

# CIVIL LIBERTIES BEACON

Newsletter of the American Civil Liberties Union of Connecticut

WINTER  
2015

## New Data Start To Reveal Racial Profiling Patterns

In September, the state released the first comprehensive set of data on traffic stops in Connecticut, a result of years of work by the American Civil Liberties Union of Connecticut and our allies to combat racial profiling.

The Traffic Stop Data Report (details at [ctrp3.ctdata.org](http://ctrp3.ctdata.org)) showed that police in Connecticut were more than twice as likely to search the vehicles of the African American and Latino drivers they pulled over than they were to search the vehicles of the white drivers they stopped. Yet police found contraband more often in the vehicles of white drivers.

And minority drivers are more likely to be stopped in the first place. The report, compiled by the Institute for Municipal and Regional Policy at Central Connecticut State University, said that African Americans account for less than 8 percent of the state's driving population but for more than 14 percent of all traffic stops.



"The data show police in general treating drivers of color with more suspicion for less cause," said Sandra Staub, legal director of the ACLU of Connecticut. "This is a sign of a systemic bias. It translates into a lower threshold of suspicion for people of color and the humiliation and mistreatment of innocent drivers."

Some municipalities showed a notably higher percentage of stops involving minority drivers than seemed consistent with their demographics. For example, Wethersfield police reported that 19.3 percent of the drivers they pulled over were African American, a ratio six times higher than the estimated population of African American drivers living in town.

The data, provided by police throughout the state, covers traffic stops between Oct. 1, 2013 and May 31, 2014. The picture will become clearer when the data are further augmented, refined and analyzed. A more exhaustive report is due in January.

The legislature passed the Alvin W. Penn Racial Profiling Prohibition Act, mandating traffic stop data collection, in 1999. But meaningful compliance didn't begin until after the ACLU of Connecticut and others pushed to amend and strengthen the act, which happened in 2012 and 2013.

## License Plate Scanners Track Everyone, Everywhere

In August 2009 the Newington Town Council voted to apply for a federal grant to buy two automated license plate readers, but only after council members raised privacy concerns and discussed the police chief's assurance that the data would be discarded after "a month or two."

Three years later, the equipment vendor announced that Newington was leading a "multi-agency data sharing initiative" of 12 Connecticut towns that had already collected more than 4 million license plate scans. The chief, Richard Mulhall, has since acknowledged that his department has aggregated millions of

scans from central Connecticut and intends to hold them for at least five years.

License plate readers are usually sold, as they were to the Newington council, as a way to rapidly identify stolen, unregistered and uninsured vehicles as well as cars driven by fugitives. Cameras on police cars photograph license plates and feed the numbers into a computer, which compares them to a list of numbers connected to suspect vehicles. A match triggers an audible alarm in the police car.

The problem is that many police departments are storing and sharing all the plate data they collect, which includes the precise time and GPS location of each scan, whether it triggers an alarm or not. Only about 0.5 percent of scans show a match, so databases of archived license plate information serve mainly to track the movements of innocent drivers.

A comprehensive Freedom of Information request by the ACLU of Connecticut shows that at least 60 of the 104 municipal police departments in Connecticut use license plate

readers. Very few seem even to have considered data retention limits, and plans are in the works to expand the central Connecticut database into a statewide archive of scans.

We need to get meaningful regulation before that happens. The ACLU of Connecticut will push again in the upcoming legislative session for a law requiring police in Connecticut to discard scan data after a short time, with exceptions for data relevant to criminal investigations.

You can help prevent your local police from tracking you. Please call or write to your legislators to support privacy and reasonable limits on license plate data.

**MORE INSIDE:** meet our **new executive director** and read about **Tasers, gender equity in college sports, drones, plane spotters, our legislative agenda...**



## Message from the President



Andy Schatz

WHAT A YEAR!

In the legislature, on statewide task forces, and in towns throughout the state, your ACLU-CT staff has been active and successful on many fronts—which are covered in detail elsewhere in this newsletter.

We are also excited that Stephen Glassman started this month as our new executive director, chosen after an intense nationwide search and selection

process, probably a board of directors' most important duty. We thank our former ED, Andrew Schneider, for seven years of passion and progress and look forward to great success in the years ahead. We hope you'll take the opportunity to meet Stephen as he travels around the state.

