

The **ACLU** News

Hear Gary Isaac Tell the Story of the Legal Battle to Give Guantanamo Detainees Their Day in Court

In January 2007, Deputy Assistant Secretary of Defense for Detainee Affairs Charles "Cully" Stimson spoke on Federal News Radio. The important Guantanamo story, according to Stimson, was that lawyers from America's top law firms were actually stepping forward to defend the Guantanamo detainees for free. "Who are the lawyers around this country representing the detainees down there?" he asked rhetorically. "And you know what? It's shocking. I think quite honestly when corporate CEOs see that those firms are representing the very terrorists who hit their bottom line back in 2001, those CEOs are going to make those law firms choose between representing terrorists or representing reputable firms." The Defense Department helpfully listed the law firms involved. Several days later, Stimson issued a weak apology and the Defense Department disavowed his statement. Stimson has since resigned.

One of those lawyers is Chicagoan Gary Isaac. Isaac, who is Counsel at Mayer, Brown, Rowe, and Maw in Chicago, has been working on Guantanamo litigation since 2003. "To me, there is nothing more basic than the notion that the president or the king should not be able to lock up anyone on his own say-so, without having a court look at it," said Isaac. "It goes back to the Magna Carta. It's that fundamental. All our other freedoms flow from that right not to be thrown in jail."

In the fall of 2003, Isaac co-wrote a "friend of the court" brief on behalf of three retired military officers. The brief, filed in the case of *Rasul v. Bush*, urged the Supreme Court to rule that prisoners at Guantanamo are entitled to access to civilian courts to challenge their detention. To quote from the brief: "This court has never held that foreigners captured abroad by the United States may be held indefinitely—perhaps for the rest of their lives—without bringing any charges against them and without ever providing the prisoners with some sort of hearing to determine their status." In June 2004 the Supreme Court ruled against President

Bush. Rasul v. Bush was the first of several landmark Supreme Court rulings, but despite these legal victories, almost three years later, not a single detainee has had his day in court. Gary Isaac is currently co-counsel in "*John Does 1-570 vs. George Bush*," now pending in federal court in the District of Columbia. "John Does" seeks habeas corpus protection for detainees whose identities the government has not disclosed. Isaac continues to lobby against recent Congressional efforts to strip the federal courts of jurisdiction over these habeas cases.

Join us for the annual ACLU brunch on April 22, 2007 at noon at The Great Impasta and hear Gary Isaac, a graduate of Yale Law, Counsel at Mayer, Brown, Rowe, and Maw, and a twenty-year veteran of pro bono work, tell the story of how, 792 years after the Magna Carta, he and others are still fighting for the right of habeas corpus in America's federal courts.

CURRENT ISSUES

Free Speech on Campus

The Steering Committee held a special session in December in response to people being prevented from leafleting. Current campus policy on free speech is good, but administration may need to be reminded of the rules. There are also recent concerns with disciplinary procedures.

Justice Issues

States Attorney Julia Rietz met with the committee at the March 1st meeting. Many points of discussion ensued, including charging practices, plea bargaining, juvenile justice, truancy, and disproportionate minority confinement.

Citizens Police Review Boards

Urbana reached compromise with FOP and will move forward with plans for a review board. Discussions in Champaign continue.

HB 1615 "Religious Freedom and Marriage Fairness Act"
Petitions will be available for signing at the annual meeting.

ADVOCATE FOR PRISONERS TO RECEIVE CHALMERS AWARD

In 2004 it cost almost \$4 to receive a local three-minute call from the Champaign County Jail. Inmates had no other option than to make collect calls and the county split the profits with the telecommunications provider that had received the contract.

This left inmates' families between a rock and a hard place—they had to choose between a phone bill they could ill afford and saying "no" to a loved one in trouble. But votes to reject renewal of the exclusive rights phone contract failed in 1999 and 2002. A majority of board members believed the county could not afford to forego the \$14,000 a month in commissions they'd come to rely on.

Early in 2004, knowing that the County's jail phone service contract was soon to expire, Sandra Ahten shared her true-life stories about the pay phone system with inmates' friends and families in the Jail Visitation waiting rooms. She and the C-U Citizens for Peace and Justice gathered signatures on petitions, spoke on community radio shows, wrote letters to the editor, contacted County Board members, and spoke during the meetings' public participation periods. The grassroots effort spearheaded by Sandra mobilized the critical mass that convinced the County Board to terminate its \$14,000/month contract with Texas-based Evercom Systems.

