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ACLU Hails State High Court Decision Upholding the Separation of Powers

FOR IMMEDIATE RELEASE

Friday, May 16, 2003

CHARLESTON, WV - The American Civil Liberties Union of West Virginia today applauded the West Virginia Supreme Court's decision that found the state Economic Development Grant Committee unconstitutional.

"If there is a principle in our Constitution, indeed in any free Constitution, more sacred than another, it is that which separates the Legislative, Executive, and Judicial powers," James Madison once said. "If there is any point in which the separation of the Legislative and Executive powers ought to be maintained with great caution, it is that which relates to officers and offices."

The West Virginia legislature ignored Madison's caution when it created the state Economic Development Grant Committee. While establishing this Committee to dole out \$200 million in public funds, the legislature usurped the Governors power of appointment by allowing itself to have virtual control over six of the nine appointees.

"For the Framers like James Madison, the concentration of power in the hands of one branch of government was anathema to liberty," said Andrew Schneider, Executive Director of the ACLU of West Virginia. "They so strongly identified separation of powers with the protection of individual liberty, that they initially considered a Bill of Rights unnecessary."

Robert Bastress filed and argued the ACLU's amicus brief on March 11 before the state Supreme Court.

**West Virginia Supreme Court Misses Opportunity to Reaffirm the Right to Dissent;
Statement of Andrew Schneider, Executive Director of the ACLU of West Virginia**

FOR IMMEDIATE RELEASE
Friday, May 16, 2003

CHARLESTON, WV – Today's refusal by the West Virginia Supreme Court to hear Katie Sierra's lawsuit challenging her suspension from school for expressing her political views leaves the people of West Virginia without the lesson on the importance of protecting First Amendment values within the schoolhouse gates. For our constitutional democracy to thrive, it is imperative that our public schools lead by example in teaching our youngsters to respect basic American rights like free speech. The Court missed a valuable opportunity today.

ACLU of West Virginia Marks One-Year Anniversary of Racial Profiling Incident by Filing Lawsuit Against Charleston Police

FOR IMMEDIATE RELEASE
Wednesday, April 30, 2003

CHARLESTON, WV - Marking the one year anniversary of the detention by police of three African American college students as they drove home from a leadership development program, the American Civil Liberties Union of West Virginia today filed a lawsuit against city and law enforcement officials here charging that the youths were racially profiled.

The lawsuit, Williams, et al. v. City of Charleston, et al., was filed on behalf of Drew Williams, Jason Price and Courtney Shannon, all of whom were stopped by nine Charleston police officers on their way home from a local barber shop. They were there as part of the West Virginia State College Student Leadership Program which exposes students to minority entrepreneurs as role models for success and is a nationally recognized program for honor students.

"Despite the civil rights victories of 30 years ago, official racial prejudice is still reflected throughout our criminal justice system," said Andrew Schneider, Executive Director of the ACLU of West Virginia. "Through this lawsuit the ACLU hopes to put an end to the substitution of skin color for evidence by law enforcement officers in Charleston."

One year ago today, police officers, with their guns drawn and over a loudspeaker, ordered the three students one-by-one out of the car with their arms raised and to walk backwards towards the police cruisers. The students were then ordered to kneel on the pavement and were handcuffed.

For an hour, police searched and interrogated Williams, Price and Shannon as well as searched their vehicle. During interrogation, one officer called Williams a liar after he truthfully insisted that no one had approached their car before they left Trey's Barber shop on Charleston's East End as police had alleged. When no evidence of criminal misconduct was discovered, the three were released and the ordeal was over. The three however were left shaken by the incident.

"All I could see were guns," said Drew Williams, an honor student at West Virginia State College and ACLU client in this case. "I have been having flash backs a lot and it just keeps replaying [in my mind]."

According to the ACLU lawsuit, the City of Charleston violated the student's Fourteenth Amendment's guarantee of equal protection of the laws as well as their Fourth Amendment right to be free from unreasonable search and seizure. In addition, the police actions violated Title VI of the Civil Rights Act of 1964 that requires any federally-funded agency to conduct its activities in a racially non-discriminatory manner.

The lawsuit seeks an injunction to prevent Charleston police from continuing such race-based discrimination. "Our plaintiffs have demonstrated tremendous courage and leadership in challenging this injustice so that other people of color do not have to suffer the same indignity," said Cameron Scott McKinney, ACLU of West Virginia cooperating attorney.

