our report, *Protect, Serve and Listen: Accepting Civilian Complaints at Connecticut Police Departments* (available at acluct.org/protect), the ACLU of Connecticut supported House



The state Capitol in Hartford.

stores state benefits to any veteran who was discharged under the “Don’t Ask, Don’t Tell” policy. The benefits include the right to live in the state veterans home and to be buried in the state cemetery for veterans. The ACLU of Connecticut testified in favor of the legislation, Senate Bill 70, which the governor has signed.

Racial Profiling

The struggle to enforce the Alvin W. Penn Racial Profiling Prohibition Act has lasted for more than a decade, but this year saw some meaningful advances. Senate Bill 1143 strengthens the Penn Act by including all police agencies in the state in the requirement to report traffic stop data and by

Legislative

Bill 6663, which would have required statewide standards for accepting complaints of police misconduct from civilians. The legislation passed the state House of Representatives 124-9 and was on the calendar for a Senate vote when the session ended. We intend to try again to pass legislation that will prevent police from discouraging or intimidating people with legitimate complaints.

Juvenile Sentencing Reform

One of the biggest disappointments of the 2013 session was the failure to pass juvenile sentencing reform. We were active members of a coalition supporting Senate Bill 1062, which would have instituted the recommendation of the non-partisan state Sentencing Commission to ban sentences of life without possibility of parole for juvenile offenders. The guidelines would not have required that offenders be paroled, only that they be eligible for a hearing. The change would have aligned Connecticut sentencing law with recent U.S. Supreme Court decisions and with research that shows a greater potential for rehabilitation among young offenders.

Violent Video Games

Senate Bill 328 would have barred minors from playing violent point-and-shoot video games in public arcades. The ACLU of Connecticut testified against the bill, pointing out that it would run afoul of the 2011 Supreme Court ruling in *Brown v. Entertainment Merchants Association*, which held that video games are a form of protected speech. The bill was referred from the Committee on Children to the Judiciary Committee, where it died.

Freedom of Information

The ACLU of Connecticut testified against two bills that would have weakened the state's watchdog agencies, including the Freedom of Information Commission by, among other things, placing them under the direct control of the governor's office. "We are deeply concerned about the damage these bills would do to the independence of the state's government watchdog agencies and thus to the interests of all the citizens of Connecticut," Staff Attorney David McGuire told the Appropriations Committee. One bill, House Bill 6353, made it past the Appropriations Committee but never got a floor vote. The other,

House Bill 6354, died in committee.

Immigrant Driver Licenses

Allan Hillman, president of the New Haven chapter of the ACLU of Connecticut, testified for us in favor of four bills that would have allowed illegal immigrants to obtain driver's licenses. Those bills died in committee but the initiative was revived as an amendment that passed both houses of the legislature and has been signed by the governor.

Taser Reform

Staff Attorney David McGuire testified on two bills that sought to monitor and regulate the use of Tasers and other electronic weapons by police in Connecticut. The ACLU of Connecticut also enlisted a renowned electro-cardiologist to testify on his research showing that Tasers can cause fatal heart attacks. House Bill 6014 stalled in the Public Safety Committee. House Bill 6628 made it out of the committee but died without a vote on the floor of the House. A few weeks after the end of the session, the death of Noel Mendoza, who was Tasered by Meriden police, added urgency to the issue. He was at least the twelfth person to die in Connecticut after being Tasered.

Death with Dignity

The ACLU of Connecticut supported House Bill 6645, which would have allowed terminally ill people to request a lethal dose of medication that they could administer to themselves. The legislation, modeled on a 15-year-old Oregon law, did not make it out of committee. Support for such measures may be growing, however. The Vermont legislature passed a similar bill and Gov. Peter Shumlin has signed it.

Among the bills left on the table when the Connecticut legislature adjourned were several that would have advanced civil liberties. These included legislation requiring school boards and police departments to agree on memoranda of understanding on the role of school resource officers, a bill establishing a right to record police activity, a bill requiring the dumping of data collected by automated license plate readers and legislation to reduce the size of drug-free school zones, which subject people of color to greater penalties for drug offenses.

Those issues are almost certain to reappear in future sessions, and the ACLU of Connecticut will be there to support civil liberties.