While Sandra was at the county jail trying to get more reasonable phone service for inmates and their families, she noticed that there was no library at the county jail and only one shelf of reading material in the jail classroom. This shelf held nothing but collapsing copies of Harlequin romances and a stack of magazines that guards had brought in.

A graduate student in library science told Sandra about an organization in Bloomington, Indiana that collected books from community members and sent them at no charge to prisoners. And so with a few cardboard cartons of donated books, Books for Prisoners was born in a closet at the old Independent Media Center on Main Street. A few prisoners, hearing about the service, sent letters asking for reading material.

A year and a half later, Books for Prisoners has shelves of books, thousands even, stored in its space at the new Independent Media Center. The 10,000th book was recently mailed out. About 40 letters arrive every week with requests that range from poetry to real estate law, Malcolm X to Shelby Foote. There is a huge demand for dictionaries, mostly in English but also in Spanish and other languages.

When a request is received from an Illinois prison, volunteers first check to make sure the prisoner is still in the facility from which he wrote the letter. If so, the request is filled if possible from the shelves of donated books. On the form that goes out with the small stack of books, the volunteer answers the prisoner's letter with a brief note.

Before they are mailed out the books are listed in a database, so there is a complete record of what each inmate has received and how often they have requested books. After receiving books, prisoners are asked to wait three to four months before sending another request. The repeat requests are often filled with grateful thanks, comments about how the writer enjoyed the books, and assurances that the books were passed on to other prisoners.

Although all the labor is volunteer, Books for Prisoners now spends \$500 a month on postage. Cardboard boxes are free, but tape and padded envelopes cost money. In addition, some books must be purchased—they don't get enough donations of African-American literature or enough dictionaries to meet the demand.

In addition to the books they mail, a library has been created at the Champaign County jail, a classroom lined with shelves filled with books. It is staffed by volunteers every Friday afternoon and every other Monday evening. On March 16 a new library opened at the satellite jail. This library on wheels is composed of twelve rolling carts stored in a closet. They are pulled out every Friday morning by Books for Prisoners volunteers so that inmates can borrow and return books.

Books for Prisoners volunteers describe their organization, under Sandra Ahten's leadership, as a high-functioning anarchy. On a recent afternoon I was amazed at how smoothly and effectively the complex system was working. That's because, one retired librarian told me, Sandra keeps us focused on the big picture. And what's that? I asked. In response, the volunteers showed me the Books for Prisoners mission statement. It says it all: *We do this as a creative way to address the poor selection of books available in many prisons, to let prisoners know they are not forgotten, to encourage literacy, to share our enthusiasm for literature, to educate ourselves and the public about life in prison, and to provide a meaningful volunteer experience.*

If you would like to help Books for Prisoners, which is a project of the Urbana Champaign Independent Media Center, books of any sort can be dropped off in the plastic tubs at many Champaign and Urbana locations, including the IMC, Strawberry Fields, and the Espresso Royale in Village Green Place. Visit the website at www.books2prisoners.org for information on donations and volunteering. April 12-16, the spring book sale, Pages for Pennies, will be held at the IMC. Used books on every subject imaginable will be for sale.

For her efforts on behalf of prisoners in the Champaign County Jail and in the state of Illinois, the Champaign County ACLU will present the W. Ellison Chalmers Memorial Award for service to the community and to the cause of civil rights and civil liberties to Sandra Ahten at the annual meeting on April 22nd at the Great Impasta.

—submitted by Carol Spindel

"JESUS CAMP" FILM TO BE FEATURED IN DISCUSSION OF RELIGIOUS MOVEMENT

Jason Mierek will be presenting: "Onward Christian Soldiers? Christianists, Dominionists, and the Separation of Church and State"

Thursday, April 26th 7:15pm
Channing-Murray Foundation
1209 W. Oregon, Urbana

Jason is a part-time instructor of Comparative and Asian Religion at Parkland College with an MA in Buddhist Studies and ABD in Asian and Comparative Religion and Philosophy.

Jason will be showing the film "Jesus Camp," where

children are being reared in an environment wherein the goal of American theocracy is made explicit. Why aren't we as bothered by this as we are by theocratic Islam coming out of Middle Eastern madrasas? His speculative answer is that we are propagandized not to see this threat from within.

He will then discuss this propaganda effort, and of the movement, specifically something called Dominionism, that seeks to establish a theocratic state in the US.

Refreshments will be served. Free and open to all.

ACLU Officers & Steering Committee

The local ACLU Steering Committee meets on the first Thursday of each month at 7:30 pm, in the conference room at Campbell Hall (WILL studios) in Urbana.. Meetings are open to members—if you would like to be placed on the agenda, please contact Rachael Dietkus or any other committee member ahead of time.