And perhaps most exciting, both in Connecticut and nationally, the ACLU is focused on successful education and legislation that are critical to achieve lasting civil liberties victories. Our chapters and members have again helped us bring programs throughout the state—including five public panel discussions that Staff Attorney David McGuire had this fall with municipal police chiefs on such issues as militarization and abuse of privacy, issues that we look to address in the coming legislative session. And we have begun to organize networks of members and friends to identify contacts with—and put pressure on—officials in both state and local governments to achieve specific civil liberties reforms. We think there are only a few “degrees of separation” between our members and those decision-makers. Individual contact may even be more effective than formal lobbying. Please tell us your areas of concern, and help with these efforts. Send an e-mail to [act@acluct.org](mailto:act@acluct.org).

Both we and the national ACLU are putting greater emphasis on legislation. National is helping lead fights throughout the country to limit or eliminate incarceration for nonviolent drug offenses, starting with last month's successful referendum vote in California. National is also working on educational and legislative initiatives to establish reproductive choice and voting rights in states where litigation has not been successful.

In Connecticut, we have long recognized that although we must still fight aggressively in court where necessary, education and legislation are the most decisive ways to ensure that the principles embedded in the Declaration of Independence and the Bill of Rights—America's principles—become the basis of state policy and law, so that civil liberties battles “stay won.” With a presence nationally and in all 50 states, the ACLU is uniquely positioned to make that vision a reality.

Our success needs your help. Education and legislation are more effective long-term than litigation but are also more difficult and expensive. If you are on Facebook, “follow” us and “share” our posts. Go to our website often—[www.acluct.org](http://www.acluct.org)—and feel free to contact me anytime: [andy@andrewschatz.com](mailto:andy@andrewschatz.com).

And please consider a special donation to the ACLU (shared fifty-fifty with National) to continue the fight—because freedom can't protect itself!

## New ED: Stephen Glassman



Stephen Glassman

STEPHEN GLASSMAN, an architect and art historian with a long history of working for human rights, joined the ACLU of Connecticut as its executive director on Dec. 1.

Glassman has served as a board member of the Maryland ACLU affiliate for eight years and of the Pittsburgh chapter of the Pennsylvania affiliate for the past three years. Before assuming his current position he was president of the Community Design Center in Pittsburgh, Pa., which focuses on economic and community development to foster livable, equitable and sustainable communities. Earlier in his career he practiced architecture as the principal of “Art and Architectural Design” for 25 years.

“I am honored to join the ACLU of Connecticut as its next executive director,” Glassman said. “Together, with a talented staff and board, as well as so many dedicated supporters, we will reinvigorate our commitment to defending and expanding the individual rights and personal freedoms guaranteed to everyone by the Constitution and the Bill of Rights.”

In addition to his architectural practice, Glassman served as a member of the Baltimore Civic Design Commission from 1990 to 1995, co-chaired the first national conference on “Diversity in the Design Professions,” and served for five years as the vice chair of the Diversity Committee of the American Institute of Architects national board of directors.

From 2002 to 2011, he served as chairman of the Pennsylvania Human Relations Commission, an appointment made by Gov. Edward Rendell in which he was twice confirmed unanimously by the state Senate. He was among the first openly gay state cabinet officials subject to the confirmation process in the country and is a 2005 graduate of Harvard University's Kennedy School of Government program for senior executives in state and local government.

## Civil Liberties Beacon, Winter 2015

Membership in the ACLU of Connecticut includes a subscription to **Civil Liberties Beacon**. For membership information, visit [acluct.org/join](http://acluct.org/join) or call 860-523-9146 and press 1.

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## Aerial Drone Surveillance Raises Privacy Concerns

The question of whether and in what circumstances police will need a warrant to fly drones equipped with surveillance cameras is shaping up as a central issue in the upcoming session of the Connecticut legislature.

A warrant requirement was at the core of a panel discussion in October at the Legislative Office Building in Hartford, organized by the Legislative Program Review and Investigations Committee.

The ACLU of Connecticut has been advocating for legislation that would require police to get a warrant before flying a surveillance drone, except in emergencies, such as a search for a missing person. Last year a bill with a warrant requirement died in committee after drawing strong opposition from the Connecticut Police Chiefs Association. The issue was sent to the program review committee, which is expected to recommend legislation in the 2015 session.

David McGuire, staff attorney for the ACLU of Connecticut and a member of the panel, told the committee that now is the time for the legislature to act. In 2015, the FAA is expected to set rules on drone use, opening up the skies to government and private drones, and McGuire said it could take a decade for the U.S. Supreme Court to address the



resulting questions about privacy.

