

The Meiklejohn Civil Liberties Institute  
**Human Rights NOW!**



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# HUMAN RIGHTS NOW!

Meiklejohn Civil Liberties Institute

Winter 2016

## DANIEL A. BUFORD IS NEW MCLI EXECUTIVE DIRECTOR

*By Walter Riley*

MCLI hereby announces the appointment of Rev. Daniel Buford as our new Executive Director. As executive director, Rev. Buford plans to continue MCLI's work as a think tank specializing in using human rights frameworks to hold domestic institutions accountable to follow U.S. and international legal standards.

In 2011 Rev. Buford was a keynote speaker for the National Human Rights Conference held by the U.S. Human Rights Network in Los Angeles.

In 2010 he spoke before the California State Assembly and Senate regarding Assembly Concurrent Resolution 129, the resolution that now requires the State of California to make periodic human rights reports in accordance with treaty obligations in treaties ratified by the U.S.

He presented a summary of concerns regarding hurricane Katrina – related human rights violations to the U.N. Human Rights Committee in New York on March 17, 2006 and in Geneva, Switzerland in July 2006.

Rev. Buford was an early advocate in the effort to pursue justice for Oscar Grant, who was slain by a BART transit officer in Oakland on New Year's Day in 2009. He was asked by the Grant family to serve on the BART Committee that designed the BART Police Citizens Oversight Process that went into effect in July 2011 and remains as a standard for holding police accountable.

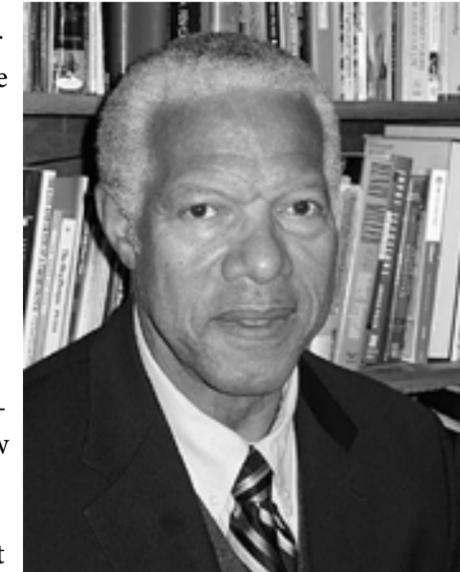
As executive director of MCLI he has been working on research into officer-involved violence against unarmed African Americans as a special category of human rights violations.

Daniel Buford is a native of Cincinnati, Ohio where he served as a board member of the local ACLU and ACP. He is a founding organizer and former trainer with the People's Institute for Survival

and Beyond based in New Orleans. From 1980 to 2008 he conducted undoing racism workshops and human rights seminars throughout the U.S., Puerto Rico, Japan, and South Africa.

He was also just hired as Executive Director for Berkeley Organized Congregations for Action (BOCA) to teach Berkeley churches and religious leaders about how human rights concerns apply to work they are engaged in such as immigration.

BOCA is also working to get the governments of Berkeley and California to make the required reports on their enforcement of the U.S.-ratified U.N. human rights treaties to the U.N. Human Rights Committees.



**Daniel Buford,  
 New MCLI  
 Executive  
 Director**

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**DONATE/DONATE/DONATE**  
 Please remember MCLI as you consider your holiday gift giving. We have an exciting program to support. Cash donations and volunteer help are greatly appreciated.  
 We will soon enter the Trump era and may have more civil liberties support work than ever before.  
 MCLI has a treasure trove of articles, pamphlets, and periodicals, related to human rights issues that need to be archived. We could use your help in accomplishing this task.

**SUPPORT STANDING ROCK**  
 Decide whether going in person is the most effective way to support the water protectors.  
 Learn how to be an ally locally.  
 Find indigenous sources of information and analysis.  
 Learn where to get reliable updates.  
**STANDING ROCK SOLIDARITY NETWORK**  
[www.standingrocksolidaritynetwork.org](http://www.standingrocksolidaritynetwork.org)

## DAYENU!!! Enough is Enough!

It would have been enough if the Berkeley Police had only responded to a 911 medical emergency call and only arrested Kayla Moore's attendant and left a schizophrenic paranoid person alone while having a mental health crisis.

Dayenu.

It would have been enough if only two Berkeley Police had only wrestled Kayla face down onto the futon with her hands cuffed and ankles bound together while they lay on top of her.

Dayenu.

It would have been enough if Kayla were only face down on the futon with her hands and feet bound, her legs, hips, shoulders, and waist, in a wrap restraint device with five fully equipped Berkeley police officers dog piled on top of her compressing her chest while she had a spit hood on her head.

