



FALL 2016

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MESSAGE FROM THE EXECUTIVE DIRECTOR

SHAUNDRA YOUNG SCOTT, ESQ.

Dear friends,

For those of you whom I have not yet had the pleasure of meeting, I want to again introduce myself as the new Executive Director of the ACLU of South Carolina. Since joining the team in February, I've only grown more amazed at what this organization can accomplish.



At the national level, coordinated campaign efforts aimed at protecting women's right to choose, or celebrating the long-standing American tradition of opening our borders and arms to refugees, or standing up for people whose basic biological function has suddenly become central to a public debate, the ACLU's voice has been heard—and loudly.

At the local level, we've shined a spotlight on one of the worst abuses of the "Disturbing Schools" statutes in the country (Page 1), and made sure that students in Greenville are able to vote in the general election using the address of their school (page 5). We've been working with our coalition partners to develop alternatives to incarceration after identifying the many ways poor South Carolinians are denied equal access to justice, simply because they can't pay court fines.

Statewide visibility is important as part of our ongoing mission to educate citizens about their civil rights and what the ACLU of SC does to protect those rights.

Our Annual General Membership meeting (page 6) will be in Greenville in January, and we are thrilled to have the opportunity to put our feet on the ground in the Upstate and meet more of our supporters and members. We'll meet the students on behalf of whom we filed the lawsuit allowing them to use their school addresses for voting purposes, and hear why it was so important to them to be able to vote where they wanted to vote. We'll also hear from the coordinating attorneys who worked with the ACLU of SC as local counsel in Greenville about their experience and

MESSAGE FROM THE BOARD PRESIDENT

ROBIN GARRELL, M.D.

No matter where we go these days, the topic of conversation always turns to the election. Indeed, once the election has finally been decided, we can surmise the conversations regarding this election cycle will not cease. One of the many, many surprises of 2016 was that one of the trendiest items was a classic: The U.S. Constitution. This summer, our national office gave away over 100,000 copies of our pocket Constitution, and orders continue to roll in.



As Board President for the South Carolina affiliate, I was incredibly excited to witness a renewed interest in the document that is central to the ACLU's work. Citizens familiar with their rights are better able to protect themselves against those with an ominous version of America who say your American-ness is determined by your religion, who try to tell women what to do with their bodies, and who think that only some Americans should be able to vote.

Our members and supporters are our partners in protecting the freedoms guaranteed in the Constitution. Freedom is not free, but with your help, we can keep fighting for civil liberties wherever they are most threatened in order to protect them for everyone.

Thank you for all you do to protect our civil liberties! ♦

why they felt compelled to join us in tackling the important issue of voting rights.

2017 will be a year of opportunity, transformation and, ultimately, a year in which we establish how we want the ACLU of SC to work in this state for many years to come!

Thank you for your unwavering support for the advancement of our civil liberties! ♦

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willfully interfere with, disrupt, or disturb the normal operations of a school or college in this State.” The bills died without coming to vote in either chamber.

Now it's our turn.

The video of a School Resource Officer (“SRO”) – employed by the Sheriff’s office or police department – violently removing a student from her chair, throwing her to the ground and dragging her across the room went viral and shocked the conscience of many in our state. The scene was the result of the evolution of discipline in South Carolina under the Disturbing Schools statute. The student was arrested and introduced to the criminal justice system for refusing the teacher’s order to put away her cell-phone, and then refusing the teacher’s order to leave the classroom. What’s more, the student who stood and yelled curses at the officer for his violent behavior was *also* arrested. This is hardly a responsible way to discipline our young people. Armed with undeniable proof that the Disturbing Schools statute has allowed for the creation of coercive school discipline similar to that of a correctional institution, we sued the Attorney General and law enforcement to challenge the statute.

Moments after receiving a copy of the complaint, Sheriff Leon Lott – who is the Sheriff in the county in which the incident took place and a named defendant – phoned Susan Dunn, Legal Director of the ACLU of SC, to tell her that he not only agreed that the Disturbing Schools statute is inherently flawed, but that he would be saying so that very afternoon during a press conference.

Harsh punishment is only the beginning.

Over and over, studies show that just one referral to law enforcement during school greatly diminishes the likelihood that a student will graduate. Young people who are charged with crimes may feel stigma and fear, making it more difficult to engage with school. They may also face disciplinary consequences that can include years in alternative settings that fail to offer complete access to course work necessary to graduate. All of this contributes to the phenomenon known as the School-To-Prison Pipeline (“STPP”). Knowing how much impact just one referral to the criminal justice system can have a young person, we will not stop until the Disturbing Schools statute is history. ♦

Meet the Plaintiffs: *Kenny v. Wilson*



Niya Kenny, 19

Ms. Kenny was arrested for standing up and shouting at the SRO for violently handling her classmate at Spring Valley High School. She was charged under the Disturbing Schools statute.

