

## ACLU-NJ Launches Coalition with Racial Justice Conference

The American Civil Liberties Union of New Jersey (ACLU-NJ) kicked off its new Racial Justice initiative on October 20 with the Race Still Matters Conference, organized by the ACLU-NJ in coalition with several statewide and grassroots organizations including the NAACP, NJ Black Issues Convention and the Hispanic Directors Association of NJ.



"I'm encouraged by the number of people who, by simply attending the conference, are taking a stand against systemic injustice and a sub-standard quality of life," said Jeremiah Grace, ACLU-NJ's racial justice organizer and lead conference coordinator. "This is just the beginning of an unprecedented movement for change in our state and it's exciting that the ACLU is at the forefront."

Held at Essex County College in Newark, the conference presented workshops on issues such as racial profiling, felon disenfranchisement, school-to-prison pipeline and immigrant rights and attracted nearly 400 community members, activists, elected officials and concerned citizens from across the state.



Nearly 400 participants attended the Race Still Matters conference in Newark on October 20, including many young people.

Headlining the day's activities was Asha Bandele, a nationally known author, poet and activist, now the director of advocacy grants at the Drug Policy Alliance. In a refreshingly authentic voice, Bandele urged dialogue on race and impediments to equality.



ACLU-NJ's Deborah Jacobs and Jeremiah Grace with (left to right) Irvington Mayor Wayne Smith, Dr. Akil Khalfani of Essex County College's Africana Institute and Larry Hamm of the People's Organization for Progress.

"Race relations will forever be marred by a constant friction between blacks and whites unless people keep talking," she said. "We can not rely on policymakers to evoke change. We have to get it together in our own house."

Other conference highlights included welcome remarks by Newark Mayor Cory Booker and Irvington Mayor Wayne Smith, and an inspiring address by Dr. Marc Lamont Hill, assistant professor of urban education and American studies at Temple University and a frequent commentator on issues of race and society.

Dr. Hill also participated in the afternoon panel discussion "To Snitch or Not to Snitch: The Historical, Social and Political Significance of Informants in New Jersey" which was perhaps the most popular session of the day. Dissecting the "Stop Snitchin" epidemic, the diverse panel brought varied perspectives, including the take of law enforcement and how confidential informants are often used irresponsibly.

"The anti-snitching campaign isn't new or solely an African American dynamic," Dr. Hill noted. "There have always been segments of our societies that have a distrust of law enforcement. Ideally, a 'snitch' is someone who acts out of moral turpitude, a civically responsible person."

The day-long conference was emceed by Larry Hamm of the People's Organization for Progress. Conference attendees were educated about the voting rights of the more-than-150,000 probationers and parolees in New Jersey whose convictions have left them disenfranchised, the school-to-prison pipeline feeding the overwhelming population of people of color in the juvenile and criminal prison systems, as well as the continued prevalence of racial profiling and lack of police accountability throughout the state.

The goal was to bring people together around these shared issues, and give attendees greater knowledge, arming them with tools and resources with which to address these injustices and advocate for change in their communities.

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Celebrating a truly successful endeavor, the first of its magnitude for ACLU-NJ, "Justice OUTLOUD" an artist showcase, concluded the day-long movement, displaying the visual and performance art of some of New Jersey's most talented and committed in the fight for racial equality. [ACLU](#)

## Civil-Union Ceremony Barred at Shore Site

The American Civil Liberties Union of New Jersey (ACLU-NJ) has agreed to represent two lesbian couples whose applications to rent an outdoor pavilion on the boardwalk for their civil union ceremony were rejected by the Ocean Grove Camp Meeting Association (OGCMA).

Harriet Bernstein and Luisa Paster, and Jan Moore and Emily Sonessa, both live in the Ocean Grove section of Neptune Township. Soon after New Jersey passed the Civil Union Law in December 2006, both couples separately decided to have their civil unions at the Ocean Grove Boardwalk Pavilion, a beautiful setting where weddings have been held for years.