The lawsuit was filed in United States District Court for the Southern District of West Virginia. David Grubb and Lisa Green are also serving as ACLU of West Virginia cooperating attorneys.

ACLU of West Virginia Calls for Fundamental Fairness in implementing State Prisons' 'Good Behavior' Policy

FOR IMMEDIATE RELEASE
Wednesday, April 9, 2003

CHARLESTON, WV--The American Civil Liberties Union of West Virginia today argued before the state Supreme Court that prison officials here violated the due process rights of an inmate when they denied him the possibility of earning good time credit that could reduce his sentence.

The ACLU lawsuit, Randy Bailey v. State of West Virginia, Division of Corrections et al., was filed on behalf of Randy Bailey, an inmate at Huttonsville Correctional Center who is serving a one to three year sentence for a third DUI offense. The ACLU filed the lawsuit after administrative remedies within the Division of Corrections proved unsuccessful.

"Prison officials should recognize that taking away unearned good time removes the main incentive our client has to improve his behavior," said Andrew Schneider, Executive Director of the ACLU of West Virginia. "Most importantly though, the denial of future good time credit to which he is entitled, deprives our client of his liberty interest as protected by the Due Process Clause of the West Virginia Constitution."

According to the ACLU, their client had accrued 156 days of good time credit in both the Denmar and Huttonsville prisons when he was disciplined by prison authorities for bad behavior and had his good time reduced by eighteen months. This punishment amounted to not only the 156 days of earned good time but also all the remaining unearned good time that could be granted over the duration of his sentence.

Under West Virginia statute, ACLU cooperating attorney Chris Cooper asserts, an inmate is rewarded with one day of good time credit that is subtracted from his or her maximum sentence for each day of good behavior. For misconduct, the statute provides that "any part or all of the good time which has been granted to such inmate... may be forfeited and revoked by the warden or superintendent of the institution in which the violation occurred."

"The Division of Corrections clearly violated the statute that limits the amount of good time that may be revoked to the amount that the inmate has earned," said Cooper.

The ACLU is seeking a court order that immediately restores all good time credits improperly revoked from their client and seeks the appointment of a special magistrate to investigate whether or not the Division of Corrections improperly revoked credits from other inmates.

"The relationship between fair procedures and liberty is a crucial one," said Schneider. "Justice William O. Douglas articulated this principle well when he said, 'It is procedure that spells much of the difference between rule of law and rule by whim and caprice.'"

Christopher Cooper, a cooperating attorney with the ACLU of West Virginia argued today's case. Jason Huber also served as cooperating attorney in this case.

ACLU of West Virginia Appeals Student's Rights Lawsuit to State Supreme Court

FOR IMMEDIATE RELEASE

Tuesday, January 21, 2003

CHARLESTON, WV - The American Civil Liberties Union of West Virginia announced today their appeal of a free speech lawsuit brought against the Kanawha County Board of Education on behalf of a teenage student who was denied the right by school officials to start an anarchy club and prohibited from wearing T-shirts with hand written political slogans.

"For our constitutional democracy to thrive, it is imperative that our public schools lead by example in teaching our youngsters to respect basic American values like free speech," said Andrew Schneider, Executive Director of the American Civil Liberties Union of West Virginia. "We hope the West Virginia Supreme Court will seize this opportunity by overruling the lower court on the T-shirt and suspension issue and returning the First Amendment to the classroom."

While a Kanawha County jury decided last July that the ACLU's client, 15-year-old Katie Sierra was wrongfully denied the right to start an anarchy club at Sissonville High School, the civil jury upheld the school's decision to suspend Sierra and prohibit her from wearing T-shirts with hand-written political slogans.

In the fall of 2001, shortly after the bombing of Afghanistan, Sierra wanted to start an anarchy club as a vehicle to promote peace and tolerance. Principal Forrest Mann denied her request. She also wore a T-shirt to school that read: "When I saw the dead and dying Afghani children on TV, I felt a newly recovered sense of national security. God Bless America." Sierra was suspended for passing out fliers about the club and wearing her political T-shirts.

Sierra's lawsuit echoes a case that led to a landmark U.S. Supreme Court decision in 1969. The High Court ruled that year in *Tinker v. Des Moines* that students could not be punished for wearing armbands to protest the Vietnam War. The Court's opinion stated that students do not "shed their rights to freedom of speech or expression at the schoolhouse gates."

