

ACLU

Protecting Freedom for All in San Diego & Imperial Counties for 75 Years!

To continue to protect our fundamental freedoms effectively, WE NEED YOU! Please visit our website, www.aclusandiego.org, and sign up for our News and Action e-newsletter. You can stay abreast of civil liberties issues in the San Diego/Imperial region, and participate as you are able in events and actions. Or, if it's easier, just send us an email and tell us you'd like to stay in touch! info@clusandiego.org.

1900 - 1930	1940	1950	1960	1970	1980	1990	2000	2007-2008
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1912-1913
Free speech fight in San Diego, the nation's worst. Wobblers beaten and arrested for soapbox talks. Emma Goldman forced to flee town.

1914
Helen Marston, 22, daughter of prominent merchant and city leader George Marston, helps establish San Diego's Neighborhood House, based on Jane Addams' model, Hull House. In 1922, she helps found the San Diego branch of the Women's International League for Peace and Freedom.

1920
Roger Baldwin forms ACLU with a board that includes Jane Addams, Helen Keller and Felix Frankfurter.



1923
At a rally for striking workers in L.A., Upton Sinclair tries to read aloud the First Amendment. The police tell him to "cut out that Constitution stuff" and arrest him. He helps found the ACLU of Southern California with John Beardsley.

1933
Height of the Depression; President Roosevelt begins the New Deal. Reichstag burns; Hitler suspends civil liberties.

1933
While serving on the board of the ACLU in L.A., Helen Marston founds the San Diego ACLU Committee with a desire to help affirm civil liberties for those least recognized by the courts.



1934
While supporting Imperial Valley farmworkers' right to strike and assemble, ACLU representatives are chased and assaulted by vigilante mobs. Famed ACLU attorney A.L. Wirin secures a court order protecting the workers' right to meet unmolested. Before the meeting, Wirin is kidnapped, beaten and left in the desert. Marston contacts FDR and others, and a federal investigation follows that substantiates ACLU's charges of abuse by farm owners, vigilantes and police.

1934
ACLU files suit with Marston as client to force San Diego School Board to allow members of the public to hold meetings in the Lincoln School auditorium without swearing a loyalty oath. Fighting Red Scare and McCarthy loyalty oaths becomes a decades long battle.

1941
Japan attacks Pearl Harbor; U.S. declares war.

1942
On Feb. 19, FDR signs Executive Order 9066, ordering the evacuation of Japanese aliens and "non-aliens" from the West Coast and commencing the internment of 120,000 Japanese immigrants and U.S. citizens. On May 19, San Diegans of Japanese descent report to Santa Fe Depot, are made to board closed, guarded trains, and are sent to a detention center at Santa Anita Race Track, then internment camp in Poston, Arizona.

1942-44 ACLU National Office lobbies against the internment and other abuses. The ACLU offices in L.A., San Francisco and Seattle take cases—Hirabayashi, Korematsu, Yasui, Wakayama, and Endo—losing the first two but winning Endo in the U.S. Supreme Court.

"[T]he Court for all time has validated the principle of racial discrimination in criminal procedure and of transplanting American citizens. The principle then lies about like a loaded weapon ready for the hand of any authority that can bring forward a plausible claim of an urgent need."
— Justice Robert Jackson, dissent in Korematsu (1944)

1944-48
Evacuated to Utah, the Oyama family learns its Chula Vista home has been seized by California under the state's Alien Land Act forbidding "aliens ineligible for citizenship" (non-whites) to own land. With ACLU attorney A.L. Wirin, Kajiro and son Fred Oyama challenge the Act, losing in the lower courts but winning a landmark decision in the U.S. Supreme Court.

San Diego Journal—Thurs., Aug. 23, 1945—Page 3
Ready to Appeal Ruling



KAJIRO OYAMA, right, confers with his lawyer, A. L. Wirin, in court yesterday after learning that agricultural land he once operated for his son in the Rancho de la Hicion in Chula Vista will revert in ownership to the state of California.

