



TEXAS CIVIL RIGHTS PROJECT

At the Michael Tigar Human Rights Center

REPORTER

A Publication of Oficina Legal del Pueblo Unido, Inc.

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TCRP SEEKS WEBMASTER

We are currently looking for an intern/volunteer to fill the position of TCRP's webmaster. We prefer to limit this position to one person, but can divide it into a dual position if times constraints apply. The webmaster position requires proficiency in Dream-Weaver, html and/or FrontPage and an artistic flair is appreciated! The position can be based entirely out of your home/office or you may come in to our office in order to post the updates- it is your decision. Please expect a commitment of 1 or 2 hours per week (though most often it is far less).

Guess Who's Coming To Dinner?

SENATOR TED KENNEDY

TO BE KEYNOTE SPEAKER

AT 13TH ANNUAL BILL OF RIGHTS DINNER

Thanks to our friends, members, and supporters, the Texas Civil Rights Project has had an incredible year. It began with a generous donation from the Reaud Family Foundation last December which enabled us to purchase a desperately-needed new office building; followed by grants from the Attorney General to continue our important VAWA Program and a technology grant from the Beaumont Foundation, which will furnish our Austin and San Juan offices with new computers and printers. And now, we have the distinct pleasure of welcoming **SENATOR EDWARD "TED" KENNEDY** as our 13th Annual Bill of Rights Dinner keynote speaker!

Senator Kennedy has served as a distinguished member of the United States Senate for 40 years. Throughout his career, Kennedy has fought for issues that benefit the entire nation. He is actively involved in Homeland Security, economic growth, improving public education, defending workers' rights, strengthening civil rights laws, protecting women's rights, assisting individuals with disabilities and environmental issues.

We are equally honored and excited to welcome some of our other distinguished guests for the evening including our Master of Ceremonies and namesake for our new building, internationally renowned lawyer, **MICHAEL TIGAR**; former speaker of the Texas House of Representatives and Lieutenant Governor, the **Honorable BEN F. BARNES**, who will introduce Senator Kennedy; **BERNARD & AUDRE RAPOPORT**, recipients of our new *Michael Tigar Center Human Rights Award* which recognizes and honors the work of those who have dedicated their lives to fighting injustice; and **ROSS BYRD**, 24 year old rapper and anti-death penalty activist. Byrd, the most likely candidate for a pro-death penalty stance in light of his father's gruesome death as the victim of the horrific Jasper "dragging" murder, has become an inspirational figure internationally, challenging people to rise above hatred. We will recognize Ross as the recipient of our annual *Henry B. González Human Rights Award*.

In addition to the inspirational words of our distinguished speakers and honorees, the evening will feature a wide range of phenomenal Texas talent including Mariachi Jalisco, the Hyde Park Strings, and the Austin Children's choir; the winners of our annual Pat Dobbs High School Student Essay Award will present their work; and our Silent Auction features over 100 items including international trips to Paris, Crete, Mexico and Ireland!

In short, the Texas Civil Rights Project's 13th Annual Bill of Rights Dinner promises to be one of the most exciting events we have ever had. Tickets are already on sale and going fast; so be sure to send in your orders as soon as possible.

The dinner will be Friday, December 12, 2003 at the Four Seasons Hotel, Austin.

PLEASE JOIN US FOR A NIGHT TO REMEMBER!

MICHAEL TIGAR HUMAN RIGHTS CENTER Council of Advisors Updates

As we wrote in our last newsletter, along with our new building, TCRP established a special Council of Advisors for our *Michael Tigar Human Rights Center*. We are fortunate to have recruited such a distinguished group of community leaders to work with us. Please take a moment to read about Nelson Roach of Daingerfield, Dr. Deborah Peel of Austin, and Grant Kaiser of Houston.



Nelson Roach is a named partner with Nix Patterson & Roach Law Firm. In 1984-85, following law school, Nelson served as a Briefing Attorney to Texas Supreme Court Justice Robert M. Campbell. In addition to being a prominent and well-respected attorney, Roach authored *“The Rule Against Perpetuities; The Validity of Oil and Gas Top Leases, and Top Deeds in Texas After Peveto vs. Starkey,”* is a member of the Morris County, Northeast Texas, and American Bar Associations; State Bar of Texas; Texas Trial Lawyers Association; and The Association of Trial Lawyers of America



Dr. Deborah Peel is a Board Certified psychiatrist, who served as the Chief of Psychiatry for Brackenridge Hospital and as the Founding Director of the Department of Psychiatric Education of the Central Medical Foundation. Currently in private practice, Dr. Peel is a national advocate for privacy issues facing the medical community and consumers.