Dr. Douglas Zipes testifies on Taser reform before the state legislature's Judiciary Committee at the Legislative Office Building in Hartford. He appeared at the invitation of the ACLU of Connecticut.

Ethel Sorokin Remembered at Annual Symposium



Ethel Sorokin, co-founder of the Center for First Amendment Rights, was remembered in April at the ACLU Foundation of Connecticut's annual symposium as a devoted and tireless advocate for civil liberties.

Sorokin, who died in December at the age of 84, practiced law with her husband, Milton, in Hartford for 40 years. They founded the Center for First Amendment Rights (CFAR) in 1993 to educate young people about the fundamental rights guaranteed by the First Amendment. Milton Sorokin died in 1996 and the center merged with the Connecticut affiliate of the ACLU in 2008.

"No one believed more passionately than Ethel Sorokin that young people had to know more about the American heritage of civil liberties," said Don Noel, an ACLU of Connecticut board member who was its president when the merger took place.

Andy Schatz, president of the ACLU of Connecticut, called her "a great inspiration" to others. "Ethel knew that if civil liberties battles are ever to stay won, education is key – teaching not only the young but all whose hearts and minds are open," he said.

The annual symposium, formerly named for Milton Sorokin, is now called the Milton and Ethel Sorokin Symposium.

End of DOMA Welcomed in CT

The Supreme Court's June 26 ruling in the national ACLU's challenge to the Defense of Marriage Act (DOMA) was a major victory for equality and justice here in Connecticut.

The federal government must now recognize the rights of thousands of couples who are legally married in our state yet were denied equal treatment on matters ranging from income tax to retirement benefits.

"The ruling has real and immediate benefits for thousands of same-sex spouses in Connecticut whose marriages will now have the full recognition they have always deserved," said Andrew Schneider, executive director of the ACLU of Connecticut. "This means real marriage equality. It's what we've been fighting for all along."

The fight, however, is not over.

"The decision is great news for same-sex couples in Connecticut but it doesn't provide any guarantees in states where marriage equality has not been established," said Sandra Staub, legal director of the

ACLU of Connecticut. "The national ACLU can now focus its resources more closely on helping people in those states."

Defend Freedom Today with a Gift for the Future

Naming the ACLU in your estate plans – or as beneficiary of your retirement, savings account or life insurance policy – is one important way for civil libertarians to express their cherished values.

Become a member of the DeSilver Society with a legacy gift and a Legacy Challenge Grant, established by the LuEsther T. Mertz Charitable Trust, will make an immediate present day cash match of 10 percent of your gift, up to \$10,000.

Tell us your plans to make the ACLU eligible for the matching grant. Our Development Officer Ruth Sovronsky (860-471-8470, rsovrnsky@acluct.org) is always available to provide assistance.

Election Process for State ACLU Board

The ACLU of Connecticut will elect members to its Board of Directors for a two-year term to run April 1, 2014 to March 31, 2016.

The board, composed of at-large members and representatives of chapters, sets overall policy for the organization, has financial and fiduciary responsibility for its budget and expenses, and assures focus on our mission, the protection of civil liberties in Connecticut. Board members serve two-year terms, with at-large members elected by members in good standing at the time of voting.

The election process is as follows:

Any member of the ACLU of CT may recommend any member (including himself or herself) for one of the approximately 20 at-large seats on the board on or before Aug. 15, 2013 by sending the name and contact information of both the person making the recommendation and the person being recommended (if different) to info@acluct.org.

The Board Development Committee will consider all those recommended (and may request biographical or other information from potential new candidates), including

current board members. The committee will recommend to the board no later than Sept. 30 the number of openings to be filled and a slate of candidates to fill those openings, and will advise the board of any additional candidates whose names have been recommended but not included in the proposed slate. The board will nominate candidates and notify those who have been nominated, as well as those who have been recommended but not nominated, no later than Oct. 31.

Those who have been recommended but not nominated may seek to have their names included on the ballot for a contested election by filing on or before Dec. 10 a petition signed by at least 50 members of the ACLU of Connecticut, along with any biographical material in the form requested by the Board Development Committee or the board.

The ballot will be sent to all members of the ACLU of Connecticut no later than Jan. 31, 2014 as part of the newsletter published in late December or January. Voting will take place by February 28, 2014.