Girls Rock Charleston

Girls Rock is a non-profit organization providing mentorship, music and arts education, and leadership development to young people in Charleston, SC. They operate an afterschool program serving at-risk youth and youth who have been involved with the criminal justice system.



S. P., 15

S. P. lives in the Upstate and attends high school. She was charged with disorderly conduct while in school.

D. S., 17

D. S. lives in the Lowcountry. She was charged with disturbing schools and disorderly conduct.



Taurean NeSmith, 21 [no photo]

Taurean was arrested because he criticized a police officer of racial profiling during the stop of a fellow student.



IN THE COMMUNITY



Alternatives to Incarceration Gathering,
Charleston. 7/22/16

Film screening of "First Degree" and panel
discussion on education opportunities in prison,
Charleston County Public Library. 6/9/16

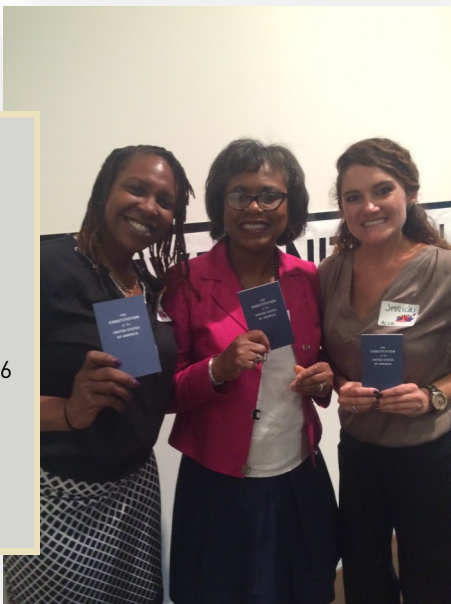


North Charleston Town Hall on
Policing. 6/23/16

Discussion on the
Disturbing Schools
statute and the
School-To-Prison
Pipeline, ILA Hall,
Charleston. 8/11/16



"I Believe Anita
Hill Party"
Columbia. 9/15/16



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SNAPSHOTS FROM THE LEGAL DOCKET

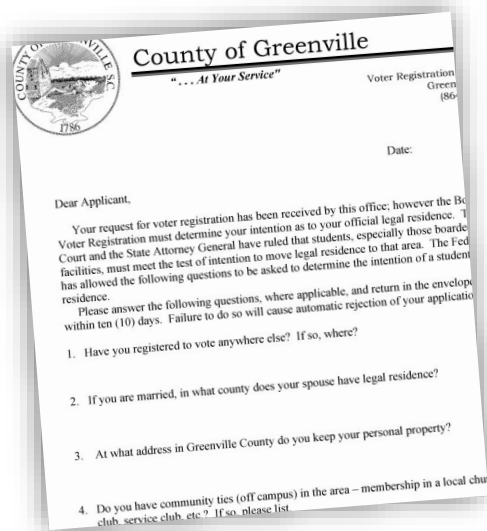
SUSAN DUNN, LEGAL DIRECTOR

Voting in Greenville County hasn't always been a given for Furman University students. Students who attempted to register to vote using their school address as their permanent address were given an additional form—not elsewhere used in the county or state—for the Election Commission to review to determine residency. The form contains 11 questions such as where a student works, where their vehicle is registered, where they have bank accounts, what address they used on their last income tax return, and whether their parents claim them as a dependent. While it is not clear from the questionnaire how the registrant's answers will be evaluated, the Greenville County Board of Voter Registration and Elections nonetheless justified denying applications.

This policy effectively established a dual registration system under which students who live on campus are subject to discriminatory voter registration practices that could impair their ability to exercise their right to vote.

We challenged this practice in court on September 22, 2016 on behalf of 3 Furman students. On October 7, 2016—an incredibly quick turn-around—Judge Robin Stilwell granted a temporary injunction and our student plaintiffs will be able to vote in the upcoming General Election.

Whether the county continues to fight the decision will be up to the voter registration board, but in his order, Judge Stilwell mentioned cases in other parts of the country where similar practices have been deemed unconstitutional.