A.L. Wirin stated that the Oyama [and Takahashi] cases were the most important he had ever handled "because they were able to establish principles which were the forerunners of the U.S. Supreme Court cases involving Negroes and affording them the rights to equal treatment and equal protection of the law."

1946
In *Danskin v. San Diego Schools*, the ACLU defeats a new provision of the state's loyalty oath laws.

1947
The House Un-American Activities Committee begins public hearings on communist influence in Hollywood.

1954
U.S. Supreme Court decides *Brown v. Board of Education*. Joe McCarthy is asked, "Have you no decency, sir?"



1955
ACLU attorney A.L. Wirin wins a desegregation fight in El Centro on behalf of 22 African-American and 40 Mexican students. Although the court abstains, the school district settles the case (*Romero v. Weakley*).

1956
ACLU San Diego Committee becomes a Chapter of the ACLU of Southern California with a rejuvenated legal panel and board of directors. Among the first presidents are Sidney Gulick, Harry Ruja, Harvey Furgatch and First Unitarian minister John Ruskin Clark.



1957
Eisenhower orders federal troops to Little Rock to desegregate Central High School.

1957-58
ACLU wins the freedom of several Spanish sailors seeking to flee the tyranny of Franco's Spain by jumping ship in San Diego and seeking asylum in Mexico (*Fernandez v. Hartman; Lora-Garcia*).

1959
ACLU sues on behalf of 16-year-old Beverly Jean Goin who is kicked out of Escondido High School for being married. Case generates huge publicity. School district relents.



850 people attend ACLU event with Harry Golden, best-selling author and humorist who uses wit to attack segregation.

ACLU files amicus brief on behalf of prominent San Diego merchant who is assaulted and his testimony notes snatched from him by order of Assembly subcommittee chairman.

ACLU lobbies successfully for AB 890 (Hawkins) California's first Fair Housing Act.



1960
ACLU lawyers Irwin Gostin and Lou Katz win an injunction against the San Diego School Board, allowing Pete Seeger (above) to perform at Hoover High School without first taking a non-communist loyalty oath. 1400 people fill the auditorium.

1960s - 1970s
Chapter Coordinator Ceil Podoloff runs the ACLU and fields all intake calls from her Pt. Loma kitchen table, the de facto headquarters for civil libertarians in San Diego and Imperial Counties during these decades.

1961
Freedom rides attempt to integrate buses and bus stations in the deep South, as required by Boynton v. Virginia.



1964
Congress passes Gulf of Tonkin Resolution authorizing use of military force in Southeast Asia.

1966
ACLU opposes Proposition 16, which sought to outlaw "any public presentation of sexuality or vulgarity," even in "scientific, medical, or educational texts." Despite early polls indicating 2-1 support, California voters defeat the proposition but elect as governor Ronald Reagan, who supported the initiative.

1967
Historic lawsuit filed challenging racial and economic segregation in San Diego Unified School District. *Carlin v. SDUSD* results in integration order and court monitoring until 1998. ACLU participates in case at multiple times during life of the case.

"Students in school as well as out of school are 'persons' under our Constitution. They are possessed of fundamental rights which the State must respect."
— Justice Abe Fortas, from ACLU victory in *Tinker v. Des Moines*, 1969

1972
ACLU represents an African-American sailor accused of taking part in a riot aboard the aircraft carrier *USS Kitty Hawk* when it was serving off the coast of Vietnam.

1973
President Nixon resigns over Watergate scandal. Widespread abuses and violations of privacy and free speech by numerous government agencies start to come to light.



1976
ACLU files suit on behalf of a San Diego man against San Diego County Sheriff and the county jail chaplain because they bar homosexuals from jail church services.