“Our position is, don’t wait,” he said.

But Cromwell Police Chief Anthony Salvatore, legislative chair for the Connecticut Police Chiefs Association, told the committee that no legislation is needed. “We’re very concerned about any legislation that the legislature could possibly pass that would affect law enforcement’s ability to do its job,” he said.

Salvatore suggested that current law would allow police to use drones the same way they use

helicopters for surveillance, without a warrant. But McGuire said drones represent a completely different technology and a far greater threat to privacy because they can, for example, hover outside the window of a private home.

McGuire said the casual use of drones over public gatherings could chill free speech rights and should be limited to cases where there is an emergency.

“The concern is that there will be indiscriminate use of drones and that it will dramatically change the feeling of our society and violate people’s expectation of privacy,” McGuire said. “We believe that a warrant requirement is absolutely essential and will eventually be the law.”

## Following Up On Landmark Taser Regulation Bill



A new law requires police in Connecticut to adopt a policy on

Taser use and to track all deployments, a huge step forward in the continuing effort to regulate stun guns.

The landmark legislation passed the Connecticut General Assembly at the urging of the ACLU of Connecticut and the Connecticut NAACP during the 2014 session, shortly after Jose Maldonado died in the custody of East Hartford police in April.

Maldonado, 22, of Manchester, was at least the fourteenth person to die after being stunned with a police Taser in Connecticut. Controversy over police Taser use arose

again in August, when a Hartford police officer shot an unarmed 18-year-old youth with a Taser, causing him to fall and suffer a serious head injury. And in October, 31-year-old Lashano Gilbert, a medical school graduate from the Bahamas, died after New London police stunned him with a Taser.

The new law requires the Police Officer Standards and Training Council to draw up a statewide policy on the use of Tasers and other electronic weapons by Jan. 1. Police departments must adopt that policy or a more stringent one.

The ACLU of Connecticut has advocated for a policy that forbids the use of Tasers on subjects who are not actively resisting

police. We also want to require that all newly purchased Tasers be models equipped with cameras that automatically take video when removed from the holster.

An equally important provision of the new law requires that police document all Taser deployments starting in January 2015 and report them to the state Office of Policy and Management, starting in January 2016. The state must post the data online.

David McGuire, staff attorney for the ACLU of Connecticut, said the reporting requirement will be key to future reform.

“As we get more information about how Tasers are used and the effects they have, we can continue making better policy to protect the public and the police,” he said.

## Gender Equity Progresses at Quinnipiac University

Female athletes are already seeing improved opportunities at Quinnipiac University in Hamden but much remains to be done under a consent decree reached in response to litigation filed by the ACLU of Connecticut.

The university has already taken several steps to bring its varsity women's sports programs up to par with its sports programs for men. It has increased athletic scholarships for women, hired additional coaching staff for women's teams, raised coaching salaries and added more games and competitions to the seasons of teams that were playing less than a full schedule. Many of the improvements will affect the women's rugby, golf, field hockey, volleyball, and cross-country and track teams.

Planning has also begun for at least \$5 million worth of improvements to athletic facilities, work that will extend over several years.

"Over the past year and a half we've seen encouraging progress toward fair and equitable treatment of women in sports at Quinnipiac," said Sandra Staub, legal director of the ACLU of Connecticut. "We'll continue to watch this

process until the university is in compliance with the law."

The ACLU of Connecticut, along with cooperating counsel Jonathan Orleans and Alex Hernandez of Pullman & Comley and Kristen Galles of Equity Legal, filed a class action lawsuit in 2009, after Quinnipiac announced its intention to eliminate its women's volleyball team.

The plaintiffs argued that the university had been violating Title IX of the Education Amendments of 1972, which bars gender discrimination in college sports. In four separate decisions the federal courts agreed and in 2013 the parties agreed to the consent decree.

While the university is making interim repairs and improvements to some of the locker rooms and playing fields used by women's teams, most of the work on facilities lies ahead. The Hamden Inland Wetlands Commission is considering an application to improve playing fields and the university is pursuing plans to renovate or build locker rooms, training facilities and office space so that they are comparable to

the facilities for men's teams.

Under the terms of the decree, improvements must be completed by June 2018. A court-appointed referee is monitoring compliance.