Give Kids a Chance

Keeping children in school and out of jail remains a priority. Our allies in the *Give Kids a Chance* coalition will continue to work to develop a common agenda with that goal in mind. We are currently working with Community Connection for Youth (in New York state), the National Council of Juvenile and Family Court Judges (a national association of judges) to develop a pilot program of alternatives to incarceration for juvenile offenders in Charleston County. Michele Forsythe, a newly installed Family Court judge, has agreed to take leadership of this effort.

We are hopeful that the success of this pilot program in Charleston can serve as a model for jurisdictions around the country in diverting juvenile offenders away from incarceration—where we know they have a greater chance of recidivism—and back into the classroom to learn skills needed to lead a successful life.

Election Protection

In coordination with the Election Protection coalition, we are training Poll Monitors to identify and address voting irregularities that would otherwise bar eligible Americans from accessing the ballot box. Volunteers will be stationed at high-volume polling places on Election Day. ♦

INVEST IN LIBERTY

Your tax-deductible gift to the ACLU of South Carolina Foundation ensures our ability to fight for individual freedoms and rights. We will continue to be good stewards as we do all that is possible to defend the Constitution and Bill of Rights.

If you are interested in helping us make an impact, please make a donation using the envelope provided or online at:

www.aclusc.org

LEAVE A LEGACY FOR THE FUTURE

The civil liberties landscape can change in unexpected ways, and the ACLU will be there to protect our freedoms. Your bequest or other gift through your estate plans will allow us to continue to secure civil liberties for generations to come.

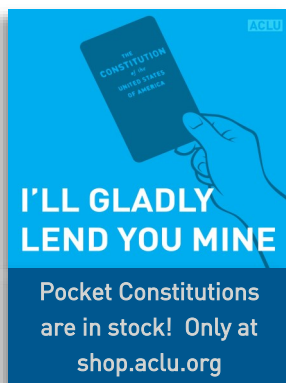
If you are interested in leaving a legacy, please call toll-free: 877-867-1025 or visit online at:

www.aclu.org/legacy

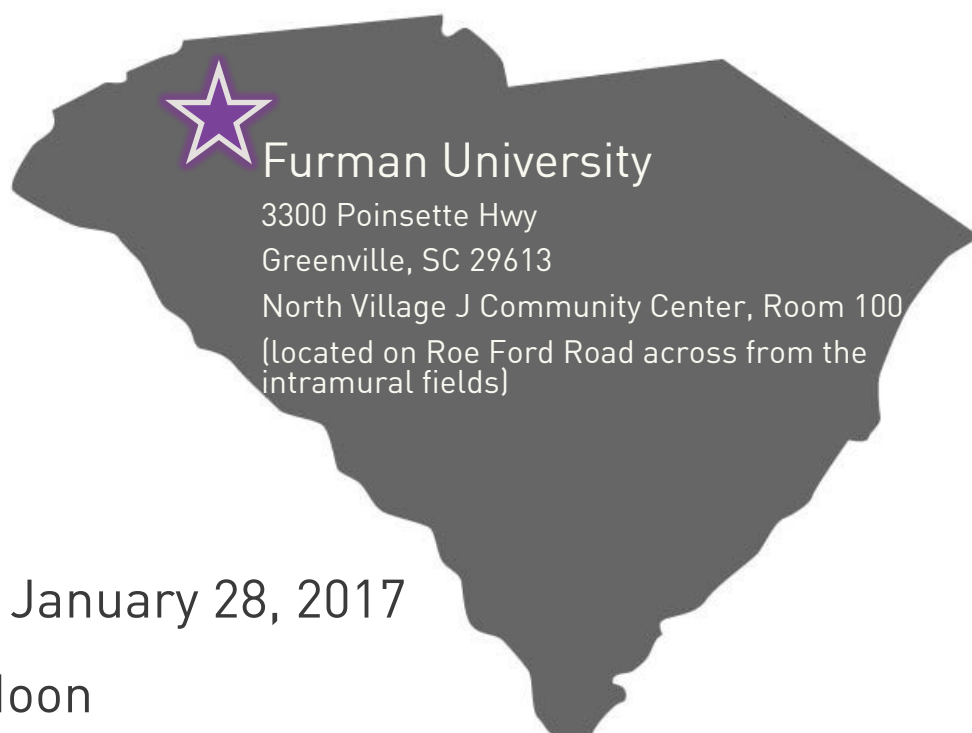


American Civil Liberties Union
of South Carolina Foundation
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USPO
Indicia



Annual General Membership Meeting



Saturday, January 28, 2017

10 AM—Noon