In the ACLU's appeal, cooperating attorney Roger Forman wrote, "The suspension of Katie Sierra was clearly a suppression of free speech and clearly unconstitutional under *Tinker*. Mr. Mann was censoring unpopular opinion and speech when he suspended Katie. The Court should reverse."

ACLU of West Virginia Announces the Launching of a Northern Panhandle Chapter

FOR IMMEDIATE RELEASE

Monday, January 6, 2003

WHEELING, WV – The American Civil Liberties Union of West Virginia announced today the launching of a Northern Panhandle Chapter to further build their grassroots organization in the state. Six other regional ACLU chapters already exist in West Virginia including Greater Huntington, Raleigh/Fayette County, Greenbrier Valley, Eastern Panhandle, Charleston Metro, and the Greater Morgantown chapter in addition to half a dozen student chapters statewide.

The law firm of Cassidy, Myers, Cogan, Voegelin, & Tennant L.C. will be hosting a reception to organize ACLU members and those who care about safeguarding individual rights and liberty. “This is a great opportunity for civil libertarians to make a difference in their community by helping us defend the Bill of Rights at the local level,” said Andrew Schneider, ACLU of West Virginia Executive Director. “At this reception, one will find the real homeland security of meeting other dedicated civil libertarians like themselves.”

The reception will take place on Tuesday, January 7th at 7:30 p.m. at the office of Cassidy, Myers, Cogan, Voegelin & Tennant L.C., The First State Capitol, 1413 Eoff Street, Wheeling. RSVP to Pat Cassidy at (304) 232-8100 or ACLU at (304) 345-9246. Light refreshments will be served.

ACLU Sues West Virginia Police For Conducting Illegal Drug Stop

FOR IMMEDIATE RELEASE

Wednesday, December 19, 2002

CHARLESTON, WV – The American Civil Liberties Union of West Virginia filed a lawsuit today against the West Virginia State Police and the Barbour County Sheriff's Department for operating a drug roadblock near last year's "Freedom Festival," a political rally organized by the West Virginia chapter of NORML, the National Organization for the Reform of Marijuana Laws.

"The authorities established this roadblock without cause and in clear violation of the fundamental Fourth Amendment right of all Americans to be free from arbitrary government intrusion," said Andrew Schneider, Executive Director of the American Civil Liberties Union. "The state officials who authorized this roadblock apparently chose to ignore a U.S. Supreme Court ruling from only a few months prior to this incident which found that such roadblocks were unconstitutional."

The lawsuit was filed on behalf of Thomas Thacker and Brett Gasper, both of whom were subject to a roadside random search on their way to the festival on July 28, 2001. The lawsuit asserts that "by establishing the checkpoint to disrupt the lawful associational, ideological, and political activities of NORML," their First Amendment rights were also violated.

On the weekend of July 28, 2001 two state police canine units specially trained to detect drugs were employed on the only road leading to the festival grounds. The festival was both a musical and a political event with more than two dozen bands and speakers that included representatives from NORML and a former state Libertarian gubernatorial candidate.

In two separate incidents law enforcement officials detained Thacker and Gasper at the roadblock without individualized suspicion that either of them had engaged or were engaged in any criminal activity. "I was asked if my car could be searched, and when I said no, the drug dogs were brought on the scene to pressure me to waive my constitutional rights, said Gasper, a former United States Marine. "I don't like drugs, and I especially don't like big German Shepherds in my face, or dirty looks from policemen, or insinuating remarks from the same."

Unlike sobriety checkpoints which are designed to assure traffic safety, drug roadblocks serve the primary purpose of investigating criminal activity and thus require individualized suspicion. In the U.S. Supreme Court case *Edmonds v. Indianapolis*, Justice Sandra Day O'Connor wrote for the majority: "Without drawing the line at roadblocks designed primarily to serve the general interest in crime control, the Fourth Amendment would do little to prevent such intrusions from becoming a routine part of American life."

The lawsuit was filed in United States District Court for the Southern District of West Virginia by Allan Karlin and Jason Huber who are serving as ACLU of West Virginia cooperating attorneys.

