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AMERICAN CIVIL LIBERTIES UNION
of SOUTH CAROLINA

Because Freedom Can't Protect Itself

NEWSLETTER

SPRING 2017

Admitting Refugees Makes America Great

By: Ronald Newman, Director of Strategic Initiatives, ACLU



Since President Trump first issued an executive order slashing refugee admissions to the United States this year from 110,000 to 50,000, a certain irony keeps running through my mind. Candidate Trump campaigned on a slogan of "Make America Great Again." Yet now he is pushing to cut refugee admissions by more than

half. I can think of few policy decisions that would make America look smaller or more cold-hearted than closing our doors to refugees who desperately need a second chance at life. Even worse, the decision is animated by a discriminatory intent that is completely inconsistent with our values and Constitution.

I spent the last few years of the Obama administration running the refugee portfolio from the White House, which gave me a front row seat on countless displays of true American greatness. Faced with an unprecedented global humanitarian crisis, I watched America's commitment to respond grow week by week — in communities around the country, in the private sector, and within government. At the White House, we convened officials from across the federal agencies at the deputy secretary level every two weeks to ensure we were doing as much as we could. We worked to not only meet our refugee admissions targets each year but to increase them, even as we added new layers of rigor to our security screening.

I saw American greatness in the innovative ideas conceived by long-serving bureaucrats who are often unduly maligned in the public discourse. For instance, we launched a pilot program to station State Department and Department of Homeland Security personnel side by side in Jordan, along with NGO staff who conduct initial case intake and medical checks. This program allowed refugees to be interviewed by DHS a week after case intake and screened for medical concerns 48 hours after

that. Without eliminating or abbreviating a single step in the process, we cut months from refugee wait times, and with this model, we interviewed more than 10,000 refugees in Amman in three months in early 2016.

We as a country have strived throughout our history to "make America great."

Our greatness also came through in creative uses of technology, pioneered by the whiz kids in the U.S. Digital Service. USDS is a team of short-term federal employees, populated largely by recruits from private sector companies like Facebook and Google. Under their guidance, we brought internet connectivity to remote locations in Tanzania, which allowed for real-time transmission of data from the field, avoiding the need to wait weeks until interview teams returned to Washington. We also digitized key forms in the admissions process, bringing an end to the days of DHS officers traveling hundreds of miles to review and approve hard-copy paperwork in refugee case files. By helping to shorten processing times for refugees with acute medical conditions, these measures can save lives.

More than 400 employees at the Department of Homeland Security demonstrated American greatness when they volunteered to help the program. These men and women accepted deployments around the globe to do refugee interviews and performed case analysis to help protect against fraud in the program. With these additional officers who put their day jobs on hold, we were able to meet our 2016 objectives of admitting 85,000 refugees, including 10,000 Syrians, and eventually exceed our goal for Syrians.

The United States displayed its greatness as a leader among nations by promising to admit 110,000 refugees in 2017 and pressing other countries to do more to help people fleeing violence. At a conference at the United Nations in September 2016,

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MESSAGE FROM THE EXECUTIVE DIRECTOR

SHAUNDRA YOUNG SCOTT, ESQ.

Dear Friends,
As you probably know, our organiza-

tion has been working diligently since the beginning of the new presidential administration. We have successfully litigated nationwide against the executive order that instituted the Travel Ban. We were also able to aid individuals that were not allowed to return to the United States and unjustly detained as a result of this Travel Ban. The ACLU will continue to fight any unconstitutional activities initiated by the new presidential administration.



The ACLU of South Carolina continues to fight against negative legislation that will directly impact the rights and civil liberties of South Carolinians. We have shined a spotlight on voter rights, immigration, and racial issues such as police misconduct, racial profiling, and mass incarceration. Locally, we continue to focus on debtors prisons and Indigent Defense. We hope to file impact litigation regarding these issues this summer.

