

Amnesty International Group 22 Pasadena/Caltech News

Volume XXV Number 3, March 2017

UPCOMING EVENTS

Thursday, March 23, 7:30-9:00 PM. *Monthly Meeting.* We meet at the Caltech Y, Tyson House, 505 S. Wilson Ave., Pasadena. (This is just south of the corner with San Pasqual. Signs will be posted.) We will be planning our activities for the coming months. Alexi will update us on work for Narges Mohammadi, our adopted prisoner of conscience. Please join us! Refreshments provided.

Tuesday, April 11, 7:30-9:00 PM. *Letter writing meeting* at Caltech Athenaeum, corner of Hill and California in Pasadena. This informal gathering is a great way for newcomers to get acquainted with Amnesty.

Sunday, April 23, 6:30 PM. (We moved the date ahead a week because the third Sunday in April is Easter this year.) ***Rights Readers Human Rights Book Discussion Group.*** This month we read **"Give Us the Ballot: The Modern Struggle for Voting Rights in America"** by Ari Berman.

COORDINATOR'S CORNER

Hi everyone

It's March already -- hard to believe it and at last, some beautiful spring weather! It is so green everywhere due to all the rain. I almost think we're living in Oregon!

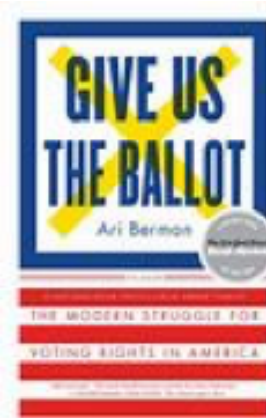
This is crunch time if you work for a school district -- all the things like IEP meetings that weren't done yet have to be finished by May! There will be a lot of changes next year. In anticipation of what Trump's Education Secretary will do to public education, LAUSD has sent out layoff notices and is restructuring programs. However, no school nurses have received RIF (reduction in force notices) because we are already very short-staffed. Every kid deserves a school nurse!

Let's hope Congress doesn't cut school food programs and after-school programs as proposed in the new budget. I remember when kids would come into the Health Office complaining of stomach aches in the morning and the first thing I would ask is "Did you eat breakfast?" (or "¿Comiste desayuno?") and arrange to get them some crackers and milk or leftover cereal from the cafeteria. I even bought crackers and juice to keep on hand in the nurses' office. (In case you're wondering, the second

question was "Did you go to the bathroom? (¿Hiciste el baño?)"! The school food program and Breakfast in the Classroom have changed that for the better.

Please write your legislators to vote against this mean budget, including the proposed cutting of the Meals on Wheels program for seniors.

Con Cariño, Kathy



Next Rights Readers Meeting

Sunday, April 23, 6:30 PM

**Vroman's Bookstore
695 E Colorado Blvd.
Pasadena**

Give Us the Ballot

**by
Ari Berman**

BOOK REVIEW (New York Times)

By JEFFREY ROSEN, AUG. 25, 2015

GIVE US THE BALLOT: The Modern Struggle for Voting Rights in America, by Ari Berman



Day 5 of the march from Selma to Montgomery, Ala., in March 1965. Credit Dan Budnik/Contact Press Images

Fifty years ago, when President Lyndon B. Johnson signed the Voting Rights Act on Aug. 6, 1965, he felt, his daughter Luci said, "a great

sense of victory on one side and a great sense of fear on the other." According to Ari Berman, a political correspondent for *The Nation*, he knew the law would transform American politics and democracy more than any other civil rights bill in the 20th century, but he also feared that it would deliver the South to the Republican Party for years to come. Both predictions proved to be accurate. "The revolution of 1965 spawned an equally committed group of counterrevolutionaries," Berman writes in "Give Us the Ballot." "Since the V.R.A.'s passage, they have waged a decades-long campaign to restrict voting rights." Berman argues that these counterrevolutionaries have "in recent years, controlled a majority on the Supreme Court" and "have set their sights on undoing the accomplishments of the 1960s civil rights movement."