### Keeping an Eye on Your Civil Liberties

Want to know what's going on with civil rights and civil liberties in Connecticut? Subscribe to our free weekly email, Connecticut Civil Liberties in the News. Every issue contains summaries of and links to news coverage of such issues as freedom of speech, privacy, criminal justice and racial profiling. Sign up at [acluct.org/weeklynews](http://acluct.org/weeklynews) and keep in touch with your rights.

## Memo to Authorities: Photography Is Not a Crime

Members of the Connecticut Plane Spotters have been legally photographing aircraft around Bradley International Airport for decades but that didn't prevent the Connecticut Airport Authority and the state police from trying to stop them.

The ACLU of Connecticut stepped in after members of the group told us that police and airport workers were sometimes ordering photographers to stop taking pictures or to leave places where they were legally permitted to be. In July, ACLU of Connecticut Staff Attorney David McGuire wrote to the airport's director of operations, asking for copies of the airport's policy on photography and an explanation of the legal grounds on which the policy is based. He also reminded the authority that the right to photograph is protected by the constitutions of the United States and Connecticut, and may be restricted only in very narrow circumstances.



In September, Paul Pernerewski, general counsel to the Connecticut Airport Authority, responded with a letter affirming the right to record at the airport. "Please be advised that the CAA does not prohibit photography in any area open to the public at Bradley, including within the terminal," he wrote. His letter also described parking enforcement and trespassing prohibitions that the ACLU of

Connecticut and Connecticut Plane Spotters do not challenge.

"There is a constitutional right, under the First Amendment, to take pictures and record video in places where the public is permitted to be," McGuire said. "We commend the Connecticut Airport Authority for recognizing this right and we expect the plane spotters will be allowed to resume their hobby without interference."

The plane spotters welcomed the news.

"Aviation photographers are often unfairly treated as 'suspicious persons,' but it's important for authorities to realize that when we're present at the airport, they have an extra set of eyes and ears at hand watching for truly suspicious activities," said John Jauchler, a member of the Connecticut Plane Spotters. "The same holds true for other public places where photographers have been singled out."

## Pushing Forward for Juvenile Justice, Privacy

Juvenile justice reform and privacy are among the leading issues for the ACLU of Connecticut as the 2015 session of the Connecticut General Assembly approaches.

We aim to push back against the encroachment of new law enforcement technologies on personal privacy, building on momentum from the 2014 session, when we supported two successful bills on police accountability. One bill sets new rules on the use of Tasers and the other requires police to accept complaints of misconduct from the public.

In 2015, we intend to back legislation to limit the amount of time police may keep license plate scan data. (See story on page 1). And we'll work for regulations to require police to get warrants before using drones for surveillance. (See story on page 4).

Among our other priorities:

### Juvenile Sentencing

One of the significant disappointments of the 2014 legislative session was the failure of a bill to reform the sentencing of juveniles convicted of crimes in Connecticut.

It would have required a parole hearing for people sentenced to more than 10 years in prison for an offense committed before they reached the age of 18. It was supported by the non-partisan Connecticut Sentencing Commission and passed the state House of Representatives overwhelmingly but never got a Senate vote.

Similar legislation is likely to come up in the 2015 session because Connecticut must change its juvenile sentencing rules in order to comply with U.S. Supreme Court rulings that forbid sentences of life without the chance of parole for juveniles.

### Transfer Statute Repeal

In April 2014, a 16-year-old transgender girl known in court as Jane Doe was imprisoned at the York Correctional Institution in Niantic, although she has never been charged with a crime.

Jane was transferred to York, a prison for

adults, under a court order obtained by the state Department of Children and Families. The department contended that Jane, who has suffered a traumatic history of abuse, was too violent to be held in DCF facilities. But her lawyers and the state's child advocate found evidence that DCF exaggerated her transgressions and treated her more harshly than girls whose behavior was the same or worse.



Representatives of the ACLU of Connecticut and NAACP of Connecticut join legislators to witness Gov. Dannel Malloy's ceremonial signing of Taser reform legislation at the state Capitol.

Jane was held at York for 77 days until DCF, under growing public pressure, took her back into its custody. Since then she has been held in isolation, mostly in a DCF facility for boys, while her lawyers pursue separate state and federal lawsuits aimed at getting her appropriate treatment.

The lawsuits involve, in part, a challenge to the transfer statute under which Jane was incarcerated. The ACLU of Connecticut filed an amicus brief challenging the constitutionality of the statute and will support efforts to repeal it in the 2015 session.

