

25 August 2006

Ms. Catherine Hazouri, Executive Director
ACLU of Colorado
400 Corona St. – Denver, CO 80218

Fax: 303-777-1773

Attn: Board of Directors

Re: ACLU Mission Failure ~
Ducking the 'Rainbow' Rights Crisis

Dear Ms. Hazouri:

We spoke some weeks ago... you are aware of our organization's support work for the 'Rainbow Gathering' that took place in Routt National Forest in June and July, and our efforts to engage rights allies in Colorado, to get legal help to participants in extreme duress.

•• *Regrettably but with conviction, I must formally protest the conduct of ACLU-Colorado through the course of this civil rights crisis, and its utter non-performance – failing to assist in any way, or to show public leadership on systematic violations affecting thousands of people.*

I'll not rehash the litany of abuses, ongoing for nearly a month... these facts have been in the news, and in reports & documents provided for your reference throughout. Suffice it to say: Federal law enforcement took control of policy powers and orchestrated a full-scale attack on this First Amendment event, under color of Forest Service authorities and in collusion with the U.S. District Court. The devices were unprecedented in scope and scale, the animus unmistakable, the Constitutional issues profound.

Such violations are squarely within your civil liberties mandate – so it's vexing that they were trivialized with pat disclaimers and stalls from the legal staff. Among volunteers and a few attorneys who answered the call and worked hard to help victims on the ground, and for concerned citizens at-large, the silence and absence of ACLU-Colorado were conspicuous.

•• *This warrants soul-searching within your organization, getting to big questions of your tactical mission & operations, professional standards on-staff, and self-limiting protocols obtuse to public needs – and the Board of Directors must give them earnest consideration.*

My dealings with your office are also a matter of record, from the 6/9 'Advisory' foretelling these dour events, through the disappointments of a week ago. In calls, correspondence, and hard research provided, I tried to inform and enable ACLU in cooperation within its means. At every turn I met with buck-passing and inaction... whether due to disregard for 'Rainbow' victims, incomprehension of the legal issues, or mere bureaucratic bungling, it has been a hindrance to our efforts, and most disturbing to see in the big picture.

In the face of a real current crisis, the measure of rights advocacy is real-time response – mustering the ability & readiness to assist creatively in referrals, research, public information, and co-work with allies. Examine ACLU's capacities in this stark strategic light; waiting for victim queries after the fact, at your convenience, is simply inadequate.

But it goes deeper: Through the course of the 'Rainbow' crisis, you sat on your hands. I knew the situation, the issues & demands, tried to apprise ACLU-Colorado and pull in constructive input, and never got to an intelligent conversation.

In the final analysis, these victims were denied help... even a good Magistrate appeal matched to your means was turned away. This is unconscionable, an insult to their courage and our volunteers' efforts, and a failure to grasp the liberty stakes in these events.

Understood – in these times with civil rights under full assault, advocates are burdened to do more than ever. The tasks are daunting, and ACLU can't do everything, but it has to work with others in a more proactive role, fitting to its name and reputation.

If the flagship national rights organization is ineffectual, we are all weakened in this work; if it is insular or mismanaged, and cannot cooperate, we will lose too many fights.

So this challenge is difficult but necessary.

Speaking as a distressed ally, I strongly urge the Board to take up these concerns, and reconsider how ACLU-Colorado operates in light of real events and needs.

I would willingly contribute to such a review, and can offer practical ideas on the elements of a new working agenda in the public interest, for all our sakes.

Inquiries are welcome... thank you for your attention.

Respects,


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Attachments ~

Cc: Anthony Romero, ACLU National Director
Cooperating Attorneys