The OGCMA is a private association that follows particular Methodist teachings and that owns a good portion of the land in Neptune, including the beach, the boardwalk and the Boardwalk Pavilion. OGCMA rents out the Boardwalk Pavilion for money, advertises as such to the general public, and has rented it out for numerous weddings (including non-Methodist weddings) throughout the years.

OGCMA rejected the couples' applications claiming such unions violate their Methodist principles.

The New Jersey Law Against Discrimination prohibits commercial enterprises from discriminating on the basis of, among other things, sexual orientation or marital/civil union status. Plaintiffs and the ACLU-NJ claim that, despite the fact that OGCMA is otherwise a private association, the rental and advertising of the pavilion for money is commerce unrelated to its associational purpose. The couples filed complaints with the N.J. Division on Civil Rights (DCR).

OGCMA then sued in federal court to stop the DCR investigation. DCR has moved to dismiss the federal case and that motion is pending before the district court.



Emily Sonessa (left) and Jan Moore during their civil union ceremony at the fishing pier in Ocean Grove.

On Sunday, September 16, Moore and Sonessa went ahead with their civil-union ceremony on the fishing pier, in full view of the pavilion.

"When we got out of our car with our witnesses and started walking up the fishing pier, strangers were lined along the sides, clapping and throwing kisses and wishing us luck," Moore told the AP. "The love was so overwhelming that whatever the problem with the pavilion was, it didn't exist for that moment. What does exist is that we live in New Jersey, we're given rights, and everybody has the freedom to exercise their rights." [ACLU](#)

## N.J. Law Protects Prescription Access

New Jersey took a major step forward in protecting women's reproductive and medical rights on November 2, when Governor Jon Corzine signed a law requiring pharmacies to fill birth-control prescriptions regardless of an individual pharmacist's moral, philosophical or religious objections.

In doing so, New Jersey became one of only a handful of states to pass legislation protecting a patient's ability to access prescriptions at the pharmacy.

The bill, which the ACLU-NJ played a key role in shaping, requires pharmacies to fill prescriptions for in-stock drugs or devices. Pharmacies that employ pharmacists who object to filling prescriptions, including those for birth control, can accommodate the objection so long as the pharmacy ensures that customers receive their prescriptions without undue delay.

"This law strikes a good balance between protecting patients' health and religious freedom," said Deborah Jacobs, executive director of the ACLU-NJ.

Originally, the bill targeted pharmacists rather than pharmacies, stating that pharmacists could not refuse to dispense a

prescription based on moral or religious grounds.

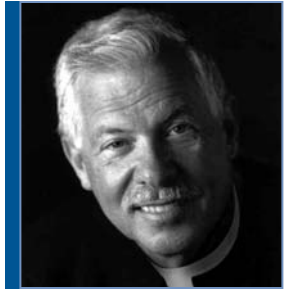
Recognizing that this might infringe on pharmacists' religious freedom, encourage lawsuits, and complicate the bill's passage, the ACLU-NJ lobbied the sponsors, Sen. Fred Madden and Assemblywoman Linda Stender, to reframe it by putting the burden of duty on pharmacies.

"Access to safe and effective contraception is a central component of basic health care for women," Jacobs said. "This law will go a long way toward ending sex discrimination at the pharmacy."

The ACLU's long-held advocacy for both reproductive rights and religious liberty uniquely positions the organization to address this issue. In April, the ACLU released a report, "Religious Refusals and Reproductive Rights: Accessing Birth Control at the Pharmacy," which examines legal questions raised when a pharmacist or pharmacy refuses to provide contraception based on a religious objection.

The report is available online at <http://tinyurl.com/2pms2q> [ACLU](#)

## Board of Trustees Candidates ACLU-NJ 2007



### Bruce Davidson

I am honored to be nominated to serve on the Board! I have always appreciated the principled actions of the ACLU, especially those that have protected free speech, privacy, and human rights. I have been a Lutheran pastor for 33 years, serving three New Jersey congregations and in full-time HIV/AIDS Ministry. I currently serve as Director of the Lutheran Office of Governmental Ministry in New Jersey. We promote advocacy based on official actions of our church body chiefly on issues of poverty and hunger. I serve as a co-convenor of the Anti-Poverty Network of New Jersey, and co-chair of Homes for New Jersey, a coalition promoting the production and preservation of affordable housing. I have been closely involved in issues related to immigration. I have been personally active in promoting GLBT equality in church and society, most recently related to Marriage equality for GLBT people in New Jersey.