### School-to-Prison Pipeline

When police officers are assigned to patrol schools, student arrests increase dramatically and children who are members of minority groups are arrested disproportionately, according to several studies, including one in 2008 by the ACLU of Connecticut.

These arrests feed the school-to-prison pipeline, sending children into the criminal justice system for minor offenses such as swearing or food fights. There is a proven way to sharply reduce those arrest rates—memoranda of understanding, which distinguish between crimes police will handle and disciplinary matters that school officials will deal with administratively.

While many school districts in Connecticut have such memoranda, the state legislature has yet to require them. The ACLU of Connecticut intends to lobby again for a law requiring memoranda of understanding for school resource officers.

### Militarization of Police

The appearance of police with heavy military equipment in response to protests in Ferguson, Missouri, has sparked national discussions of police militarization.

Over the past five years, police departments in Connecticut accepted about \$13 million worth of surplus military gear, ranging from armored personnel carriers to clothing and medical kits. Police have also used grants

from the Department of Homeland Security to buy advanced weapons and surveillance equipment.

The ACLU of Connecticut is prepared to back legislation requiring public hearings before police accept or buy military equipment and to mandate reporting of how that equipment is used.

### Aid in Dying

A bill modeled on an Oregon law that allows terminally ill, mentally competent patients to choose aid in dying did not get out of committee in 2014. Supporters of the bill, including the ACLU of Connecticut, intend to push for it again in the 2015 session.

As always, the session is sure to bring any number of surprises. We'll stand ready to support any bills that would enhance civil liberties and to defend against any that would infringe on them.

## Confronting Panic Over Ebola

In October, state health officials quarantined nine people who had traveled in African countries where Ebola had broken out. None of them got sick.

The state's policy, one of the strictest in the nation, allowed the state Department of Public Health to confine people in their homes for 21 days based only on their travel histories, even if they had no exposure to the disease and no symptoms. The ACLU of Connecticut and public health experts publicly questioned the practice, which exceeded guidelines from the Centers for Disease Control.

Under pressure, the state subsequently released one person from quarantine early and changed the way it applied the policy. When eight more people returned from affected countries, the state monitored them with

twice-daily phone calls instead of confining them under guard in their homes.

The ACLU of Connecticut spoke up again when a third-grader was barred from school in Milford after a family trip to Nigeria, a country where there were no cases of Ebola during her visit. After her father filed suit, a public outcry ensued and the school allowed the girl to return to school.

Sandra Staub, legal director for the ACLU of Connecticut, said the state has a duty to protect public health and safety in a way that respects individual rights as much as possible. That means applying scientific and medical criteria without giving way to panic, she said.

"Fear overwhelmed fact in the early days of panic about HIV and we have to make sure it doesn't happen again," Staub said.

## CT Voters Reject Early Voting

Connecticut has been spared the voter identification battles that have divided other states, but the Nov. 4 election brought reminders that our election system still needs improvement.

Voters rejected a proposed amendment to the state Constitution that would have opened the way for early voting. Without approval from voters to change restrictive language in the Constitution, legislators can't allow no-excuses absentee ballots or machine voting before Election Day.

Opponents of the constitutional question said it would have given the legislature too much leeway to change voting procedures and could lead to voter fraud. The ACLU of Connecticut and other supporters, including the League of Women Voters and Common Cause, argued that voter fraud is rare and that the measure would have been good for democracy because it could have opened voting to more citizens. Thirty-three states allow some form of early voting

Meanwhile, on Nov. 4 some voters were turned away or had to wait at polls in Hartford because lists of eligible voters had not been delivered. As a result, Secretary of the State Denise Merrill filed a misconduct complaint against the Hartford registrars of voters with the State Elections Enforcement Commission.

Reintroducing the constitutional question would be a complex and long-term process, starting with resolutions in the state legislature. But Merrill said the problem in Hartford can be addressed with reform legislation.

Merrill said she'll push again for a law to give her office more oversight over local registrars and the conduct of elections. Such a bill, supported by the ACLU of Connecticut, passed the state House of Representatives but failed to get a Senate vote last year.

The bill also contained a provision, also supported by the ACLU of Connecticut, requiring registrars to post the official voter identification rules at polling places.

## New Curriculum Aims to Teach Students Their Free Speech Rights

A new curriculum from the ACLU of Connecticut, using real cases and issues from around the state, is intended to teach high school students about free speech rights.