OFFICERS:

President:
 Rachael Dietkus
 612 Bart St., Danville 61832
 312-720-7004
 rdietkus@hotmail.com

Vice-President:
 Susan Cohen
 3506 S. Vine, U 61802
 384-7871
 s-cohen3@uiuc.edu

Co-Secretary:
 Shirley Stillinger
 1003 S. Busey, U 61801
 344-6743
 shirley.stillinger@gmail.com

Co-Secretary:
 Marsha Woodbury
 310 W. Iowa, U 61801
 marsha@uiuc.edu

Treasurer:
 C. Ward Henson
 1702 Trails Dr., U 61802
 365-0024 (h)
 henson@math.uiuc.edu

STEERING COMMITTEE:

Bill Brown
 304 W. Nevada, U 61801
 urbanabill@yahoo.com

Roger Clark
 8 River Valley Ranch
 White Heath 61884
 687-4184
 rgc@uiuc.edu

Mary Cory
 309 S. New, C 61820

Elaine Gallagher Gehrmann
 502 W. Oregon, U 61801
 gehrmanns@aol.com

Ben Grosser
 2106 S. Race, U 61801
 grosser@bengrosser.com

Allan Levy
 3 Lyndhurst Place, C 61820
 359-8148 (h), 333-9181 (o)
 a-levy@uiuc.edu

Stan Levy
 3006 Meadowbrook, C 61822
 352-7103, 352-4277 (fax)
 levymeadowbrook@insightbb.com

Esther Patt
 706 S. Coler #3, U 61801
 344-8394
 estherpatt@hotmail.com

Gary Peters
 1502 W Springfield, C 61821
 398-2140
 colorgrain@sbcglobal.net

Stephen Portnoy
 208 W. Florida, U 61801
 367-8853
 sportnoy@uiuc.edu

Jay Rosenstein
 2604 Willoughby, C 61822
 335-6229
 jrosenst@uiuc.edu

Richard Schnuer
 2003 Rebecca Dr, C 61821
 351-2948
 rschnuer@alumni.tufts.edu

Carol Spindel
 608 W. Delaware, U 61801
 337-6809
 cspindel@uiuc.edu

Harvey Welch
 302 W. Vermont, U 61801
 337-0533 (h), 367-3200 (o)

hcwincourt@aol.com

Paul Wisovaty
 112 E. VanAllen, Tuscola 61953

EMERITI

Harry Hilton
 1513 Maplecrest, C 61821-4401
 352-8372 (h), 333-2653 (o)
 FAX: 244-0720
 h-hilton@uiuc.edu

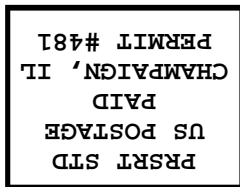
Stuart Laird
 306 N. State St. #6, C 61820
 369-9612 (h)
 stuart@laird.com

Victor Stone
 1804 Pleasant, U 61801
 367-7846 (h), 333-1843(o)
 FAX: 367-6806
 vstone@law.uiuc.edu

STUDENT CHAPTER:

Colin Bishop
 cbishop@uiuc.edu

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WWW.ACLU-CU.ORG



American Civil Liberties Union of Illinois
Champaign County Chapter
P.O. Box 2651, Station A
Champaign, IL 61825-2651

School Board Candidates Weigh in on Comprehensive Sex Education

The Campaign for Comprehensive Sex Education, in which the local ACLU chapter is involved, surveyed candidates running in the April 17 elections for Champaign and Urbana school boards about their support for including comprehensive sex education in the standard health curriculum to ensure that all students receive the same education.

"Will you support a sex education curriculum that includes information about contraception, disease prevention, abstinence, and responsible decision-making beginning in the 7th grade?"

Champaign Unit 4 candidates:

Minosca Alcantara—yes
Nathaniel Banks—yes
Kristine Chalifoux—yes
Melodye Rosales—yes

Greg Novak—supports a comprehensive sex education curriculum but is unsure about starting in the 7th grade.

Chuck Jackson—does not support a standardized curriculum for any subject but does think sex education should start in the seventh grade.

John Bambenek—does not support a standardized sex education curriculum for Unit 4 schools.

Susan Grey and Scott MacAdam—no response

Urbana District 116 Sub District 7 candidates:

John Dimit and Tracy Heilman—yes

Andrew Wilk—no response

2007 Champaign County ACLU Annual Meeting
Sunday, April 22nd
See details inside.