Berman's claim that those he calls the counterrevolutionaries — including Chief Justice John Roberts — have set out to undo the accomplishments of the 1960s is, of course, contested. Still, Berman usefully explores how the debate over voting rights for the past 50 years has been a debate between two competing visions: Should the Voting Rights Act "simply provide access to the ballot," as conservatives claim, or should it "police a much broader scope of the election system, which included encouraging greater representation for African-Americans and other minority groups"? Regardless of where you fall on this policy question, one historical trend is clear: Every time the Voting Rights Act came up for renewal, from 1969 to 2006, Republicans and Democrats in Congress and the White House repeatedly endorsed the broader interpretation. And the Supreme Court repeatedly responded by imposing the narrower interpretation by judicial fiat.

The initial success of the Voting Rights Act in increasing minority voter registration is striking and impressive: In the decades after Johnson signed the act, black voter registration in the South soared from 31 percent to 73 percent and the number of African-American elected officials nationwide expanded from fewer than 500 to 10,500. And in 1969 the Warren court, by a 7-2 vote, held that the act prevented Mississippi from adopting an at-large election system for county supervisors, since countywide elections were harder for minority candidates to win. But after Richard Nixon won the election of 1968 with a Southern strategy, he appointed four Supreme Court justices who took a less

expansive view of the scope of the Voting Rights Act.

In a 1980 decision, the Burger court upheld an at-large election system in Mobile, Ala., on the grounds that both the 14th and 15th Amendments and Section 2 of the Voting Rights Act required evidence of an intent to discriminate against African-Americans. (Later, as Berman tellingly observes, a smoking gun emerged: a 1909 letter from a former Mobile congressman confessing, "We have always, as you know, falsely pretended that our main purpose was to exclude the ignorant vote when, in fact, we were trying to exclude not the ignorant vote but the Negro vote.") Republicans and Democrats in Congress resolved in 1982 to overturn the Mobile decision with amendments to the act that restored the Supreme Court's previous ban on voting changes that had a discriminatory effect. Conservatives in the Reagan administration lobbied against the amendments, including John Roberts, then a 26-year-old special assistant to the attorney general, who wrote more than 25 memos opposing them. "An effects test would eventually lead to a quota system in all areas," Roberts wrote. Nevertheless, the Senate and the House restored the effects test by a nearly unanimous vote, and President Ronald Reagan signed the amendments, which he followed with a reception attended by Coretta Scott King.

Roberts's prediction that the amendments to the Voting Rights Act would lead to demands for proportional representation for minorities proved to be accurate. But it was vindicated in an unexpected partisan twist that ultimately cost the Democrats the South, just as Johnson had feared. After George H.W. Bush's election in 1988, his campaign manager, Lee Atwater, the new head of the Republican National Committee, decided to form what Berman calls "an improbable partnership with black Democrats in the South to overthrow the white Democrats who had controlled the region since the end of Reconstruction." By interpreting the newly amended Voting Rights Act to require the creation of majority-black districts whenever possible, the Bush Justice Department, Atwater believed, could "siphon black voters away from adjoining white Democratic districts, making those districts whiter and more conservative."

The strategy worked. In 1992, 17 African-American representatives were elected to Congress as Democrats from newly created majority-black districts, the largest minority

class ever. But two years later, the Republicans gained 54 seats in the House and retook the chamber for the first time in four decades.