Dayenu.

It would have been enough if the Berkeley Police had only caused Kayla to stop breathing from dog piling and had only refused to provide mouth-to-mouth resuscitation because of prior homophobic states of mind.

Dayenu.

It would have been enough if the Berkeley Police had only killed Kayla Moore by torture and had only threatened to sue Berkeley public officials and only intimidated the Peace and Justice Commission and Police Review Commission for raising questions about it to smother public comment.

Dayenu.

It would have been enough if only Kayla Moore's citizenship rights were violated, her human rights violated, God given rights violated, rights as a disabled person violated, and rights as a transgender woman violated.

Dayenu.

African American people are involved in a losing battle in a protracted war of attrition on drugs. It is a race war. It is racially-motivated state-sponsored terrorism. This historical moment is a Kairos\* moment like the moment before the 1940s when all the government bureaucracies were supporting what Hitler was doing and Aryans basked in the white skin privilege of the Herrenvolk. Gatekeepers then and now are sitting back in denial about the rising death tolls, and their accountability, Gestapo tactics,

summary executions, arbitrary punishments, extrajudicial killings and detentions. We're keeping the lens on how cops are murdering and torturing using arbitrary punishments. Please help us. We have had enough. Have You?

Dayenu.



Kayla Moore

\* The Kairos Document (KD) is a theological statement issued in 1985 by a group of mainly Black South African theologians based predominantly in the townships of Soweto, South Africa. The document challenged the churches' response to what the authors saw as the vicious policies of the Apartheid state under the State of Emergency declared on 21 July 1985.

Justice4kaylamoore@wordpress.com

### Largest and Longest Prison Strike in U.S. History

Organizers began their strike on September 9, in commemoration of the 1971 Attica prison strike. "This is a call to action to end slavery in America" according to the statement released by the organizers. The striker's primary demand: to end free prison labor.

Approximately 900,000 of America's 2.4 million prison workers work for little or no pay. They make license plates to furniture. According to the 13th Amendment: "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States." This little loophole allows for prison labor at little or no cost. The organizers have been planning this strike for over one year behind bars. Besides ending free labor by the prisoners, the strikers are demanding an end to overcrowding, better food (an end to spoiled and maggot-laced food) and abuses of solitary confinement. According to the Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment, the Federal and State prisons are violating the rights of prisoners. The present conditions in the prisons are criminal. MCLI supports the strikers and stands with them. Please join the MCLI and demand the striker's demands are met.

Punishment, Arbitrary Killing, and Summary Execution.

Kathryn Johnson- 92 years old, November 2006, shot five times, handcuffed as she lay dying with no medical treatment while police planted false narcotics evidence in her home; Torture, Summary Execution.

Sofia Salva- Pregnant, February 5, 2009, Kansas City, MO, Sudanese immigrant survived after being denied medical help by police as she tried to get to a hospital, she pleaded to be allowed to go to the hospital, but was refused, baby died/miscarried; Arbitrary Punishment, Torture.

Aiyana Stanley-Jones- 7 years old, May 16, 2010, Detroit, MI, Police SWAT team filming an episode of "First 48 Hours" attacked wrong address, shot flash grenade ignited child's blanket, lead officer killed her with single shot; Arbitrary Punishment/Killing, Extra Judicial Killing.

Sharessa Francis- 29 years old, March 15, 2012, New York, NY, Mental health patient death from chest compression asphyxia, police dog piled on her; Torture, Extra Judicial Punishment.

Rekia Boyd- 22 years old, March 2012, Chicago, IL-

### Donate and Become a Member!

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- \$ 50 [ ]
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### Publications

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- \$15 [ ] The Universal Declaration of Human Rights Is the Law
- \$15 [ ] Landmark Cases Left Out of your Text Books
- \$20 [ ] Nuclear Weapons Are Illegal
- \$31 [ ] Challenging U.S. Human Rights Violations Since 9/11
- \$22 [ ] Human Rights Law Poster

Illinois, Mentally ill woman, death by gunshots to the back of her head after being Tasered by an off duty police officer; Torture, Extra Judicial punishment/Killing, Summary Execution.

Alesia Thomas- 25 years old, July 22, 2012. California, died in police car, kicked in the groin seven times and beaten by female police officer, complained she couldn't breathe while bound hand and foot; Arbitrary Punishment/Killing, Extra Judicial Punishment/ Killing, Torture, Summary Execution.

Yvette Smith- 47 years old, February 16, 2014, Bastrop, Texas, Death by gunfire while obeying a police order to come out of a house; Extra judicial Punishment/Killing, Summary Execution.