1975
ACLU attorney Tom Adler defends the free speech rights of Imperial Valley student Lisa Pliscou (*Pliscou v. Holtville*), challenging the school for denying her right to publish a newspaper because she sought sponsorship ads from the community. The court found that the school could not deprive her of contact with the community or single out her paper arbitrarily.



1977
With attorney Alex Landon, ACLU successfully challenges San Diego's severely overcrowded jails, resulting in the imposition of population caps that continue to this day to prevent overcrowding.

ACLU defends Camp Pendleton marines who were transferred because of membership in the Ku Klux Klan.

ACLU files a complaint when the city of San Diego attempts to enforce an ordinance requiring the Communist Workers Party to disclose its membership list.

1977
ACLU opens first office in San Diego and hires first staff member, Elaine Moser.

1977-1983
ACLU attorney Robert Lynn represents Edward Lawson in a federal court challenge to a California decision and San Diego practice allowing police to stop people and require "credible" identification. The case resulted in a 1983 U.S. Supreme Court victory, holding the standard unconstitutionally vague (*Kolender v. Lawson*).

1980
ACLU secures rights to ensure that counseling attorneys must be provided for all persons, not just the indigent, who are charged with crimes that might result in confinement, and that attorneys must be provided before the accused's appearance in misdemeanor court in *Rhyne v. Municipal Court*.

1983
President Reagan proposes "Star Wars" strategic defense initiative and greatly expands military spending.

1984
ACLU successfully challenges a ban of write-in voting that had long been part of San Diego's municipal code in *Canaan v. Abdelnour*.

1985
ACLU defends the rights of a disabled woman to buy a home in *Hacker v. Canyon Woods*.

1985 - 1989
Glasnost liberalizes Soviet Union, results in unravelling of central control. Berlin Wall falls.

1987
In *People v. Stewart*, the first case of its kind in the nation, a mother is charged with "fetal abuse" and jailed for six days when her baby dies from birth defects and is found to have drugs in his system. The ACLU argues successfully for dismissal of criminal charges.

1987
For the ACLU, in *Leyland v. Orr*, legendary San Diego attorney Tom Homann challenges the discharge of a transsexual from the U.S. Air Force because he was deemed "psychologically unsuitable and physically unfit due to his transsexualism." Grant of summary judgment affirmed by 9th Circuit.

1988
Through Linda Hills' efforts, San Diego ACLU Chapter secures National Board approval for independence from L.A. and becomes the ACLU of San Diego & Imperial Counties affiliate.

1988
ACLU challenges police abuse and discrimination, establishing a police abuse hotline, preparing public service announcements and publishing Know Your Rights cards to alert public to rights violations by law enforcement.

1989
ACLU obtains an injunction barring anti-abortion advocates from blockading San Diego medical clinics in a landmark decision citing the "hindrane clause" for denying women their constitutional right to an abortion.

1990 - Present
On Mount Helix (*Murphy v. Bilbray*) and Mount Soledad (*Paulson v. San Diego*), ACLU participates in challenges to the use of public dollars to maintain Latin crosses on public property. In *Murphy*, the court transfers the land to a private nonprofit. Paulson's litigation continues for two decades, despite repeated victories for the separation of church and state, until 2007 when the U.S. government takes over Mount Soledad Cross. In new suit, *Jewish War Veterans v. Rumsfeld*, ACLU continues the fight.



1992
ACLU successfully argues as amicus in *U.S. v. DeGross* to end the practice of systematic peremptory challenges based solely on a prospective juror's gender, not just race and ethnicity.

1993
ACLU joins outraged public in convincing Vista School District to reject a proposal for science teachers to teach "weaknesses that substantially challenge theories in evolution..."

1993
ACLU protects the First Amendment rights of Padres fans to voice dissatisfaction with the trade of Gary Sheffield, National League batting champion, at publicly owned stadium.

1994
ACLU prevents former San Diego Mayor Roger Hedgecock and his group of 'Normal People' from diluting the message of the 1994 Pride Parade and protecting the parade organizer's right to speech.