ACLU Hails Free Speech Victory for West Virginia Hospital Employees

FOR IMMEDIATE RELEASE
Tuesday, December 17, 2002

HUNTINGTON, WV - The American Civil Liberties Union of West Virginia today applauded a federal judge's decision to approve a settlement that ends a local state-run hospital's gag order on its employees. The settlement was reached between Mildred Mitchell-Bateman Hospital and six hospital employees.

"U.S. District Judge Robert C. Chambers and hospital officials made a wise decision," said Andrew Schneider, Executive Director of the ACLU of West Virginia. "This is both a victory for the employees of the hospital and for the people of West Virginia."

Mildred Mitchell Bateman Hospital's personnel policy did not permit employees "to give reports or opinions to news media representatives or other non-Department of Health and Human Resources personnel regarding patients or controversial incidents or programs except as specifically authorized by the hospital administrator...."

"The First Amendment is based upon the belief that in a free and democratic society, the public has a right to know how its institutions are being conducted," said Schneider, "and our plaintiffs have a right to tell the public what it has a right to know."

This policy effectively denied employees the fundamental right of discussing matters of public concern. In court documents asking that the hospital's policy be ended immediately, the ACLU maintains that, "the intimidating impact on employees of a requirement that they must ask the top officer of the agency for permission to exercise a basic privilege creates a chilling effect that can safely be described as an arctic blast."

Hospital officials contended that the policy allowed for employees to talk to the media if they initiated the contact, however if the media contacted them, hospital employees would have to first notify a hospital administrator.

The agreed upon settlement sets forth an interim policy in which the hospital will not discipline or retaliate against employees who report accurate non-confidential information or state opinions as long as they are not speaking on behalf of the hospital. The hospital will also negotiate a redraft of the policy to meet ACLU approval.

The lawsuit was filed in United States District Court for the Southern District of West Virginia on behalf of Mitchell-Bateman Hospital employees Jeffrey N. Watson, Todd Jenkins, Teresa Jenkins, Milissa Parker, Kara Anderson, and Derrick Vanoy. Robert Bastress, a professor of constitutional law at West Virginia University School of Law, served as the ACLU's cooperating attorney.

Rev. Barry Lynn to Deliver Keynote Address at ACLU-WV Benefit

FOR IMMEDIATE RELEASE

Tuesday, October 1, 2002

CHARLESTON, WV – The American Civil Liberties Union of West Virginia is proud to announce that Reverend Barry Lynn, the Executive Director of Americans United for Separation of Church and State, will be the keynote speaker at this Saturday's Bill of Rights Dinner.

"The ACLU-WV is delighted to have such an eloquent defender of the First Amendment deliver the keynote address," said Andrew Schneider, Executive Director of the ACLU of West Virginia. "His speech will be very timely given our recent successful challenge with Americans United of graduation prayer at St. Albans High School."

As an ordained minister and lawyer, Rev. Lynn offers a unique perspective on the dangers held both for civil liberties and faith when church and state are melded. He received a theology degree from Boston University School of Theology in 1973 and a law degree from Georgetown University Law Center five years later. He began his career at the national office of United Church of Christ and served two years as legislative counsel for the Church's Office of Church in Society in Washington, D.C. Rev. Lynn was the legislative counsel for the Washington D.C. office of the American Civil Liberties Union from 1984 to 1991. He has held his current position at Americans United since 1992. Rev. Lynn co-authored "The Right to Religious Liberty: The Basic ACLU Guide to Religious Rights" in 1995.

ACLU-WV Kicks off Weeklong Celebration of the Freedom to Read

FOR IMMEDIATE RELEASE

Friday, September 20, 2002

CHARLESTON, WV – The American Civil Liberties Union of West Virginia announced today a statewide, weeklong series of events to mark “Banned Books Week” beginning Saturday September 21 through September 28. Banned Books Week celebrates the First Amendment guarantee of freedom of expression.

“This year, as we commemorate the first anniversary of the September 11 attacks, we face unprecedented government restrictions on free speech,” said Andrew Schneider, Executive Director of the ACLU of West Virginia. “The message of Banned Books Week – to cherish and defend the First Amendment – has never been more timely or crucial.”

The USA PATRIOT Act, which Congress hastily voted into law after 9/11, includes many alarming and unconstitutional anti-speech provisions. Perhaps the most disturbing of these is what Village Voice columnist Nat Hentoff has called “the most far-reaching gag order in the First Amendment’s history.”