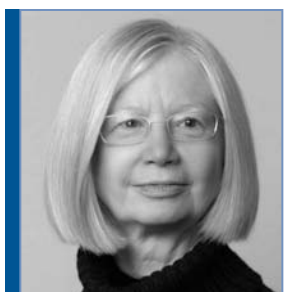
### El-Rhonda Williams Alston

El-Rhonda Williams Alston is a Regulatory Officer within the NJ Division of Taxation. During the 18 years she has given to public service, Ms. Alston has held various managerial and administrative positions within the judiciary and executive branches of State government. El-Rhonda earned her undergraduate degree from the University of Virginia and her Juris Doctorate from Howard University School of Law. She was admitted to practice law in the states of New Jersey and Pennsylvania. She is a board member of the Association of Black Women Lawyers, and a member of The New Jersey State Bar Association, Alpha Kappa Alpha Sorority, Inc., and a former Moderator for the Judiciary Committee of the Newark Presbytery. El-Rhonda and her husband, Arnold, along with their daughter, Briana, reside in Somerset, New Jersey. She and her family worship at First Baptist Church of Lincoln Gardens in Somerset, New Jersey.



### Frank Corrado

I would be honored to continue as a member of the ACLU-NJ board. I know of no more important work today than defending the Constitution's guarantees of individual liberty. As a civil rights attorney in South Jersey, I have handled numerous civil rights cases both in my own practice and as a cooperating attorney for the ACLU-NJ, focusing in the area of free speech. I teach a First Amendment course at Rutgers School of Law in Camden. I serve as a member of the board's Legal Committee, assisting the Legal Director in evaluating cases and developing legal strategies. Over my years representing civil rights plaintiffs, criminal defendants and even municipalities, I have developed a good deal of knowledge and expertise. By working with the ACLU-NJ, I can put my abilities to their best possible use. Thank you.



### Sylvia Stengle

I have been an ACLU member since the 1960's and served on the NJ board since 2004. I have been active on the board in community education, strategic planning and board governance. I conducted ACLU-NJ member focus groups, edited the newsletter, the *Civil Liberties Reporter*, and developed our first stand-alone annual report. My career has been in founding and running abortion clinics, one in Allentown, PA, and one in Binghamton, NY. I served on NARAL's national Board of Directors and served for a time as Executive Director of the National Abortion Federation, the professional association of abortion providers in Washington, DC. My public health career also includes policy development and research on community resilience and the interplay between drug and alcohol use and violence. I hope to continue to work with my wonderful colleagues in the ACLU-NJ, whom I respect, learn from and enjoy tremendously.



### Carita Zimmerman

I am honored to run for my first term on the ACLU-NJ Board of Trustees. As a former government attorney with experience in education, disability and employment discrimination law issues, I am familiar with the pervasive impact that government policies and practices have on individual civil liberties. With today's political climate of suspicion and heightened concern with national security, the ACLU's continuing efforts to preserve civil liberties are of critical importance. I am eager to support the work of the ACLU-NJ by becoming an active board member. I am particularly interested in social and racial justice issues in New Jersey, and am excited about the promise of the ACLU-NJ helping to bring about meaningful changes through the Racial Justice Initiative.



