

# ACLUNews

AMERICAN CIVIL LIBERTIES UNION of NEW HAMPSHIRE



## UNITED TO PROTECT WOMEN'S HEALTH

On the anniversary of *Roe v. Wade* in late January, a coalition of women's health providers, patients and advocates rallied in Concord to protest bills introduced in the 2016 legislative session attacking women's reproductive health. ACLU of New Hampshire Executive Director Devon Chaffee was part of this coalition protesting against restrictions intended to end access to safe, legal abortion.

If these bills are passed, physicians in New Hampshire could face felony charges for simply abiding by their patients' wishes and acting in their patients' best interests.

Our position is that a woman who has decided that an abortion is right for her and her family should be able to get the care she needs without interference from politicians.

Our coalition argued that the proposed extreme measures would put many women's health at risk by placing needless and unnecessary burdens on reproductive health clinics.



As we celebrate the anniversary of *Roe v. Wade*, we ask New Hampshire legislators to leave the decision where it rightly belongs: with women, their families and their doctors.

These bills would also unsafely dictate when and how physicians can perform certain abortion procedures.

Ms. Chaffee (pictured above) has testified at a number of legislative hearings that "these bills are part of a politically orchestrated, antiquated, anti-woman campaign to return reproductive rights to the back-alley abortions that endanger the lives of women. The criminalization of reproductive health care shouldn't be happening in New Hampshire or anywhere else in our country."

As of this newsletter's publication, the New Hampshire House has already defeated three attacks on reproductive rights, including an attempt to defund all health clinics that provide abortion and an attempt to criminalize the safest, most common form of second-trimester abortion.

But several additional bills have yet to be taken up, including attempts to saddle clinics with medically unnecessary regulatory burdens and bills to prohibit medical procedures periodically needed later in pregnancy.

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### Welcome Gibson



Christina Gibson has joined our ACLU of NH team as our new Communication & Outreach Coordinator. A social justice activist and a savvy political operative, Gibson is a seasoned expert in electoral and advocacy campaigns. We are grateful to the New Hampshire Charitable Foundation for a grant to support this critical position.

# A MESSAGE FROM THE EXECUTIVE DIRECTOR

Every year brings new challenges, never more so than during presidential elections. In advance of the First-in-the-Nation primary election, the ACLU of NH presented voter education forums on eight college and university campuses, informing students about how to exercise their most fundamental right.

Over at the statehouse, we have been engaged in defeating at least three dozen rights-restricting bills proposed for the 2016 legislative session. Among the more than one thousand bills on the legislative agenda are an unprecedented number of proposals restricting women's reproductive rights, as detailed on this Newsletter's front page. Voting rights issues are again a priority. We are working to advance bills that enhance our voting system, such as online voter registration, and to block other measures that erect obstacles to voting, for example a bill that would impose an unconstitutional thirty day waiting period.

We are working with our coalition partners to again champion bipartisan legislation that will put an end to the death penalty in New Hampshire. We are also shepherding legislation to end wrongful police confiscation of property of innocent owners and to address debtor prison practices as chronicled in our statewide investigation last year.

In November, we sharply criticized Governor Hassan for calling to close America's doors to Syrian refugees fleeing violence and oppression. To shut out Syrian families trying to rescue their children from persecution and starvation is to refuse to help the victims of the very terrorism we decry.

A related story was the call by some presidential candidates for compromising our freedom of speech and restricting our privacy rights. Neither closing off areas of the internet nor deputizing the tech community as an arm of the national security state is a constitutional solution for fighting ISIS.

The outcome of this presidential election will significantly impact many civil rights in the months to follow. Whatever the outcome, the ACLU is prepared and determined to protect civil liberties in New Hampshire and in every state legislature around the country.

Thank you for standing with us and for your generous support.

Devon Chaffee  
*Executive Director*



## KNOW YOUR RIGHTS. EXERCISE YOUR RIGHTS. VOTE!



New Hampshire's recent court victories and ongoing legislative efforts affecting voter eligibility. The ACLU of NH also hosted a press call with newspaper reporters and Lincoln Crutchfield, Student Trustee of the University System of New Hampshire. Our goal is to inspire more students to exercise their voting rights in the coming months.

In preparation for the state's primary election on February 9th, the ACLU of NH co-hosted eight Student Voter Forums with NextGen Climate. This statewide effort aims to educate college students on their right to vote and state voting laws. We scheduled these forums on college campuses in conjunction with student voter registration drives. Students heard a brief history of voter suppression efforts in the U.S. and in the Granite State, including ACLU of

# ACLU ON THE FRONT LINES

## INHUMANE, PREJUDICIAL, & UNJUST

This session, New Hampshire legislators are again facing a life and death choice: to suspend the death penalty or to expand it.