This part of the Act overrides existing state and federal privacy laws, allowing the FBI to investigate which books have been bought or borrowed by anyone it suspects of being a terrorist. Further, it prevents librarians and booksellers from revealing that such a search has taken place, and it bars the press from reporting on such searches.

On Saturday, September 21 at 7:30 p.m. at Taylor Books in Charleston, the ACLU will kick off Banned Books Week with a reading and sampling of *The Trials of Lenny Bruce: The Fall and Rise of an American Icon* by co-author Ronald Collins. A book signing will follow.

On Monday, September 23 at 5:00 p.m. at the plaza by the Huntington Public Library, the ACLU is sponsoring an event called “Books in Chains Read-Out.” Members of the Huntington and Marshall University chapters of the ACLU, dressed in chains, will read their favorite selections from the top 100 banned books of the last decade.

On Friday, September 27 at 7:00 p.m. at the Empty Glass in Charleston, there will be a benefit for the ACLU and its fight for free expression. The Spurgie Hankins Band and Kids Eating Pizza will play popular music that’s been recently banned or challenged.

The WVU chapter, the Midland Trail High School chapter, and the Huntington High School chapter are also planning Banned Books Week events. For more information, call the ACLU-WV office, (304) 345-9246.

ACLU of West Virginia Sues Police and Magistrate Over Discriminatory Treatment of Deaf Man

FOR IMMEDIATE RELEASE
Tuesday June 18, 2002

MARTINSBURG, WV--The American Civil Liberties Union of West Virginia today filed a lawsuit against state officials for violating the rights of a clinically deaf Vermont man who was separated from his teenage sons and jailed overnight following a traffic stop in which he was denied the right to communicate in writing.

"Too often, people with disabilities have been treated as second-class citizens, shunned and segregated by physical barriers and social stereotypes," said Andrew Schneider, Executive Director of the ACLU of West Virginia. "Through this lawsuit we hope to break down some of those barriers and ensure that the promise of equal treatment under the law is respected in West Virginia."

The ACLU lawsuit charges that Kenneth P. Richland, 44, was falsely arrested and jailed last June without being provided the proper resources to communicate with authorities. These actions, the ACLU said, violate the Americans with Disabilities Act (ADA), the due process and equal protection clauses of the United States Constitution and West Virginia state anti-discrimination laws.

According to the legal complaint, Richland was driving through Berkeley County on Interstate 81 with his two sons, ages 19 and 12, when he was pulled over for speeding. Richland, who suffers from a severe form of "Bartter's Syndrome," a genetic defect that results in total hearing loss, indicated that he wanted to communicate with the officer through written notes. But Deputy Sheriff R. L. Gardner refused and instead instructed Richland's younger son Shane -- who possesses only rudimentary skills in sign language -- to translate. His older son Jordan does not have any sign language skills.

The officer gave Richland a citation for speeding. When Richland attempted to hand back the metal clipboard with a signed citation, it slipped and fell to the ground. In response, the ACLU complaint said, Gardner arrested Richland for assault and jailed him overnight without informing him of the charges. His sons were sent to stay in a nearby motel. The next day, Richland was arraigned and bail was set at \$2,000.

It was only after the arraignment that Richland was able to read the criminal complaint and understand the charges against him. In the end, the criminal charges were dropped when Gardner failed to appear at trial that day.

The actions of the arresting officer and the magistrate, the ACLU lawsuit asserts, violated Richland's rights under Title II of the ADA and the West Virginia Human Rights Act. The lawsuit also said that Richland was falsely and maliciously arrested, in violation of his Constitutional right to due process and equal protection under the law.

"This entire, painful ordeal could have been avoided if the arresting officer had simply allowed Kent Richland to communicate in the way he requested," Schneider said. "Instead, he was jailed overnight and his young sons were shunted to a motel without knowing what would happen to their father."

"To add insult to injury," Schneider said, "the arresting officer didn't even have the decency to show up at the arraignment and defend his malicious behavior. From start to finish, this entire episode was a disgrace to law enforcement."

In addition to damages caused by humiliation, degradation, mental and emotional distress and monetary loss, the lawsuit asks the seeks a court order requiring that the police provide sign language interpreters and other services to deaf persons in encounters with the criminal justice system. Officials should also be ordered to post clearly visible notices of these rights in the Eastern Regional Jail, Berkeley County Magistrate Court, and the Berkeley County Sheriff's Department.