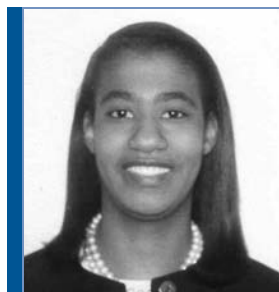
### Jane A. Herchenroder

I am a solo practitioner specializing in family law. I have represented battered women in need of protection. I have represented same sex couples seeking to adopt children. I have represented parents wrongfully accused of abusing their children. I have litigated in all three levels of the New Jersey courts. I have devoted volunteer time to being a board member and officer of Legal Services of Northwest Jersey. I have provided pro bono legal services to various legal and women's organizations assisting low income persons, including the ACLU Middle Earth Legal Clinic in Somerville, New Jersey. I teach paralegals at Fairleigh Dickinson University and in the past have taught at the Seton Hall Law School Center for Social Justice. It would be an honor for me to serve on the ACLU-NJ Board of Trustees to work to protect the civil liberties of all persons.



### Jeffrey Wild

I am the head of the largest litigation team at Lowenstein Sandler PC, a 250-attorney firm with a commitment to pro bono service. I am thrilled to be a candidate for the Board of Trustees, which would be a natural extension of my personal dedication to civil liberties. Over the last twenty years, I have represented individuals incarcerated at a federal mental hospital; advocated the rights of children in foster care, through Columbia Law School's Child Advocacy Center; worked on death-penalty appeals and other civil-rights cases at the Paul, Weiss law firm; secured the release of an individual who had been in debtors' prison in New Jersey; helped obtain a landmark settlement in a case involving HIV-positive discrimination in the context of adoptions; and am currently working to protect the rights of the homeless in New Jersey. I would be honored to represent you on the Board.



### Leeta Jordan

I am honored to be a candidate for the ACLU-NJ board. For the past five years, I have been a stay-at-home mom. I believe in fighting for individuals who often cannot fight for themselves. My experience includes volunteering for several children's organizations such as Two Together and the Harlem Dowling Program. Professionally, I worked in the New York City Mayor's Office in two separate capacities. I was charged with increasing the number of drug treatment programs for drug addicted women and their children, and assisting in the establishment of the NYC Medicaid Managed Care Program. During my legal training, I was fortunate to intern with the Center for Reproductive Law and Policy and the NAACP Legal Defense Fund. If elected, this will be my first time serving on a board. I am very enthusiastic about assisting the ACLU-NJ in continuing to defend the civil liberties of New Jersey residents.



### Peggy Brooks

I am pleased to stand for election to the board of the ACLU-NJ. I worked for almost two decades as a civil rights lawyer on prison brutality, employment discrimination and privacy cases. It took our country over 200 years to develop the rights we enjoy today, but for the past six years officials in Washington have been telling us that we must surrender our rights while they operate above the law and in secret. Often it seems that the ACLU is the only organization willing to fight back. It is critical that the ACLU continue to challenge policies that threaten us all. The ACLU-NJ also plays an important role in New Jersey, by educating the public on issues, urging public officials to do the right thing and going to court when necessary. I hope to bring my years of legal, managerial and fund-raising experience to strengthen the ACLU-NJ.

## More Oversight, Reform Still Needed to Address Racial Profiling in N.J.

We've reached a critical point in New Jersey's decade-long conversation about racial profiling and police oversight.



Deborah Jacobs

In September, a court-appointed monitor issued what is likely the final report on the progress of the New Jersey State Police (NJSP) in addressing racial profiling on the state's highways. The report praised the NJSP and recommended an end to the monitoring, which a federal consent decree established in the wake of police shootings on the New Jersey Turnpike in 1998.

In November, the Governor's Advisory Committee on Police Standards, which has spent the last year hearing testimony and examining issues around police practices at the state and local level, is expected to issue its recommendations. Following that, Gov. Jon Corzine will need to address the next steps for police oversight in New Jersey.

Unfortunately, despite the monitor's glowing report card on the NJSP's progress, racial profiling in New Jersey continues. The newest statistics from the state show that African Americans represent more than 30 percent of those stopped on the southern end of the Turnpike, compared with less than 20 percent on the northern portion, a proportion more consistent with the percentage of African American Turnpike drivers. There are a number of theories on what accounts for this disparity, including racism, but the whole truth has yet to be uncovered.