Sharon Mosely- 25 years old, August 2014. Jefferson County, Georgia, shot multiple times after being falsely accused of shoplifting; Arbitrary Killing, Summary Execution.

**Correction:** In our last issue we mistakenly listed Courtney Cummings' Tribal affiliations with commas in between the names of the Tribes. It should read: Northern Cheyenne Arikara Creek.

### Payment Details

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## Full Court Press For Human Rights by Daniel Buford

I would like to thank Walter Riley and the MCLI Board for their vote of confidence that led to my hiring. I am very excited to be working with Ann, Walter, and the MCLI organizational network in the effort to promote human rights reporting and accountability in California and the entire country.

### Five Year Goals

- Train citizens, organizers, politicians, legal workers, lawyers, police, regarding human rights monitoring reporting and accountability based on existing statutes for the purpose of creating new procedures for entities that don't currently track human rights issues.
- Create fact finding delegations of people trained in the human rights seminars that will confront the appropriate institutional gatekeepers for remedy.
- Help to prepare local citizens to speak on their own behalf regarding human rights at various United Nations meetings that will be held in New York City and Geneva, Switzerland.
- Create NGO Shadow reports to be submitted to the United Nations Human Rights Treaty bodies and working groups over the next five years of periodic treaty review covering treaties ratified and unratified by the U.S. government.
- Establish human rights accountability, monitoring, and reporting as an exemplary standard in the San Francisco Bay area's cities and counties; Establish the San Francisco Bay area as a national model for the best practices when it comes to human rights monitoring, accountability and reporting.

The Meiklejohn Civil Liberties Institute and the Alan Blueford Center for Justice have come together in a unique partnership to promote human rights and teach community organizing skills to Bay Area residents.

We've already completed sessions that focused on police torture, arbitrary detentions, punishments, and killings of unarmed African Americans.

We looked at local cases such as Oscar Grant, Alan Blueford, James Nate Greer, Kayla Moore and over a hundred more cases from around the country over the last 40 years.



Is this police brutality or is it arbitrary punishment?

### FYI – GOOD NEWS

\* Nearly 6 million Polish women hit the streets, on strike, to protest the Government's proposal to ban abortions, threatening 5 years imprisonment for an illegal abortion. With shouts of 'my body, my choice', the women forced the conservative government to back down on their proposal to ban all abortions. The victory, however big, maintains the status quo, which is the most restrictive in Europe.

\* 150 Million Indian Workers took part in the largest strike in history. The strikers were fighting the Modi government's labor laws. Specifically, the workers were fighting for the right of informal sector workers to create trade unions and to be recognized by Indian Labor Law. In addition, the workers were fighting for increased workplace democracy and a greater share of the surplus. The gigantic turnout included all sectors of workers. Factory workers, railway workers and women workers united saying unequivocally that they deserve to be treated like human beings, including how they decide to imagine their way of life.

\* America Divided, a new documentary about inequality, the devastating damage caused by the inequality, uncovering the causes of the inequality and the regular folk fighting the inequality becoming super heroes. Shonda Rhimes, Norman Lear and Common are the executive producers. A 'do not miss documentary' found at Epix, one of the new premium TV channels.

*Human Rights continued from page 3*

Movement to stop segregation in transportation, talk to your young friends about this to describe the very affirmative flavor of that movement.

### OUR 100 HUMAN RIGHTS

Here is a list of many of our 100 Human Rights and where to find them in the new book. For the complete list, write to [annfginger@gmail.com](mailto:annfginger@gmail.com).