The lawsuit, titled, Richland v. Gardner et.al, was filed in the United States District Court for the Northern District of West Virginia. Harry P. Waddell is serving as the cooperating attorney for the ACLU.

The ACLU complaint is online at
<http://www.aclu.org/court/richland.pdf>.

ACLU of West Virginia and Americans United Challenge Graduation Prayer

FOR IMMEDIATE RELEASE

Wednesday, May 29, 2002

CHARLESTON, WV -- The American Civil Liberties Union of West Virginia and Americans United for Separation of Church and State filed a lawsuit today asking a federal judge for a temporary restraining order to block a school-sponsored graduation prayer at St. Albans High School in St. Albans, West Virginia.

"How, when, where, and to whom to pray is a decision that should be made by families, not forced upon students by their schools," said Andrew Schneider, Executive Director of the ACLU of West Virginia. "Children whose religious beliefs are different from those in the majority must not be made to feel like outsiders in their school."

The lawsuit, filed on behalf of St. Albans senior Tyler Deveny, who is an atheist, states that the school's graduation prayer is in violation of the First Amendment because it endorses religion, coerces students to sit through a religious exercise, and entangles government officials in determining the content of prayers.

"I object to the inclusion of an invocation at my graduation ceremony because it reflects disrespect for the Constitution, and it makes me feel like I am unwelcome," said Deveny.

Kanawha County has a district-wide policy that permits schools to have a student-led, non-sectarian, non-proselytizing prayer at their graduation as long as it is voted on by the graduating seniors and submitted to and approved by the principal prior to the ceremony. The ACLU and Americans United are also asking the court to invalidate this policy.

The ACLU initially contacted school officials on May 22 to warn them that their planned prayer ceremony violated the Constitution. However, school board attorney Jim Withrow responded with a letter stating that the prayer will go forward as planned.

"The United States Supreme Court has ruled that such prayers are unconstitutional. Even if the prayer is initiated by the students, school officials are still the prayer's sponsors because they preside over that school event," Schneider said. "The matter should not be open to vote because the mere process of a vote infringes on the religious freedom rights of those who belong to minority religions or no religion at all."

The lawsuit was filed in United States District Court for the Southern District of West Virginia by Thomas J. Gillooly who is serving as the ACLU's cooperating attorney.

ACLU to Take Katie Sierra's Case to the Court of Public Opinion With Statewide Events

FOR IMMEDIATE RELEASE

Tuesday, February 19, 2002

CHARLESTON, WV The American Civil Liberties Union of West Virginia announced today its plans to celebrate the anniversary of the landmark Supreme Court decision, *Tinker v. Des Moines*. From February 23rd to March 1st, the ACLU will hold a series of public education events around the state under the heading, "Tinker Days: Keeping the Constitution Inside the Schoolhouse Gates." For several of these events, Katie Sierra and John Tinker will make joint presentations.

"The anniversary of *Tinker* has given us an extraordinary opportunity to demonstrate that Katie, like John Tinker and the generation before her, was simply exercising one of the most basic of American rights, namely the right to free expression," said Andrew Schneider, Executive Director of the ACLU of West Virginia. "This Constitutional right is perhaps even more important inside the schoolhouse gate where we strive to educate our young to be good citizens and to respect and appreciate our Constitutional democracy."

On February 24, 1969, the Supreme Court ruled in support of three Des Moines students who wore black armbands to school to protest the Viet Nam war. The Court's opinion in *Tinker* stated that neither students nor teachers "shed their constitutional rights to freedom of speech or expression at the schoolhouse gates" and public schools "may not be enclaves of totalitarianism."

Sissonville High School student, Katie Sierra was suspended last October for wanting to start an anarchist club that promoted peace and tolerance and for wearing this message on her t-shirt: "When I saw the dead and dying Afghani children on TV, I felt a newly recovered sense of national security. God Bless America." Like Tinker, Katie's case is about protecting an unpopular view. Her case goes before Kanawha County Circuit Court on June 24, 2002 for trial.

The events include the following:

February 23rd – March 1st

A display of student rights books and history at Sissonville Public Library, including an original black armband from the *Tinker* case and one of Katie Sierra's anti-war t-shirts.