In addition, testimony before the Advisory Committee highlighted the need for oversight of New Jersey's 560+ local police departments. For example, Randall Yorker, a client of the American Civil Liberties Union of New Jersey, testified about the indignity he experienced when trying to file a complaint on behalf of his son, who experienced racially motivated harassment at the hands of Manalapan police. The officer taking his complaint identified Yorker's race as "negro" on the complaint form before rolling it up and stuffing it into his back pocket. It was one of several acts of racism that cost the Manalapan taxpayer's dearly (\$275,000) in subsequent litigation.

Clearly, we need ongoing systems of oversight of all New Jersey police departments. Experts presented numerous models for oversight systems to the Advisory Committee. The key to successful systems is that they have sufficient authority, resources and independence to do the job. We recommend the following:

- Create within state government a well-funded, well-staffed police oversight office that reviews the actions of local departments as well as the NJSP. To ensure its independence, this office must not come under the authority of the Attorney General's Office, which is part of and works closely with law enforcement.

- Follow the lead of 43 other states and establish professional licensing of police officers. Licensing enhances the profession, protects citizens from lawless officers, protects police departments from hiring "bad apples" pushed out of other departments, and reduces the incidence of repeat offenders.

"Unfortunately, despite the monitor's glowing report card on the NJSP's progress, racial profiling in New Jersey continues. . . . Clearly, we need ongoing systems of oversight of all New Jersey police departments."

- Ensure that citizens have the opportunity to share with the oversight office their interactions with the police in a safe setting, and to offer input into police policies and practices that affect their rights.

Fortunately, Governor Corzine has already

supported such reforms, through his sponsorship of the federal End Racial Profiling Act (ERPA), his signature bill during his tenure in the U.S. Senate. ERPA, which did not pass, would require data collection on police stops sufficient to determine if officers are engaged in racial profiling; the establishment of independent procedures for receiving, investigating and responding meaningfully to complaints of profiling; and procedures to discipline officers who engage in racial profiling.

Governor Corzine has taken on racial profiling with a passion, and now it's time to put our money where his mouth is. In 2001, he told the Senate and the nation, "Stopping people on our highways, on our streets, or at our borders because of the color of their skin tears at the very fabric that binds our society together." True then, and true today. [ACLU](#)

### CALL TO ACTION

Help secure meaningful oversight of New Jersey police. Call Governor Corzine's office at (609) 292-6000 to urge him to install strong systems of oversight that have sufficient funding, authority and independence.

## The Barocas Blog

By Ed Barocas, ACLU-NJ Legal Director

## No Carte Blanche for Homeowners' Associations

I bought a condo in Montclair five years ago and in no time my eyes were opened to the power plays, in-fighting and venom that can spew over homeowners' association politics.

Impassioned neighbors on various sides of the issues pleaded for help, knowing that I was the legal director of the American Civil Liberties Union of New Jersey (ACLU-NJ). "I gave at the office" was my standard reply, and I meant it. The ACLU-NJ, along with the Rutgers Constitutional Litigation Clinic, already represented homeowners in a legal battle being watched around the country.

The case, *Committee for a Better Twin Rivers v. Twin Rivers Homeowners' Association*, was before the New Jersey Supreme Court, and its decision would determine the rights of more than one million New Jerseyans who, like me, live under the rule of homeowners' associations.

Twin Rivers involved everything from whether homeowners can appeal fines for offenses such as choosing a different door paint color, to whether they're allowed to post political signs on their property.

### Like the shopping mall case, only different

The issues in Twin Rivers resembled those in a case we litigated with the Constitutional Litigation Clinic 13 years ago concerning free speech in shopping malls. In that case, we argued that the mall had essentially replaced the town square as a place for community members to gather, and therefore free speech

activities must be protected. We won.

We took a similar approach in Twin Rivers. We argued that for an eighth of the state's population, homeowners' associations have replaced government in setting community policies and standards. We noted that some of these developments are so large that they have their own schools.

In July, a unanimous decision came down—against our clients. The Court held that the association's restrictions were reasonable and that, unlike shopping malls, homeowners' associations do not invite in the public at large.

