



President's Desk

The religious right that George Bush and Karl Rove have spent so much time cultivating hardly hesitated to skewer Supreme Court nominee Harriet Miers, a born-again Christian who as President of the Texas Bar Association once led the fight to rescind the American Bar Association's pro-choice position. Even with the distinction of being only the second nominee since Bork to not embrace the *Griswold* decision that guaranteed married couples the right to use birth control, she didn't make the cut. She just wasn't quite conservative enough.

Stuck between a rock and a hard place, or, more precisely, the hard charging ultra-conservative voting base Bush courts and the 88% majority of Americans who believe parenthood and birth control are private issues—Bush is scrambling to satisfy his extremist supporters.

So now we have Samuel Alito—a 3rd Circuit Court of Appeals judge, nicknamed "Scalito" for his ultra-conservative ideology that closely mirrors that of one of the two most conservative Supreme Court justices, Antonin Scalia (Clarence Thomas being the other). Already overruled by the Supreme Court in trying to restrict abortion, Alito has earned his stripes as a militant anti-abortion judge.

Bush couldn't have found a more ideal candidate to please the far right. Alito has a record of unquestionable judicial activism in rolling back women's rights. In *Planned Parenthood of Southeastern Pennsylvania v. Casey* in 1991, Alito stood alone in voting that it was constitutional for Pennsylvania to force women to have to notify their husbands prior to obtaining an abortion. With callous disregard for how this abortion control law would affect battered women, Alito wrote separately from the majority to express his support for spousal notification.

In this case, he also voted to restrict abortion rights by including a 24-hour waiting period and a requirement that minors notify their parents. The Supreme Court later ruled the spousal notification provision was unconstitutional, stating, "Women do not lose their constitutionally protected liberty when they marry."

Samuel Alito is an ideologue who does not support the right to choose or the right to privacy. While Bush works to satisfy his evangelical base, progressives have to work to oppose activist judges like Alito, by being activist citizens. The majority of Americans to run off activist judges like Alito, by being

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Supreme Court to Rule on Restricted Access to Abortion

By Emily Sandusky

In its first abortion case in five years, the Supreme Court is set to hear arguments on November 30th that challenge a New Hampshire abortion restriction that lacks an exception for medical emergencies when a woman's health is at risk. While the Supreme Court has consistently held that women's health is the primary concern when regulating abortion, the precedent will be tested once again.

The Supreme Court's ruling will answer this question: Must abortion restrictions include provisions to protect women's health? Both Planned Parenthood, the plaintiff, and the ACLU, which is arguing the case on behalf of the abortion provider, warn that a ruling in favor of restricted access to abortions without concern for medical emergencies would drastically shift the Supreme Court's position and could begin the unraveling of decades of legal protections for women's health and safety.

The case, *Ayotte v. Planned Parenthood of Northern New England*, involves a New Hampshire law that prevents doctors from performing an abortion for a teenager under the age of 18 until 48 hours after a parent has been notified. Contrary to Supreme Court precedent, the law contains no exception for circumstances in which the delay would seriously endanger a teen's health. Lower courts struck down the law precisely because of this omission.

"One of the main questions before the

court is whether doctors can continue to challenge harmful abortion restrictions before they threaten their patients' health," said Jennifer Dalven, Deputy Director of the ACLU Reproductive Freedom Project. "In essence, the court will consider whether sick women need to go to courthouses or hospitals when they need emergency care."

While the New Hampshire law allows for abortion in the case where it would prevent imminent death, there is no exception for circumstances in which the delay of a

Must abortion restrictions include provisions to protect women's health?

medically necessary abortion could have life-long consequences, including infertility, and liver or kidney dysfunction. Instead, the law requires a judge's approval for any abortions to be performed without parental notification. In essence, a minor must see a judge before her doctor, even when her long term health is at stake.

"Doctors know best what their patients need in emergency situations," said Nancy Mosher, CEO of Planned Parenthood of Northern New England. "When a woman is facing a medical emergency, her doctor should be able to treat her immediately, without having to delay care until they find a judge who can give permission."