The unit, released in time for Constitution Day on Sept. 17, includes four lessons. The first teaches the evolution of free speech rights in the United States, particularly for public school students. Each of the three subsequent



lessons examines a real controversy in Connecticut, with a strong emphasis on the use of primary source documents

The lessons include suggested activities and assignments, links to more information, discussion questions and answers, and a lesson plan with worksheets and supporting material.

A teachers guide and a student guide are available as PDF documents at [acluct.org/curriculum](http://acluct.org/curriculum).

**Without any government funds, the ACLU's work is possible only because of you, our members and donors. In this challenging civil liberties environment, we make a difference when we stand together.**

Here is my tax-deductible gift of \$\_\_\_\_\_ toward the work of the ACLU Foundation of Connecticut.

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# Outreach



Juvenile justice was the topic of a salon at the Harriet Beecher Stowe Center in Hartford. From left are Katherine Kane, executive director of the Stowe Center, who served as moderator; salon leaders Sandra Staub, legal director of the ACLU of Connecticut, and State Rep. Toni Walker; and state Reps. Robyn Porter and Douglas McCrory.



Former ACLU-CT board Chairman Don Noel, shown here with board members Margaret Levy, left, and Laura Victoria Barrera, was honored at a board meeting in Hartford.



Members of the audience join the Sea Tea Improv troupe for some dramatic comedy at a Banned Books Week observance at Hartford Public Library.



LAURA VICTORIA BARRERA

ACLU of Connecticut Legal Director Sandra Staub takes part in a discussion of the First Amendment after a performance of “Arguendo” during the Festival of Arts & Ideas in New Haven.



Coventry Police Chief Mark Palmer, seated at table, at left, talks with ACLU-CT Staff Attorney David McGuire, center, about police militarization. Sondra Astor Stave, at right, served as moderator.



ACLU of Connecticut Staff Attorney David McGuire, at left, talks with UConn Police Chief Barbara O'Connor, right, about privacy and police technology at a forum on the University of Connecticut in Storrs. Kathleen McWilliams, managing editor of The Daily Campus, at center, served as moderator.



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## The Librarians' Story: The ACLU Stood Up When Nobody Else Would

By Peter Chase

If I had written this sentence in 2005, I would have been arrested. That's because I was under a federal gag order that prevented me from saying I was one of the four librarians who refused to comply with a National Security Letter demanding information about our library patrons.

In 2005, I was the vice president of Library Connection, a nonprofit company created by 27 libraries in the Greater Hartford area to run the computer functions of its members. The main computer in Windsor stored all the information about which patrons had borrowed library items and had done research on many of the public access computers in the libraries. That summer we received a National Security Letter demanding patron information from our computer systems. We had never heard of a National Security Letter and so called the first-ever secret emergency meeting of the Library Connection officers. Present were myself, Library Connection President Barbara Bailey, Secretary Jan Nocek, Executive Director George Christian and our attorney, who represented non-profit organizations through the Connecticut Urban Legal Initiative.

Keeping library information confidential is a very important principle of public libraries. We buy books and audio-visual materials that explain a wide variety of viewpoints on controversial issues so that our readers can explore all the arguments and make up their own minds. Spying on what our patrons are reading is like spying on what they're thinking. It's like spying in the voting booth. We will provide information under court order for a legitimate criminal investigation, but a National Security Letter is nothing like that.



(L-R) Peter Chase, Jan Nocek, George Christian and Barbara Bailey, receiving the Paul Howard Award for Courage.

Our attorney explained that National Security Letters are not part of criminal investigations and do not require any court review. The FBI has sole and complete authority to issue them and every recipient is put under a lifetime gag order against ever revealing that they received one. There could be a five-year prison term for not providing the information requested.

We were shocked. Providing the information would betray the trust our readers had in us. We were being ordered to deceive our patrons, violate our principles and do it all in the dark of night. We looked at each other and we just

couldn't do it. We explained to our attorney that we couldn't comply. She turned a little pale but finally said she could not represent us and would try to find other legal representation. That is how we fell into the good hands of the ACLU of Connecticut, which called in help from the national headquarters in New York. Both represented us in our suit against the federal government over the constitutionality of our gag orders and the National Security Letter law. I don't know what would have happened to us if the ACLU did not take our case. Eventually, the FBI withdrew both our lifetime gag orders and their initial demand for information.

The ACLU continues to fight National Security Letters, and some telecommunications companies have started to challenge them in court. But the National Security Letters law remains on the books and can be used without any court review. Several hundred thousand of these letters have been issued, and only six people have ever been released from their gag orders.