Shopping malls might act as public squares, but homeowners' associations don't act as municipalities. The Court viewed the situation as a private contract in which people waived certain rights.

### But wait!

Yet, upon reading the decision, our initial disappointment morphed into encouragement. Though a win for homeowners' associations in this specific case, in a larger sense it's a victory for all homeowners who treasure free speech and expression. Here's why.

The Court held that unreasonable restrictions by homeowners' associations on free speech on one's private property would violate the state constitution's strong free speech protection. Because of this, homeowners' associations cannot unreasonably restrict that right when the speech occurs on private property.

*Continued on page 4*



Ed Barocas

## Board of Trustees Candidates – ACLU-NJ 2008: Nominations Process

The Nominating, Elections, and Affirmative Action Committee (NEAAC) presents a slate of nine candidates for nine open positions on the ACLU-NJ Board of Trustees. Candidates have been nominated to serve three-year terms, beginning in January 2008.

The ACLU-NJ depends on strong, quality leadership. Interested members may contact the ACLU-NJ at (973) 642-2086 or e-mail [nominations@aclu-nj.org](mailto:nominations@aclu-nj.org)

### 2007 Board Election Ballot

Return ballot to: Election Committee, ACLU-NJ  
P.O. Box 32159, Newark, NJ 07102

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|---|--|
| <input type="radio"/> Bruce Davidson            | <input type="radio"/> Carita Zimmerman     |
| <input type="radio"/> El-Rhonda Williams Alston | <input type="radio"/> Jane A. Herchenroder |
| <input type="radio"/> Frank Corrado             | <input type="radio"/> Jeffrey Wild         |
| <input type="radio"/> Sylvia Stengle            | <input type="radio"/> Leeta Jordan         |
|   | <input type="radio"/> Peggy Brooks         |

In addition to nomination through the NEAAC, individuals may also seek a place on the ballot by gathering signatures of 50 ACLU-NJ members on a petition. Petitions for next year's election are due on Sept. 30, 2008.

### Voting and Mailing Instructions

Although this year's election is uncontested, our bylaws require that we prepare a ballot and provide our members with an opportunity to vote.

**Individual Memberships:** Vote for a maximum of nine candidates.

**Joint Memberships:** Joint members vote on the same ballot. If you have a joint membership, you will have two names on the mailing label of this issue of the Civil Liberties Reporter. Each member may vote for a maximum of nine candidates.

**To Vote:** Simply place an "X" in the circle before each name you select. Clip and return only the "Official Ballot." Include your name (two names for a joint membership) and address on the mailing envelope for us to verify your membership status. Return ballots to: Elections, ACLU-NJ, P.O. Box 32159, Newark, NJ 07102, by Dec. 15, 2007. [ACLU](#)



## Profile in Liberty: Caitlin Borgmann

I first became familiar with the ACLU as a volunteer law student doing women's rights work. I discovered that reproductive rights pose some of the most challenging and intractable legal issues affecting women. As an attorney, I spent six years working for the national ACLU's Reproductive Freedom Project, where I helped state affiliates fight for the right to choose on the ground. For the past four years, I've continued my involvement with the ACLU as a board member here in New Jersey.

Among the many important civil liberties issues that the ACLU addresses, I'm most passionate about those that reflect persistent inequalities in our society, including reproductive freedom, racial justice and sexual orientation. The ongoing prejudices in these arenas defy what we claim our country stands for.

My experience as a law professor and former staff member has given me special appreciation for the ACLU. I've discovered that the more ways you become involved with its work, the more you respect what the ACLU does.

Anyone who takes the time to learn about the ACLU – whether by attending an event, visiting our website or reading our newsletter – no doubt quickly sees that no organization does more for civil liberties and individual freedoms. The ACLU fights for us all.

My belief in the ACLU is strengthened by my two children, who have a growing interest and awareness of what goes on in society. They're learning that a just world must be nurtured and fought for. Creating a society of equality will require their generation to continue the struggle. I want to set an example for their futures. [ACLU](#)

"Among the many important civil liberties issues that the ACLU addresses, I'm most passionate about those that reflect persistent inequalities in our society..."