Grant Kaiser is a graduate of the University of Texas and the South Texas College of Law. Following his legal studies, Kaiser served as a briefing attorney for the Honorable John Powers of the Austin Court of Appeals. After completing his term there, Grant returned to Houston and joined Kronzer, Abraham, Watkins, Nichols, Ballard & Friend. In 1996, Kaiser joined with John Morrison to found Kaiser-Morrison, PLLC, to continue providing for the legal needs of the public.

TCRP CREATES NEW FELLOWSHIP

The Texas Civil Rights Project has created a new fellowship to recruit African American attorneys interested in human rights and social justice issues. Named in memory of esteemed civil rights advocate Barbara Jordan, the fellowship offers an attorney the opportunity to spend two years working on civil rights issues with the Texas Civil Rights Project.

Barbara Jordan rose from a poor family in Houston’s Fifth Ward to be the first black woman of national stature in politics. Her work helped bridge the gap between her many impoverished constituents and the powerful, white establishment of Texas. Following a distinguished career in public service, Jordan left politics to be a professor at the

LBJ School of Public Affairs at the University of Texas at Austin.

President Clinton awarded Jordan the Presidential Medal of Freedom in 1994. He said, “Barbara’s words flowed with heartfelt conviction and her actions rang of indefatigable determination as she challenged us as a nation to confront our weaknesses and live peacefully together as equals.”

TCRP is seeking individuals or firms to sponsor the first Barbara Jordan Fellow. Firms may sponsor one of their own attorneys or may entrust TCRP with the responsibility of choosing a fellow. This is a tremendous opportunity for firms to emphasize their commitment to pro-bono work, for an attorney to work in an environment he or she might not otherwise experience, and for TCRP to add another much-needed attorney to its staff.

TCRP’s next endeavor is the creation of a César E. Chávez Fellowship.

A RETURN TO THE 21ST CENTURY!!!

Many of you, our friends and supporters, have recently expressed a renewed interest in an automatic withdrawal option as a means to donate to TCRP on a regular basis without having to remember to mail in your checks. Please look for the sign-up forms (*coming soon*) which you can fill out, mail back to us and we will take care of the rest by automatically drafting your bank each month in the donation amount you have specified.

Please keep in mind that this option would actually benefit everyone in the long run by saving TCRP print and mailing costs on our fundraising letters and saving you, our generous supporters, time and effort. All donations are tax-deductible. For more information please contact Jackie Carton at (512) 474-5073.

TCRP WELCOMES NEW STAFF MEMBERS

ISAAC F. HARRINGTON began “work” at TCRP as a “volunteer” envelope stuffer in 1990. He moved up the TCRP ladder and was a law clerk in Spring 2001. Upon graduating from the University of Texas at Austin School of Law, Isaac passed the Bar Exam and returned to TCRP as our Central Texas Violence Against Women Act (VAWA) Program Coordinator. Isaac recently received a two-year grant from the Attorney General to continue his VAWA work here. Isaac is happy to be back at TCRP where he feels his work truly makes a difference. *Welcome back, Isaac!*

Welcome, New Interns and Volunteers!

Suzanne Klaus is a 3rd year law student at Vermont Law School. She has joined TCRP as a full-time Fall intern (on loan from Vermont) to work with us on our police brutality, Title IX and employment discrimination cases.

Suzanne, a New Jersey native, was an elementary school teacher before deciding to study law. She has been a tremendous help! Thanks, Suzanne!

Anne Womer is a senior at the University of Texas at Austin, majoring in Middle Eastern Studies. During her internship here, Anne has become TCRP's leading researcher on our Law Enforcement and Mental Disabilities Project. *Thanks for all your help, Anne!*

...And A Fond Farewell to Departing Staff!

Amy Magee, Equal Justice Works Fellow and director of our Title IX project, accepted a position with the Texas Association of School Boards Legal Department. Amy did a great job over the past year, and we all enjoyed working with her. We will miss you, Amy, but wish you much success in your new job! Thanks for your work, and good luck!

(Staff attorney Sheri Tolliver has taken over Amy's position as Title IX Director and Equal Justice Works Fellow)

BUSH'S CRAWFORD:



DECONSTITUTIONALIZED ZONE?

Five community activists were arrested for violating the City of Crawford's clearly political anti-protest ordinance on May 3, 2003. TCRP has filed a federal suit alleging violation of the First Amendment.

After participating in protests against the war with Iraq in Austin, several activists traveled to Crawford to protest at President Bush's ranch, taking advantage of the media there, due to Bush's meeting with the Australian Prime Minister.