After the 2000 election, the Justice Department of George W. Bush decided to focus on voter fraud rather than on maximizing minority representation. Despite this shift in strategy, President Bush signed a sweeping, bipartisan reauthorization of the Voting Rights Act in 2006, once again passed by a nearly unanimous Congress, because he concluded — like Presidents Nixon, Ford and Reagan before him — that opposing the act would harm the Republican Party's standing with black voters. Seven years later, on June 25, 2013, the Supreme Court, by a 5-4 vote, struck down the formula Congress had adopted in 1965 and renewed in 2006 for identifying jurisdictions subject to federal oversight. Chief Justice Roberts held that it violated the Constitution because of progress in black voter registration and electoral success. In her blistering dissent, Justice Ruth Bader Ginsburg said Congress, not the court, had the constitutional authority to define progress in voting rights. "Hubris is a fit word for today's demolition of the V.R.A.," she wrote.

In 2014, the first election since 1965 without the preclearance protections of the Voting Rights Act, voters in 14 states faced new voting restrictions adopted by mostly Republican legislatures, including a voter identification law in Texas and cutbacks on same-day registration and early voting in North Carolina. The Supreme Court allowed both laws to go into effect, over dissents from Justice Ginsburg. But because the new voting restrictions were arguably adopted to help Republicans rather than harm African-Americans, the Supreme Court may continue to uphold them on the grounds that the Constitution does not prohibit hyperpartisanship by legislatures. Berman notes that "the number of voters potentially affected by new barriers to the ballot box exceeded the margin of victory in close races for Senate and governor in North Carolina, Kansas, Virginia and Florida, according to the Brennan Center for Justice."

"Give Us the Ballot" is an engrossing narrative history rather than constitutional analysis. Berman does not explore why justices who are devoted to the original understanding of the Constitution have repeatedly voted to narrow the scope of the Voting Rights Act with the argument that the equal protection clause of the 14th Amendment is colorblind. (In fact, as

Justice John M. Harlan observed in his 1964 dissent from one of the original Supreme Court decisions regarding "one man, one-vote," the framers of the 14th Amendment believed that the equal protection clause did not regulate voting or apportionment at all.) Still, Berman vividly shows that the power to define the scope of voting rights in America has shifted from Congress to the courts, a result that would have surprised the Reconstruction-era framers.

ABOUT THE AUTHOR



Ari Berman is a senior contributing writer for *The Nation* magazine and a Reporting Fellow at The Nation Institute. *Business Insider* named Berman one of the "50 most influential political pundits" in the US. He's written extensively about American politics, civil

rights, and the intersection of money and politics. His stories have also appeared in *The New York Times*, *Rolling Stone*, *The Atlantic*, *Politico* and *The Guardian*, and he is a frequent guest and political commentator on MSNBC, NPR and C-Span. He's lectured extensively around the country, including at the White House, Congress and the Supreme Court.

His new book, **Give Us the Ballot: The Modern Struggle for Voting Rights in America**, was published in August 2015 by Farrar, Straus and Giroux and in paperback by Picador. It was named one of the best books of 2015 by the *New York Times*, *Washington Post*, NPR, the *Boston Globe* and *Kirkus Reviews*. *Give Us the Ballot* was a finalist for the National Book Critics Circle Award for nonfiction and a nominee for the American Library Association's Andrew Carnegie Medal for Excellence. Writing in the *Washington Post*, Congressman John Lewis called the book "a must read" and "a primer for every American."

Berman's first book, **Herdin Donkeys: The Fight to Rebuild the Democratic Party and Reshape American Politics**, was published in October 2010 by Farrar, Straus and Giroux. He graduated from the Medill School of Journalism at Northwestern University with a degree in journalism and political science.

Security with Human Rights

By Robert Adams

Three Concerns the Senate Committee Should Raise with David Friedman

By Edith Garwood

February 16, 2017 at 10:02 AM

Ambassadors are on the front lines of diplomacy, where they can head off conflict or be the cause of the next war. They must not have any conflicts-of-interest or appearance of conflict and definitely not be involved in unlawful activities, especially not a war crime. President-elect Donald Trump has chosen David Friedman, a bankruptcy lawyer, as his advisor on Israel and to be U.S. Ambassador to the State of Israel. David Friedman's confirmation hearing before the Senate Foreign Relations Committee is set for this Thursday, February 16, at 10 am.