### BASIC LITTLE-KNOWN HUMAN RIGHTS

HR 1. To life: not to fear being shot by the police

### PERSONAL RIGHTS

HR 30. To freedom of religion

### POLITICAL RIGHTS

HR 35. To freedom of speech and internet access

### ECONOMIC AND SOCIAL RIGHTS

HR 46. To equal pay for equal work

### MORE RIGHTS OF WORKERS

HR 56. To full employment

### MORE RIGHTS OF WOMEN

HR 61. To custody of one's children

### MORE RIGHTS OF YOUTHS AND CHILDREN

HR 67. To be raised by one's natural parents

### RIGHT TO EDUCATION

HR 72. To good public, not charter, schools Pre-K through 12

### MORE RIGHTS OF AFRICAN AMERICANS

HR 76. To no race discrimination

### MORE RIGHTS OF NATIVE AMERICANS

HR 78. To participate in decisions about tribal lands

### MORE RIGHTS OF LATINOS

HR 81. To not be deported

### MORE RIGHTS OF ASIAN AMERICANS, MUSLIMS, PACIFIC ISLANDERS, AND ALL IMMIGRANTS

HR 85. To enforcement of the rights of Puerto Ricans and Japanese Americans

### RIGHTS OF VETERANS

HR 86. To prompt quality health care

### ANOTHER RIGHT OF LESBIANS, GAYS, BISEXUALS, TRANSGENDERS, AND QUESTIONING (LGBTQ)

HR 88. To same-sex marriages

### ANOTHER RIGHT OF SENIORS

HR 89. To good accessible Senior Centers

### RIGHTS OF THE SICK AND DISABLED

HR 90. To Government services and to ratification of the Convention on the Rights of Persons with Disabilities

### TWO MORE RIGHTS OF THE UNEMPLOYED AND FORMERLY INCARCERATED CITIZENS

HR 92. To adequate unemployment compensation and ban the box rules

### RIGHTS OF PRISONERS

HR 93. To no assaults or shackling or electric shocks

### MORE BASIC RIGHTS OF EVERYONE

HR 97. To Government officials trained to enforce and publicize human rights law

### ONE BASIC RIGHT OF EACH READER

HR 99. The reader's specific human right

### ONE BASIC DUTY

BD1. Duty not to use guns against people

### HOW TO HELP THE INDIAN TRIBES IN STANDING ROCK, NORTH DAKOTA

October 28: Over 100 Native American Tribes issued a request for immediate assistance from around the U.S. because "the Tribes desperately need:

1. Lawyers with civil rights expertise to provide pro bono assistance to hundreds of water protectors who have been arrested recently.

2. Monitors on the ground who can observe the conflict and ensure that the civil rights of protectors are not violated by law enforcement."

If you can provide such assistance, or know who can, contact:

NCAI Executive Director, Jacqueline Pata at [jpata@ncai.org](mailto:jpata@ncai.org).

The Tribes are also requesting calls to the Obama administration asking it to direct the U.S. Department of Justice to send observers to safeguard the protectors' safety and their 1st Amendment rights.

Contact:

Jo-Ellen Darcy, Assistant Secretary of Army (Civil Works)

108 Army Pentagon

Washington, DC 20310

[Joellen.darcy@us.army.mil](mailto:Joellen.darcy@us.army.mil)

You can contact Indigenous Peoples directly at Indigenous Environmental Network

PO Box 485

Bemidji, MN 56619

[www.ienearth.org](http://www.ienearth.org)

**Police Assaults on African American Women:  
Close Encounters of a Dangerous Kind  
by Rev. Daniel Buford**

Very little attention or scrutiny is being devoted to the alarming numbers of African American women and girls who are often treated even worse than Black men in unarmed encounters with police officers. An example of this is the rough physical treatment that mothers, girls, and pregnant women experience. The publication of this list with brief descriptions of these encounters is my attempt to talk about rogue police behavior in the larger context of racially motivated state sponsored terrorism that has spiked dramatically in the years that Barak Obama has been President of the United States.

This list is not meant to be definitive or exhaustive. So far over 214 African Americans have been killed by police in the United States as I write these words in September, 2016.

This partial list of "Close Encounters of the Dangerous Kind" however, is representative of the unique challenges that African Americans have as second class citizens in the 21st century. We are a people who are apparently only due 3/5ths of the rights and protections accorded to white citizens in confrontations with the police and the legal structures that validate their genocidal practices. Police are often judge, jury, and executioners in these encounters that are paid for with public tax dollars.

This is exacerbated by a prior state of mind exhibited by many law enforcement officers of all races and genders; it seems to be that Black people have no rights that police officers need to respect. In California they are immunized. It is this disrespect for our humanity that has given rise to an epidemic of summary executions, arbitrary punishments, torture, killings and extra judicial practices..

In California and other states police are immunized from background checks that would reveal prior associations with racial hate groups like the KKK or Nazis. Publication of prior misconduct is prohibited; immediate urine testing for drugs and alcohol is delayed. Delayed arrest and prosecution of rogue cops from videotaped crimes are sanctioned by the "Police Officer's Bill of Rights". Nationwide police can shoot an unarmed 7 year-old girl or 92 year-old woman and escape prosecution because they "feared for their lives".

The cases listed below were identified by looking at the period between 1970 and 2015 and unarmed African American men and women's encounters with police. I looked for cases that were examples of:

1. African American arrests, search and seizures, deaths in custody, including shootings, Taser/ electro shock, chest compression asphyxia, beating, choking, starvation, genital torture, scalding, multiple gunshots, execution style shootings, deaths in jail cells, use of chemical agents, rough rides, deaths and beatings while handcuffed, denial of medical treatment, etc.