**Lethal injection needs a timeout.**

Two Senate Republicans, Senators Kevin Avard and Gary Daniels, sponsored a first-time measure to suspend the death penalty until the state can "ensure that the death penalty cannot be imposed on an innocent person." The other sponsors of the bill are Sen. Bette Lasky, Sen. Molly Kelly, Rep. Carl Seidel, Rep. Elizabeth Ferreira, and Rep. Renny Cushing. A contrary bill, House Bill 1552, would needlessly impose the death penalty for crimes that would be tried in Federal Court, not New Hampshire courts. This bill would make New Hampshire's death penalty statute the broadest in the nation.

Evidence shows that our country's death penalty system is deeply flawed. For example, since 1972, 156 death row inmates have been exonerated. It is estimated that more than 300 innocent people have been executed. As recently as 2015, the Justice Department and the FBI acknowledged that nearly every examiner in an elite FBI forensic unit gave flawed testimony in almost all trials in which they offered evidence over more than two decades. The cases included 32 defendants sentenced to death, 14 of whom have been executed or died in prison.

The flaws in the death penalty go even deeper, with inhumane lethal injection regimes and shockingly disparate impacts on people of color. This is why the ACLU of New Hampshire continues to work to put an end to this practice in our state.

## DIGITAL PRIVACY RIGHTS: WHO OWNS THEM IN A DEMOCRACY?

In January, the ACLU announced it is leading a bipartisan coalition whose goal is to provide new privacy protections for Americans in 16 states and the District of Columbia. Student data privacy, employee data privacy, location tracking, and electronic communications are some of the basic protections this coalition is seeking to secure from Congressional and state legislators. In the Granite State, the ACLU of NH has been working with state Representative Neal Kurk and other legislators to get passage of House bills 1494 and 1496. These bills would ban collecting, using, retaining, or acquiring personal information by government except in certain cases and when a warrant has been issued.

To bring greater attention to this issue, the ACLU has launched a new community resource project with actor and filmmaker Joseph Gordon-Levitt and his production company hitRECORD. He is playing NSA whistleblower Edward Snowden in Oliver Stone's film "Snowden," to be released in May. He has put out a call for people to submit videos with their own takes on the connections between technology and democracy.

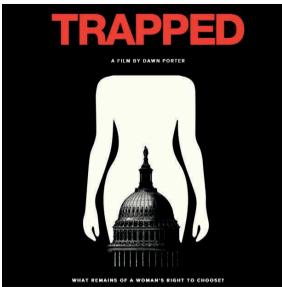
Gordon-Levitt says in the video that "one thing you could talk about is what new technology means for privacy. Some people believe that the right to privacy is a cornerstone of democracy, and without privacy, we don't really live in a free country." Mr. Gordon-Levitt has donated part of his acting fee to support ACLU's work on free speech and digital privacy rights.





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TRAPPED is an award-winning documentary about a woman's right to choose. There will be a special screening in April in Concord.

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## NO HOLIDAY DRAWINGS FOR IMPRISONED FATHER

In the fall of 2015, a prisoner's mother mailed her son a Thanksgiving card that contained drawings by the prisoner's young son. The drawing, (pictured right) handwritten by his son, said "I [LOVE] U DADDY". The state prison returned the card and drawings because they violated its mail policy.

With the help of the law firm Bernstein, Shur, Sawyer & Nelson, P.A. we filed a federal lawsuit in December on behalf of the prisoner's mother and three year-old son challenging the constitutionality of the Dept. of Corrections mail policy. Implemented last May, this policy, which prohibits prisoners from receiving greeting cards, picture postcards, and drawings in the mail, clearly violates the First and Fourteenth Amendments to the U.S. Constitution.

This policy is cruel towards prisoners and their families waiting for them to come home. Maintaining family bonds is critical for prisoners to successfully reintegrate into society upon release. According to the state's Dept. of Corrections, the new policy was put in place to prevent drugs like Suboxone from being smuggled into the state's prisons through the mail. The drug is designed to treat heroin addiction but can also give users a high, especially if they don't take it regularly. "We believe that the New Hampshire Department of Corrections should address this problem without indiscriminately banning innocent speech," said Gilles Bissonnette, Legal Director of the ACLU of New Hampshire.

