



PRESS STATEMENT

For Immediate Release:

January 10, 2011

Contact:

Leo Morales,
Public Education/Communications Coordinator
208-344-9750x202 | 208-860-0925

GOVERNOR AND LEGISLATURE MUST ADVANCE CIVIL LIBERTIES

2012 Legislature must be mindful of the effect government policies have on our civil liberties

Boise, ID—Governor “Butch” Otter delivered his State of the State address on Monday, January 9th to frame his vision for legislative action for the 2012 Legislature. Understandably, the tone was on improving the prospects of job creation and innovation; however as the chief executive of the state he came short on delivering a broader vision for the state. The Governor, stalwart advocate of personal liberty and advocate of the Constitution, missed an opportunity to address the legislature on the importance of addressing policies that are intractably connected to Idahoan’s personal liberty.

The American Civil Liberties Union of Idaho, the premier civil rights and civil liberties organization in the state, therefore urges our state policy makers to be mindful of the effect government policy decisions have on our civil liberties. To that end, the ACLU of Idaho recommends to the legislature to address the following priorities:

- **Strengthen non-discrimination laws.** In this struggling economy, Idahoans face enough obstacles to finding employment and a place to live. Over the past few years we have worked to make Idaho’s non-discrimination law all-inclusive, and we will continue our work this session. In a 2011 survey, 87% of Idahoans believe in these tough economic times, people should not have to worry about losing their job due to their sexual orientation or gender identity. **Idaho must protect every family’s right to have a home and ensure that individuals are judged on their work performance and skills by amending the Idaho Human Rights Act to prohibit discrimination based on sexual orientation and gender identity.**
- **Safeguard constitutional rights of all Idahoans.** Over the past few years we have seen a plethora of immigration bills across the country, among them SB 1070 of Arizona and HB 56 of Alabama. Both controversial bills have created more problems to each state by hindering their economy, agriculture and immigrant community that calls the state home. According to a report by the Agriculture Department of Georgia, after HB 87 of Georgia passed, the farmers lost about \$10 million due to lack of workers for the growing and harvesting of crops. **Idaho must refrain from restrictive immigration policies ranging from restricting higher education for immigrant students to requiring mandatory E-verification participation by employers.**
- **Strengthen Idaho’s reporting requirements for expenditures of public defense.** In 2010, the National Legal Aid and Defender Association (NLADA) completed a report in part commissioned by the Idaho Juvenile Justice Commission that evaluated the trial-level indigent defense systems in

The ACLU of Idaho is a non-partisan, non-profit organization dedicated to the preservation and enhancement of civil liberties and civil rights. We believe that the freedom of press, speech, assembly, and religion, and the rights to due process, equal protection and privacy, are fundamental to a free people.

Idaho. The report found that “Idaho fails to provide the level of representation required by our Constitution for those who cannot afford counsel in its criminal and juvenile courts.” **To make progress toward addressing this issue, Idaho must re-write its statutes (19-861 and 19-872) to clarify the annual reporting requirements for public defense.** By standardizing the reporting requirements and requiring them of all parties – contractual or established offices – that provide public defense as Constitutionally required, Idaho takes a right step in transparency in government.

- **Ensure safety at our school.** Nationally, bullying was a factor in 2/3 of the 37 school shootings reviewed by the US Secret Service in 2011. According to statistics reported by ABC News, nearly 30 percent of students are either bullies or victims of bullying, and 160,000 kids stay home from school every day because of fear of bullying. In the last half of 2010, across the country, at least twelve students between the ages of 13 and 19 committed suicide following harassment at school. Students have the right to be safe at school and parents have the right to know their children are being educated in a safe and welcoming environment. **Idaho must strengthen its school anti-bullying laws to ensure all students are safe and free from harassment and fear at school.**
- **Address capital punishment.** After 17 years with no execution in the state, this past fall Idaho executed an inmate on death row. Fourteen people are currently left on Idaho’s death row. Based on a recent cost analysis produced by the Idaho Department of Corrections, these pending executions alone will cost the state over \$750,000. But across the country there is waning support for capital punishment. The death penalty inherently violates the constitutional ban against cruel and unusual punishment and the guarantees of due process of law and of equal protection under the law. Recently, Oregon Governor John Kitzhaber put a moratorium on all executions in his state. **Now is the time for Idaho to examine the issue of capital punishment; both from an economic stand point and for the evolving moral standard of decency.**

The ACLU of Idaho stands ready to work with policy leaders and the governor on these and other civil liberties issues.

###

The ACLU of Idaho is a non-partisan, non-profit organization dedicated to the preservation and enhancement of civil liberties and civil rights. We believe that the freedom of press, speech, assembly, and religion, and the rights to due process, equal protection and privacy, are fundamental to a free people.