When the Senate Committee on Foreign Relations reviews presidential nominees they have an obligation not to act as a rubber stamp, but closely examine Mr. Friedman's competency, ethics, business dealings and charities to guarantee he is qualified and there are no conflicts-of-interest. Senate committee members should question Friedman vigorously on the areas outlined below, and press him to commit to protecting human rights:

1. David Friedman is not only un-diplomatic; some of his comments are hateful and dangerous.

As mentioned above, ambassadors are on the front lines of diplomacy, where they can head off conflict or be the cause of the next war. Friedman has a history of inflammatory statements. Just a few months ago, Friedman called moderate American Jews, specifically supporters of J Street, a political organization of American-Jews that describes itself as "pro-Israel and pro-Peace", "worse than kapos."

Calling someone who is Jewish a "kapo" is an extreme slur. "Kapos" were Jews in Nazi concentration camps put in charge of other prisoners. "Kapos" are considered traitors to their faith and their people. In today's environment, this smear could be considered a green light for extremists to threaten those considered moderate. By espousing his extreme

opinions publicly, Friedman put these individuals at risk of potential harm.

2. Friedman advocates for positions not only counter to long-standing U.S. policy, but that would very likely lead to increased human rig

The Jerusalem Embassy Act of 1995 mandates that the U.S. Embassy be moved from Tel Aviv to Jerusalem or risk a massive cut in State Department funding, but every sitting President since Clinton has postponed the move based on the national security concern that it is a provocative move that would ignite violence in the region, even globally. Historically, civilians bear the brunt of violence in the region and gross violations of both human rights and humanitarian law increase in frequency.

Friedman not only supports moving the embassy to Jerusalem, which could lead to widespread violence and human rights violations, but has said that he considers settlements "legal", in contravention of international law. In fact, Israel's long-standing settlement policy amounts to a war crime. Friedman has also publicly advocated forcibly annexing occupied territory in contravention of international law and U.S. policy. This, again, is another action that is not only illegal, but would lead directly to human rights violations and the likelihood of violence.

3. Friedman is complicit in the ongoing, illegal activity of Israeli settlements – unethical, but also a conflict-of-interest.

The U.S. government re-affirmed its long-standing position that Israeli settlements built in the Israeli Occupied Palestinian Territories have "... no legal validity and constitutes a flagrant violation under international law" by abstaining from voting on UN Security Council resolution 2334. Secretary of State Kerry's explicitly confirmed the established, U.S. position in his statement on Middle East Peace December 28, 2016.

However, Friedman is not only a strong supporter of settlements, but serves as president of American Friends of Beit El Institutions, an organization that raises about \$2 million a year for the illegal Israeli settlement and its extremist yeshiva. The settlement is well known as extremist in its ideology of expansion into the Occupied Palestinian Territory, and the yeshiva, which combines Jewish learning with army service, is headed by a militant rabbi who advocates disobeying orders in the name of an

extremist interpretation of Judaism. Trump himself made a \$10,000 donation to Beit El in Friedman's honor.

David Friedman appears to be actively complicit in illegal Israeli settlements that have been the cause of widespread human rights violations, death and dispossession. These serious areas of concern need to be clarified, and the Senate hearing is the place to do the clarification. The Senate must rigorously question Friedman about these areas of concern. Senators who are voting on Friedman's confirmation must ask the question, "Is this nominee for the Ambassadorship willing to uphold and adhere to international human rights standards?"

Postscript: On February 16th, 2017, the Senate Foreign Relations Committee voted 12 – 9 to advance Friedman, and he now faces a final confirmation vote in the full Senate. California Senator Dianne Feinstein has made it clear that she is opposed to Friedman's appointment, while Kamala Harris to date has not made her position known.