## The Barocas Blog *Continued from page 3*

The Court held that the particular restriction at issue here—one sign permitted per every window within a residence—was not unreasonable. But it added a critical proviso:

*At a minimum, any restrictions on the exercise of [free speech] rights must be reasonable as to time, place, and manner. Our holding does not suggest ... that residents of a homeowner association may never successfully seek constitutional redress against a governing association that unreasonably infringes their free speech rights.*

In effect, the Court established that association restrictions will be held to the constitutional standard that our Twin Rivers

clients sought: that they not be denied a reasonable opportunity to express themselves.

### Rights can't be mortgaged

We now have it from a unanimous Supreme Court decision that associations do not have carte blanche. If they pass unreasonable restrictions, they'll be shot down.

Yes, homeowners' associations can limit certain free speech activities, especially when dealing with common areas. But the right of free speech in our homes and on our private property cannot be mortgaged.

Of course, once a court sets down a standard, someone will always test the waters to

## TRIBUTES

**In Memory of Puneet Bhandari**  
*Narendra C. Bhandari*

**In Memory of Werner Freundlich**  
*Lotte E. Moise*

**In Memory of Louis R. Lavine**

**In Honor of Estelle Greenberg's 75th Birthday**  
*Irene Gillman Steinberg*  
*Beverly (Betty) Palius*

*Tributes are contributions made to honor or remember special friends, family, colleagues and occasions.*

*To have your tribute appear in the Civil Liberties Reporter, please contact the ACLU-NJ office at (973) 642-2086 or P.O. Box 32159, Newark, NJ 07102.*

### Civil Liberties Reporter

*ACLU-NJ staff and the following volunteers contributed to this issue of the Civil Liberties Reporter: Jay Gartman, Rich Pliskin and Sylvia Stengle.*

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find out just what's a "reasonable" and what's an "unreasonable" restriction. Having seen the way things happen in a homeowners' association once one side or another digs in, I am sure there will be no shortage of residents—in my own condo and elsewhere—who will be begging for me and the ACLU-NJ to get involved in Round 2.

When they do, we'll have yet another precedent on our side. [ACLU](#)

## ACLU-NJ Recent Legal Victories

### Privacy/Due Process Rights

+ In August, Morris County Superior Court Judge B. Theodore Bozenelis struck down a Parsippany-Troy Hills ordinance that violated privacy rights by requiring landlords to turn over the names, Social Security numbers, driver's license numbers, places of employment and phone numbers of all tenants. In *Powder Mill Heights, et al., v. Township of Parsippany-Troy Hills*, Judge Bozenelis ruled that the ordinance violated tenants' privacy and due process rights and that, if the town was concerned about overcrowding, all that was necessary for town officials to obtain was the *number* of residents in each unit. This was the position advocated by the ACLU-NJ in its *amicus curiae* brief available at <http://tinyurl.com/2rsq24>

### Reproductive Rights

+ In September, the New Jersey Supreme Court unanimously dismissed a medical malpractice lawsuit that could have improperly forced physicians to give a non-medical, value-laden speech to their patients before performing an abortion. In the case, *Acuna v. Turkish*, the plaintiff argued that her doctor had a duty to inform her that the embryo she was carrying was a "complete, separate, unique and irreplaceable human being." The Court unanimously dismissed Acuna's suit, saying there was "no common law duty requiring a physician to instruct the woman that the embryo is an 'existing human being'" or that abortion "is tantamount to murder." The ACLU-NJ's *amicus curiae* brief is available at <http://tinyurl.com/3e4aqx>



## JOIN THE DESILVER SOCIETY

Please include the ACLU of New Jersey Foundation in your will or consider making a charitable gift annuity. We can help find a plan that works for you.

For more information, contact the Office of Gift Planning at **(877) 867-1025** or [legacy@aclu.org](mailto:legacy@aclu.org) or visit [www.aclu.org/legacy](http://www.aclu.org/legacy)

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