Outreach



RUTH SOVRONSKY

▶ The winners of the 2013 First Amendment High School Essay Contest, from left : Robert Francalanga of The Loomis Chaffee School, who won second prize; Jonna Mosoff of Greenwich High School, who took third; and Matthew Baptist of Greenwich High School, who won first prize. The awards were given out April 3, 2013 at the Milton and Ethel Sorokin Symposium at the University of Connecticut School of Law by Justice Richard N. Palmer of the Connecticut Supreme Court.



▶ Susan Campbell, author and former Hartford Courant columnist, moderated the debate between law professor Alexander Tsesis and ACLU legislative counsel Gabe Rottman at the 2013 Milton and Ethel Sorokin Symposium on the topic of “The Global Consequences of Free Speech.”

▶ Andrew Schneider, executive director of the ACLU-CT, wears a T-shirt from the ACLU of Puerto Rico and holds a Puerto Rican flag at the festival in Bushnell Park following Hartford’s Puerto Rican Parade in June.



ALAN VEGA

▶ Professor Alexander Tsesis of the Loyola University, Chicago, School of Law speaks about hate speech at the ACLU Foundation of Connecticut’s annual Milton and Ethel Sorokin Symposium on April 3, 2013 at the University of Connecticut School of Law. He debated ACLU legislative counsel Gabe Rottman on free speech rights.



SYMPOSIUM PHOTOS BY RUTH SOVRONSKY



Matt O’Connor, Connecticut District Political Director at SEIU Local 32BJ, addresses the crowd at Lobby Day, held March 26 at the state Capitol. The union was one of the co-sponsors of the event with the ACLU-CT.



ACLU-CT Field Organizer Isa Mujahid consults his iPhone to get information about a participant’s legislators so she can contact them on Lobby Day. The event was held March 26 at the state Capitol in Hartford to build support for core civil liberties issues at the legislature.



Dr. Boise Kimber addresses the crowd at Lobby Day, held March 26 at the state Capitol. Kimber is president of the Connecticut State Missionary Baptist Convention, one of the co-sponsors of the event with the ACLU-CT.

LOBBY DAY PHOTOS BY JEANNE LEBLANC



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ACLU-CT Donor Profile: Miriam Butterworth

At 95, Miriam Butterworth, a self-described “passionate democrat with a small ‘d,’” is clear about her priorities and responsibilities: civil liberties cannot be taken for granted, and we who are privileged to live in this country must protect civil liberties for future generations.

Known to all as “Mims,” she traces the formation of her strong convictions to her travels through Germany as a young woman in the summer of 1938. With a front-row seat on history, she observed fascism, the suspension of civil liberties and the alarming signs of the genocide that followed.

As she recalled in her 2010 memoir, *Just Say Yes*, Mims fervently believed that our constitutional protections, Bill of Rights, commitment to tolerance and adherence to the rule of law would insulate the United States from the events she witnessed in Germany. She explains, “It is not until you experience repression and militarization of a country that you truly appreciate the gift of democracy.”

With her late husband Oliver, author of *The Enormous Egg* and other children’s books, Mims has been a devoted advocate for prison reform and other progressive change. Beginning in 1956 she began regularly visiting inmates in Connecticut who had no family or other source of support.

A faculty member of the Loomis Chaffee School, Mims was



a vocal peace activist during the Vietnam War. She marched on Washington, witnessed the violence perpetrated by police at the 1968 Chicago Convention and, as a member of the People’s Delegation, attended the 1971 Paris peace talks.

Appointed by Gov. Ella Grasso in 1975, Mims served as a commissioner of the Public Utilities Control Authority, and went on to become acting president of Hartford College for Women. She served on the West Hartford Town Council and

in 1984 traveled to Nicaragua as an official observer of the first elections under the new Sandanista government. Between 1988 and 1998, she made four more trips to Central America with the American Friends Service Committee and the Center for Global Education, reporting on conditions in Honduras, Guatemala, Costa Rica, El Salvador and Nicaragua.

Having witnessed the revolutionary process by which other nations lost democracy and slid into a dictatorship or fascist state, Mims’ greatest concern today is the widening gap between those with great wealth and those who live in poverty. In today’s difficult times, she urges all of us to remember that preservation of democratic values (specifically freedom to voice open dissent, freedom of religion, due process and a truly free press) is critical to a country’s stability.