1996
ACLU sues successfully to prevent the relocation of protesters to a distant 'free speech zone' during the Republican National Convention.



1997
ACLU, as part of a major coalition effort, sues unsuccessfully to block implementation of Prop. 209, the anti-affirmative action measure.

1999
ACLU establishes a statewide toll-free 'Driving While Black/Brown' (DWB) hotline.

2000
ACLU charges in *Williams v. California* that the state must provide essential resources to public school students and to ensure equal access to education without regard to race, color or national origin. In 2004, reaches a landmark settlement that requires all schools to be clean and functional and to have qualified teachers and instructional materials.



2000-2007
In one of our most important but heartbreaking efforts, ACLU loses a challenge to San Diego County's "Project 100%," which requires all people applying for public benefits to submit to highly invasive, unannounced searches of their homes.

2000 - present
ACLU files suit asking the city of San Diego to end its taxpayer subsidy of discrimination by the Boy Scouts who explicitly exclude the children of gay and agnostic parents.



2001
September 11 terrorist attacks. Patriot Act passes, greatly expanding government's ability to search private records, easing restrictions on intelligence gathering, and expanding the definition of terrorism.

2003
With Prof. Erwin Chemerinsky, ACLU argues before the U.S. Supreme Court challenging the constitutionality of California's three-strike law. Court upholds 50-year sentence for theft of \$150 worth of videotapes.

2006 - present
ACLU requests an injunction against AT&T and Verizon to prevent them from providing the National Security Agency with the phone records of millions of Californians.

2006
After six years in litigation, assisted by the ACLU, Annette F. is granted official adoption of her son after a bitter custody dispute invoking second parent adoption rights, the primary means for lesbian and gay parents to ensure legal relationships of non-biological parents and their children.

2006
Congress passes the Military Commissions Act, effectively eliminating habeas corpus for "enemy combatants."



2006
ACLU and allies win a permanent injunction against Escondido for its rental ban on immigrants. ACLU then helps pass a state law – the first in the nation – prohibiting localities from enacting similar ordinances.

2007
ACLU files amicus brief opposing censorship of a high school student who wore a hand-lettered T-shirt proclaiming his views on homosexuality. The significant free speech case sparks national attention.



2007 - present
In companion cases, the ACLU challenges inhumane overcrowding conditions and denial of medical care to immigration detainees at the San Diego Correctional Facility, run by the for-profit group, Corrections Corp. of America. The overcrowding suit was successfully settled in 2008.

2007
The U.S. Senate blocks funding for the Real ID Act, which turns driver's licenses into virtual national IDs and imposes enormous burdens on taxpayers.

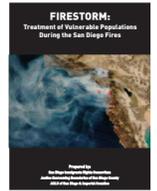
2007
Conducts more than 40 classroom presentations to students of all ages on the Constitution and the Bill of Rights on Constitution Day.



2007
Hosts the United Nations Special Rapporteur on the Human Rights of Migrants as he launches a U.S. visit to monitor the conditions of migrants and immigrants.

2007
In a boost to patients who need medical marijuana to relieve chronic symptoms of painful diseases, the city of San Diego files an amicus brief in the ACLU lawsuit against the county, which refuses to implement a state law passed in 1996 permitting medicinal use of the drug.

2007
In October, the San Diego region experiences the largest natural disaster it has ever seen. The emergency response is admirable, but falls short for some of our most vulnerable. ACLU and allies mobilize volunteers, work with law enforcement to address problems, and issue a report detailing patterns of neglect and reform recommendations.



2007 - 2008
Revival of State Secrets Privilege thwarts review of many executive abuses in increasingly conservative courts.

2008
In response to an ACLU challenge, the California Supreme Court rules that same-sex couples can no longer be excluded from civil marriage, making the state the second to legalize marriage for lesbian and gay couples.

2008
The year marks 75 years of the ACLU of San Diego & Imperial Counties fighting for freedom!