The ACLU of South Carolina also plans to unveil its Voter's Rights Initiative (VRI) this summer. The objective of the VRI program is to educate the community on basic civics, how to research candidates and their platforms and how to register to vote in South Carolina. A PowerPoint presentation has been developed to use in high schools, colleges/universities, and communities on branches of government and importance of voting. The VRI program will also create more avenues for people to volunteer, as the volunteer requests have surged since the most recent presidential election. Concurrent to voter education, the affiliate hopes to collect data on the way county voting districts have been drawn (gerrymandering), the demographics in each district, and voter turnout.

Awareness of our work has grown exponentially, and our fans on social media continue to increase on a daily basis. We are able to continue the work that we do thanks to your generous donations and confidence in our organization. With your continued support, we can continue to fight for the people of South Carolina, grow our program and increase our effectiveness. ♦

MESSAGE FROM THE BOARD PRESIDENT

ROBIN GARRELL, M.D.

To be honest, I have been struggling to write this letter. I swing widely between despair and determination, as each day brings a new, more horrifying attempt by the current administration and others to destroy the fundamental tenets of our democracy and Constitution. What I do know in my heart is this:



There is no better organization than the ACLU to uphold, defend and champion the Constitution of the United States, and defend the civil liberties of all of our citizens.

I am incredibly grateful to be able to serve this organization and work with the incredible staff of the SC affiliate office: Shaundra Scott, Susan Dunn, Jessica McFadden, and our volunteers Kristen French and Kate Fortney.

Despite an unprecedented number of threats, the National ACLU and our SC affiliate have been relentless, laser-focused and disciplined in protecting the civil liberties of all citizens.

The constant assaults, subversion of truth, and attempts at persecution by this administration and others has threatened to wear us down, divide us and distract us. ACLU has kept us focused and energized. We have refused to be divided. We will not be distracted. And we will remain passionate, united, and resolute against tyranny and oppression.

Thank you for your continued support. Your dedication to the work continues to inspire and motivate me. We need your financial support, of course. But I believe what is just as important is *speaking up*, speaking out and engaging our fellow citizens in a civil debate about our country and its future. The National ACLU website provides an outstanding overview of how important this organization has been in nearly every landmark event that has protected our freedoms. I urge you to review this history, educate those who may not know about this history, and speak out against ignorance and oppression. This isn't easy for me. I don't always speak up, but I am dedicating myself to this task. We no longer have the luxury of silence. ♦

2017 Special Elections

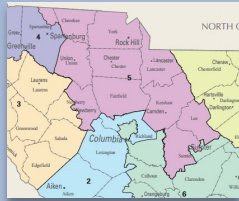
May 30, 2017

State Senate, District 3
State House, District 84

June 20, 2017

State House, District 48
State House, District 70
U.S. House of Representatives, District 5

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April 4, 2017—Rally on the 2nd Anniversary of the shooting of Walter Scott and the 49th Anniversary of the assassination of Dr. Martin Luther King, Jr.



January 21, 2017—Charleston Women's March



April 14, 2017—Stand with Immigrants Rally at USC

we rallied the international community to more robustly respond to the global refugee crisis. This wasn't because there was some narrow U.S. self-interest at stake. Rather it was because 20 million refugees around the world needed a lifeline.

Lastly, and perhaps most reflective of American greatness, we saw countless examples of the generosity of our people, as communities went beyond the call to open their arms to the new Americans we were bringing in. We saw communities in small towns like Mississippi Mills, Mississippi, launch fundraising drives to sponsor refugees, help them identify housing, donate furniture, and simply offer a warm smile.

That's an America I am proud of.

As a presidential candidate, Donald Trump attacked the refugee program, which had long enjoyed bipartisan support and had peak years under Presidents Ronald Reagan and George H.W. Bush (the latter admitted more than 100,000 refugees in every year of his presidency). Now the Trump administration is callously trying to walk away from our 2017 target of admitting 110,000 refugees, which was established back in September by the Obama administration, and unilaterally reduce that number to 50,000, in violation of the procedures that federal law prescribes for setting the level of refugee admissions. The ACLU and the National Immigration Law Center, on behalf of HIAS, the International Refugee Assistance Project, and other plaintiffs, are petitioning a federal court for an injunction to stop the government from implementing this unlawful reduction.