When the protestors' cars turned onto Route 317 on their way to the ranch, they met a blockade by Crawford city police and McLennan County sheriff deputies. Police Chief Donnie Tidmore announced from his car, "we have a city ordinance here against protesting" and gave people three minutes to get out of the area. While most managed to leave within the allotted three minutes, some remained outside their cars, reloading signs, preparing to leave.

Two legal observers were among those arrested, for asking the officers where another arrestee was being taken, and why. A third legal observer was arrested when attempting to find out why the officers had arrested the other legal observers. Twenty minutes later, the officers made a fifth arrest, that of a Crawford peace activist, when he arrived on the scene to see what was happening. TCRP Director Jim Harrington called the ordinance a "blatant political attempt

to ban any adverse political protest near President Bush's ranch. This is un-American and unconstitutional."

GOPS, LIES & VIDEOTAPES

Little did Austin police officer Michael Olsen know that a random surveillance camera in the nearby Texas Lottery building would be his undoing; little did he know that the beating he gratuitously inflicted on Jeffrey Thornton was being videotaped, blow for blow.

Thornton and a friend had been on Austin's 6th Street, celebrating Juneteenth 2002, when they witnessed Olsen roughing someone up, seemingly, for no reason. When Thornton commented to his friend about it, Olsen overheard him, arrested him, and then beat him unconscious against the patrol car.

Olsen filed resisting arrest charges against the young man, whose uncle happened to be another Austin police officer. The incident prompted an internal affairs investigation

It just so happened that the patrol car video was off during the beating; this often occurs, by "happenstance," say the officers. But the lottery camera was running. Internal Affairs compared the video against Olsen's written report, and found that his report fabricated details. A grand jury indicted Olsen for filing a false government report, and TCRP filed a civil rights case on Jeffrey's behalf.

TCRP Director, Jim Harrington, called Olsen's conduct "disgraceful to his position of trust as a police officer. One wonders how many others Olsen has beaten then lied about, and were convicted because no cameras were present to record his brutality and rebut his perjured testimony."

Thanks to Austin attorney Kerry McGrath

... for helping prepare our First Amendment petition to the U.S. Supreme Court, arguing that West Texan Pat Barber should be able to post a civil rights sign on his property without being cited for violating the Highway Beautification Act. We won this in the Austin Court of Appeals, but the Texas Supreme Court reversed us, 5-4 vote. Barber was protesting routine, unlawful police searches of auto-mobiles that he witnessed on the nearby interstate. **Great work, Kerry!!**

NEWS FROM DOWN SOUTH!

The South Texas Civil Rights Project is making great strides this year! Juan Rios Villa, our Violence Against Women Act (VAWA) Program Director, is receiving inquiries from hundreds of men and women, from around the country! News of his work has traveled quickly, and people in other states are interested in the program!

STP is currently involved in several very interesting cases including *Gracia v ION Exchange*. This case was filed on

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Another Way Texas Shares

Guess Who's Coming to Dinner...Senator Ted Kennedy!

(South Texas Project, continued from p.3)

behalf of several farm workers against a grower and recruiter in Iowa. The case involved a breach of contract on the part of the grower. STP's efforts proved very successful, resulting in a significant settlement for the farm workers and their families. Said Jaime Ortiz, "It is rewarding to do this kind of work, particularly work that is so close to my heart."

STP has also taken on a case recently, *Immigrants v. DPS*, involving discrimination against Mexican citizens. The Texas Administrative Code sets the identification requirements for obtaining a Texas driver's license, and accepts, as a secondary form of identification, a Canadian driver's license, but does not accept licenses from any other country, including Mexico.

Without any form of primary or secondary identification (as defined by DPS) it is impossible for immigrants to obtain a Texas driver's license, making it difficult for them to function in Texas society. STP is currently looking for several more clients to become plaintiffs in this discrimination suit, and conducting research with the help of the Mexican Consulate in order to counter the claim that Canadian licenses are valid and verifiable documents, whereas Mexican documents are not.

SOUTH TEXAS' CAPITAL CAMPAIGN

Finally, the South Texas Civil Rights Project is embarking on its own Capital Campaign this Fall in order to help fund the construction of a new facility with much more, direly needed, space.

The new home for the South Texas Civil Rights Project will remain on Union grounds, but will consist of a newly constructed and entirely separate building which will house only the Project.

Proyecto Azteca, a self-help housing program, has offered to construct the new facility at cost, in a generous gesture of support for our work. We challenge you to echo their enthusiasm and selfless support and to help us realize this vision of a new home for the South Texas Project. If you would like to make a donation toward STP's Capital Campaign, please contact Jackie at (512) 474-5073.

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