February 26th, 7:30 am

The ACLU Chapter of Huntington High School will be distributing wallet-sized rights of students cards at the "schoolhouse gate." For information, call Kevin Cline: (304) 522-4818.

February 26th, 3:30 pm

The National Lawyer's Guild and the WVU chapter of ACLU presents "Have the Courts Tinkered with *Tinker*?" at WVU College of Law, Room 153. WVU College of Law Professor and ACLU Board member Bob Bastress talks about the *Tinker* decision and student rights law since *Tinker*. ACLU cooperating attorney Roger Forman discusses how he and Katie Sierra plan to resurrect *Tinker*. For information, call Jon Matthews: (304) 292-7864.

February 26th, 3:30 pm

The ACLU Chapter of Huntington High School presents "Passing the Torch" a conversation between two generations of student activists, John Tinker and Katie Sierra, at Huntington High School. For information, call Kevin Cline: (304) 522-4818.

February 26th, 8:00 pm

The Marshall University ACLU presents "Freedom Forum: John Tinker (*Tinker v. Des Moines*) and Katie Sierra on Student Freedom of Expression" at the Francis Booth Experimental Theatre

in the Joan C. Edwards Performing Arts Center, Marshall University. For information, call Jim Kreiner: (304) 696-4074.

February 27th, 7:30 pm

The WVU chapter of the ACLU presents "Is Freedom a Casualty of the War on Terrorism?" in room 458 in WVU's Business and Economics Building. For more information, call Mary Ellen Bess: (304) 291-2532.

February 28th, 6:00 pm

A forum at Sissonville Public Library, "The Katie Sierra Question: Can Fear of Disturbance Overcome the First Amendment in the Schools?" Participants include Kanawha County School Board member, Pete Thaw; Rev. Jim Lewis, formerly of St. John's Episcopal Church; Mount Hope High School teacher, Kathleen Scott; ACLU cooperating attorney, Roger Forman and Capitol High student, Kelly Margolis. For more information, contact ACLU-WV: (304) 345-9246.

ACLU-WV Passes Torch to New Executive Director; Welcome Reception to Introduce Him

FOR IMMEDIATE RELEASE

July 3, 2001

Contact: Andrew Schneider, ACLU
(304) 345-9246

This week the torch was passed from former Executive Director Hilary Chiz to Andrew Schneider as he took the helm of West Virginia's leading civil liberties advocacy organization. The ACLU of West Virginia will officially welcome its new Executive Director at a Saturday, July 14th benefit reception. The event will take place at Joe Zando's Catering Unlimited, 217 Hale Street, Charleston from 5:00 p.m. to 7:00 p.m. Tickets are \$25.

Schneider, 31, has been involved with the organization nationally and in several different states for over ten years. He enjoys life in the opposition and began his ACLU adventure as a college student at culturally and ideologically conservative Washington & Lee University in Lexington, Virginia where he formed an ACLU chapter. As a freshman, he enrolled 20 percent of his class as "card-carrying" members. Schneider recalls that a number of classmates did not remain members for long. "Some of them were told by their parents that they would never get hired for a job if they belonged to the ACLU! Fortunately, I didn't fall victim to that scare tactic or I wouldn't be as gainfully employed as I am today," he said.

While a student at W&L, Schneider served on the ACLU of Virginia Board of Directors for three years. The summer of his sophomore year he was hired for an internship by the national ACLU's Public Education Department to write their campus organizing manual. After college, he went to work for the ACLU's Public Education Department full time. Schneider also has extensive fundraising experience. He served as Development Director of ACLU affiliates in New Mexico and Connecticut following his tenure at the ACLU's national office. "Andrew brings years of enthusiastic service to the ACLU to this position," said Search Committee member and ACLU-WV Board Vice President Chuck Smith. "He radiates passion for civil liberties and has a demonstrated zeal for their defense."

"I look forward to continuing the ACLU's tireless and unwavering defense of civil liberties in West Virginia," Schneider said. He is also looking forward to a number of Mountain State attractions such as "the Southern hospitality, great mountain biking, and the world-renowned Mountain Stage."

Schneider replaces Hilary Chiz who served as Executive Director for six and one-half years. "Hilary will be a hard act to follow, but we think Andrew is up to the task," said ACLU-WV Board President Dawn Warfield. "Needless to say, we expect great things from him!"