Some have observed that the Trump administration's 50,000-refugee target is about the same number as Canada admitted last year. But the U.S. population is nearly 10 times the size of Canada's, making 50,000 refugees an embarrassing goal for the United States — one that diminishes our international stature, undercuts our humanitarian commitments, and ultimately promises to damage us domestically given the economic and cultural contributions refugees make here.

We as a country have strived throughout our history to "make America great." Unfortunately, the trajectory this administration has put us on seems aimed in the opposite direction. The protests and demonstrations in the past few weeks — yet another manifestation of American greatness — are an awesome start to the resistance, and we must continue our battle to remain the great nation we have long been. ♦



December 5, 2016 — Center For Women
Advisory Committee Meeting

April 19, 2017 — Screening & panel discussion of
"Tickling Giants"



SNAPSHOTS FROM THE LEGAL DOCKET

SUSAN DUNN, LEGAL DIRECTOR

We The People

In the wake of the election, citizens are taking part like never before in political protests, both large and small. Indeed, the Women's March on Washington on Inauguration day was the single largest protest in American history. Sister marches sprung up around America, and staff from the ACLU of SC participated as speakers at marches in Charleston & Columbia. In the following 100 days, civic engagement has been broad and deep. It's also intersectional, establishing relationships across class, gender, racial, and even political and party lines.

As executive orders and policies from the new administration trickle down to effect state legislation, we will be vigilant in our efforts and work to protect the liberties and rights of South Carolinians. Efforts to curtail women's access to healthcare on the National level was echoed in a state bill that advanced at the end of the legislative session which defines a person as a human at the time of fertilization. The language of the so-called "personhood" bill invokes religious themes in the absence of science, and defies the long-standing Constitutional right to abortion access. We will continue to fight this bill in the legislature, and in the courts if needed.

The administration's "law and order" approach to policing has the potential to destroy advances made under the Obama administration that implored state and municipal law enforcement to review civil rights policies and practices. The City of North Charleston has failed to make any substantive changes after the death of Walter Scott, and we requested Department of Justice investigate patterns and practices of that police department. The request is still pending, and it's unclear if this administration's DOJ will authorize any patterns and practices investigations. We intend to use research gathered to advocate for change in North Charleston, with or without the support of DOJ.

Kenny v. Wilson

The federal lawsuit we filed together with attorneys from our National office challenging the constitutionality of the Disturbing Schools Statute in South Carolina was dismissed in early March by Hon. C. Weston Houck. The dismissal was based on a technicality due to standing, or the basis for bringing the lawsuit.

"The pleaded facts of past exposure to allegedly unconstitutional conduct are insufficient to support equitable relief; the plaintiffs must allege impending harm or at least 'an intention to engage in a course of conduct arguably



affected with a constitutional interest' accompanied by a credible threat of prosecution," the ruling said. The judge said the plaintiffs weren't suing for past damages; instead, they sought relief from potential future arrest or referral to juvenile court. But the judge ruled fear of future arrest was not enough to establish legal grounds to sue. "Absent allegations of a sufficient likelihood that these students will be charged under the challenged laws again or that a

credible threat of prosecution looms, these plaintiffs are no more entitled to equitable relief than any other citizen in South Carolina, and the Court may not entertain a constitutional challenge to a state criminal statute merely because a citizen desires to have it struck down or even because she may some day act in a manner that violates it."

We have appealed the ruling to the 4th Circuit Court of Appeals, and meanwhile participated in legislative efforts to amend the statute. Proposed legislation would substantially revise the disturbing schools statute, and while this would be a step in the right direction, we do not believe it will resolve all issues raised in our lawsuit.

Debtors' Prisons

More and more citizens are going to jail because they are too poor to pay fees and fines. This is a nationwide problem, but South Carolina has some particularly abusive courts. We are working with attorneys from our National office and a private firm located in Seattle, WA, to analyze data, observe courts and interview inmates as we formulate a litigation strategy. ♦

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: 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: www.aclu.org/legacy



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Save the Dates!

Charleston Pride: September 16-23

Famously Hot: October 20-21

Upstate Pride: November 4

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Charleston Women's March

January 21, 2017