DEATH PENALTY NEWS

By Stevi Carroll

Arkansas Rush

The Arkansas Department of Corrections has scheduled eight executions to take place in a ten-day span. Their supply of midazolam will expire in April. Midazolam is one of the three drugs used in the state's three-drug protocol. Midazolam is used to sedate the inmate, vecuronium bromide then stops the inmate's breathing, and potassium chloride stops the heart. The concern some people have after executions using midazolam have gone awry is that the drug is not powerful enough to dull the pain caused by the other two drugs.

At a press conference, Gov. Hutchinson said he'd discussed his concerns about having this many executions so close together with Wendy Kelly, the state corrections director. The governor's concern was for the possible 'ill effects on prison employees.' He said his decision was, "The answer is it's not any easier to string it over four or five months than to do it in a measured and separated fashion, but in the sequence we have outlined."

The eight men scheduled for execution are Kenneth Williams, Bruce Ward, Stacey Johnson, Don Williamson Davis, Ledell Lee, Jack Harold Jones, Jason McGehee and Marcel Williams.

Florida

Governor Rick Scott recently signed a law that requires 12 jurors to vote to sentence someone to death. This raises the number needed from 10 to 12.

Florida is the same state that has elected Representative Matt Gaetz to the House of Representatives. Early in the new Congressional year, Mr. Gaetz filed a bill to 'permanently abolish' the Environmental Protection Agency. He also is on the record as saying he looks forward to 'armed militia pals' coming to his town hall meetings to counter women protesters. In a "This American Life" program called "Death Trap," he is quoted as saying about the possibility of making it quicker and easier to execute death row inmates, "Only God can judge. ... But we sure can set up the meeting." According to Wikipedia, Mr. Gaetz is a Baptist.

Recent exonerations

Raymond Jennings

State: CA Date of Exoneration: 1/23/2017

In 2009, Raymond Jennings was sentenced to 40 years to life in prison for murder in Los Angeles County, California. He was exonerated in January 2017 after a re-investigation by the prosecution identified the real killers.

Johnny Hincapie

State: NY Date of Exoneration: 1/25/2017

In 1991, Johnny Hincapie was sentenced to 25 years to life in prison after he falsely confessed to taking part in a murder and robbery in New York City. He was exonerated in 2017 after new witnesses said Hincapie was not present at the crime.

Robert Jones

State: LA Date of Exoneration: 1/26/2017

In 1996, Robert Jones was convicted of rape, robbery, and manslaughter for four separate crimes in New Orleans, Louisiana and was sentenced to life in prison without parole. He was exonerated of all four crimes in January 2017 after the real criminal was identified.

Larod Styles

State: IL Date of Exoneration: 2/15/2017

In 1998, Larod Styles was sentenced to life in prison without parole for murder and armed

robbery in Chicago, Illinois. He and three co-defendants were exonerated in 2017 when new fingerprint analysis identified the real criminals.

Troshawn McCoy

State: IL Date of Exoneration: 2/15/2017

In 1998, Troshawn McCoy was sentenced to 55 years in prison after pleading guilty to murder in Chicago, Illinois. He and three co-defendants were exonerated in 2017 when new fingerprint analysis identified the real criminals.

Charles Johnson

State: IL Date of Exoneration: 2/15/2017

In 1998, Charles Johnson was sentenced to life in prison without parole for murder and armed robbery in Chicago, Illinois. He and three co-defendants were exonerated in 2017 when new fingerprint analysis identified the real criminals.

(source: The National Registry of Exonerations <http://www.law.umich.edu/special/exoneration>)

Stays of execution

March

- 2 Wayne Smith PA
- 3 Richard Poplawski PA
- 4 Aric Woodard PA
- 6 Patrick Haney PA
- 15 Gary Otte OH - Rescheduled*
- 22 Jeremiah Jackson OH

Executions

March

- 7 Rolando Ruiz TX
Lethal Injection 1-drug (Pentobarbital)
- 14 James Bigby TX
Lethal Injection 1-drug (Pentobarbital)

* On February 10, 2017 Governor John R. Kasich issued a statement revising the schedule for eight upcoming executions. This revised schedule is in response to the U.S. Court of Appeals for the Sixth Circuit's denial of a motion to stay enforcement, pending appeal, of a federal magistrate judge's order declaring Ohio's execution procedures unconstitutional.