2. Examples of unconstitutional unreasonable search and seizures, violations of civil rights, human rights violations, cruel, unusual, inhuman, and degrading treatment that resulted in jury or death.

3. Grand Jury and court ruling processes that favored the conflict of interest relationships between district attorneys and the police that they work with every day; Use of legal frameworks to provide safe harbor for terrorists in police uniform.

4. Militarization of U.S. domestic police forces, military tactics use by police SWAT teams, ATF, DEA, state, municipal and Federal agencies; deployment and military occupation.

5. Failures of the United States government to promote and protect human rights of African Americans according to the treaty obligations that the United States has with the United Nations through treaties that have been signed and ratified. Namely the UDHR- Universal Declaration of Human Rights/ ICCPR- International Convention for Civil and Political Rights/ ICAT-International Convention against Torture/ ICERD- International Convention to End all Forms of Racial Discrimination.

I have chosen to use the descriptive words found in these international treaty documents because the words that are used by the United States news media organizations, politicians and citizens tend to be euphemisms for uglier realities. Police brutality can also be called "torture", "arbitrary punishment", and "extra-judicial punishment". An "officer involved shooting" can also be called a "summary execution", "arbitrary killing", and "extra-judicial killing." Eleanor Bumpers- 66 years old, October 1985, New York, NY. Cause of death from two police shotgun blasts while serving eviction orders; Extra-Judicial

**"OUR 100 HUMAN RIGHTS  
How We Can Exercise Them and Get Them Enforced"  
compiled by Ann Fagan Ginger**

Next time you go to a demonstration, be sure to take with you the names, phone numbers and email addresses of 2 or 3 people to be notified of where you are being held if arrested. And take a copy of OUR 100 HUMAN RIGHTS.

This handy new book, to be issued soon, describes each of the human rights of demonstrators and details where to find them in the U.S. Constitution and Bill of Rights, in Congressional laws, in U.S. Supreme Court Opinions

AND, for the first time, Where to find them in the United Nations Charter and in U.N. treaties signed by U.S. Presidents and ratified by the Senate,

And What To Do when each right is violated.

One example from the new book:

**HR 48. The right to travel at home and abroad**

In the 2010s there have been many stories about U.S. citizens who could not get passports; many U.S. residents who could not get permission to visit their home countries with assurance that they could re-enter the U.S., and international journalists who could not travel to the U.S.

Older Americans remember similar problems in the Cold War-McCarthy era, when the Government maintained that U.S. safety would be endangered if Left activists attended international meetings on many issues. Even Dr. Jonas Salk was prevented from traveling to some international medical meetings because of his alleged Left politics.

Today many Latinos and Asians and Africans face problems when they seek to enter the U.S. and transportation companies demand to see their passports or proof of citizenship. Many U.S. airports have introduced the "Screening of Passengers by Observation Techniques" (SPOT) program, subjecting some passengers to questioning by "behavioral detection" officers, some of whom ask about the destination of your trip.

If you decline to answer, the Transportation Security Administration officer may select you for "secondary screening."

In 1948 the U.S. had joined in declaring:  
"13.1. Everyone has the right to freedom of movement and residence within the borders of each state."  
"13.2. Everyone has the right to leave any country, in-

cluding his own, and to return to his country." [Universal Declaration of Human Rights, Article 13]  
In 1992 the U.S. agreed that "An alien lawfully in the territory of a [country] may be expelled therefrom only in pursuance of a decision reached in accordance with law and shall, except where compelling reasons of national security otherwise require, be allowed to submit the reasons against his expulsion... before the competent authority..."

[International Covenant of Civil and Political Rights (ICCPR), Articles 12.1, 12.2 and 12.4]

The Supreme Court overturned state prohibitions of welfare payments to individuals who had not resided in the state for at least one year as an impermissible burden on the right to travel. It also struck down one-year residency requirements for voting in state elections.

**What To Do**

**TD1.** Realize that your right to travel is at risk if the U.S. can forbid an Edward Snowden to travel.

**TD2.** Attend local meetings protesting limitations on travel, reminding people that, except for Native Americans, we are all descendants of people who managed, one way or another, to travel to the U.S.

**TD3.** If you have any problems about traveling into or from the U.S., contact the nearest office of the American Civil Liberties Union (ACLU), which has a large active program on the right to travel.

**TD4.** If you participated in the 1960s Civil Rights

*continued on p. 5*



Ann Fagan Ginger, Esq., founder and executive director emeritus of the Meiklejohn Civil Liberties Institute