PRISONER OF CONSCIENCE

Narges Mohammadi

By Joyce Wolf

Happy Nowruz! (Nowruz is the Iranian New Year celebration that took place at the Spring Equinox, March 20.)

Amnesty released a special Nowruz action to write solidarity cards for seven cases in Iran. Group 22's adopted prisoner of conscience, Narges Mohammadi, was one of the featured cases. At our letter-writing meeting on March 14, we wrote 8 cards of support to the subjects of the Nowruz action.



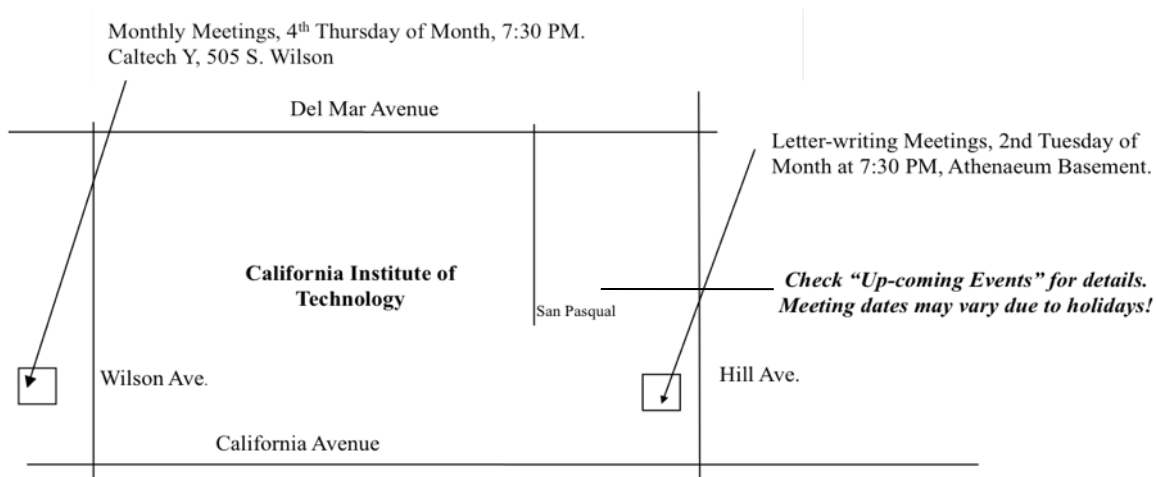
Stevi, Paul, Joyce, Robert, and Elena with our Nowruz cards. Thanks to Paula for taking the photo.

Alexi has put together a beautiful collage showing European and US Amnesty groups that are working for Narges. It will be delivered to Narges's husband in Paris. You can see it at http://www.its.caltech.edu/~aigp22/POC-Narges/2017_collage.pdf

At our monthly meeting this Thursday, Alexi will update us on plans for Narges's birthday, April 21.

GROUP 22 MARCH LETTER COUNT

Urgent Actions	14
Nowruz Cards)	8
Total	22
To add your letters to our total contact aigp22@caltech.edu	



From the 210 exit on Lake Avenue, head south, turn left on Del Mar
 From the 110 continue on Arroyo Parkway north, turn right on California
 Street parking is generally available.

Amnesty International Group 22
 The Caltech Y
 Mail Code C1-128
 Pasadena, CA 91125
www.its.caltech.edu/~aigp22/
<http://rightsreaders.blogspot.com>



Amnesty International's mission is to undertake research and action focused on preventing and ending grave abuses of the rights to physical and mental integrity, freedom of conscience and expression, and freedom from discrimination, within the context of its work to promote all human rights.