NOW-NYC took part in the annual Halloween parade in Greenwich Village. From left to right, Sonia Ossorio, Noreen Connell, Dorothy Jiji, and Pat DiLieto. — October 31

New York City Pharmacies Place Low Priority on Access to Birth Control

By Emily Sandusky

With the assistance of her doctor, Leslie Mesnick chose a diaphragm as the method of contraception best suited to her needs. Filling her prescription proved to be a much more difficult endeavor. Pharmacists at both Rite Aid and Duane Reade stores in Manhattan told Ms. Mesnick they could not fill her prescription because their suppliers do not carry diaphragms.

At Duane Reade, rather than attempting to locate the prescribed diaphragm, the pharmacist suggested she try the pill instead. It was only after many phone calls that Rite Aid finally filled Ms. Mesnick's prescription.

"I can't imagine how a young person would have responded in my situation," Ms. Mesnick

said. "A teenager might not feel comfortable going to the lengths I needed to go to in order to get birth control."

Pharmacies serve on the frontlines of the health care system, and women rely almost exclusively on pharmacies for their contraceptive needs. Ms. Mesnick's experience illustrates a growing trend in women's reproductive health: pharmacies placing a low priority on access to birth control.

Apparently at Duane Reade, the burden is on the woman when trying to access legally prescribed birth control. "Even if diaphragms are unavailable in one store, there should be no difficulty filling the prescription, as there are over one hundred Duane Reade pharmacies in Manhattan," according to Gary Melnick,

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highlights

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STREETS

WE ARE HERE. WE ARE NOW.

By Pat DiLieto,
Sonia Ossorio, and
Jean Bucaria

Speakers at the Save the Supreme Court rally from top down, Liz Holtzman, Hazel Duker, Margarita Lopez, and Tom Duane. - September 15

August 25 - Emphasizing Supreme Court nominee John G. Roberts' bad record on women's rights, civil rights and Title IX, NOW-NYC held a press conference on Women's Equality Day, in front of the mid-town offices of Senators' Hillary Clinton and Charles Schumer. Attended by members of the Dazzles, a women's professional football team in New York, Sonia Ossorio, president of NOW-NYC called on our Senators to use every means possible to prevent Roberts' confirmation.

Representatives from local organizations spoke about Roberts' record and the need for the Judiciary Committee to do a thorough job during the hearing confirmation process. NOW-NYC was joined by the People for the American Way-New York, New Democratic Majority, Women's Sports Foundation, State Senator Tom Duane, Councilmember Margarita Lopez and others. Asked by Fox News why Roberts' aim to restrict Title IX issues is so significant, NOW-NYC Legislative VP, Pat DiLieto said, "Roberts' reasoning in Title IX decisions, if adopted, would have gutted the protections of Title IX. This same reasoning, if applied to similarly structured civil rights laws like Title VII, would gut the protections pertaining to civil rights and women's rights."

August 25 - The President of NOW New York State, Marcia Pappas, and the past President of NOW New York State, Marilyn Fitterman, traveled to Washington D.C. to meet with Senator Clinton and urge that she cast a "vote on principle," when considering the Roberts nomination. (Senator Clinton later voted NO on Roberts, and NOW New York State leaders called on New Yorkers to thank Senator Clinton for taking a stand.)

September 15 - More than 300 protesters gathered at the north end of Union Square Park to rally against the nomination of John G. Roberts to the Supreme Court. At the rally, which was organized by NOW-NYC and co-sponsored by a diverse group of civil rights, women's rights and community organizations, speaker after speaker declared Roberts unfit for the role of Supreme Court Justice and called on New York State Senators Clinton and Schumer to stop the nomination. As NYC Councilmember Margarita Lopez demanded, "Show us that you are our Senators!" The long list of individuals who participated in the protest include Hazel Duker, the President of the New York State NAACP, Mary Alice Carr, the Deputy Director of NARAL Pro-Choice New York, Liz Holtzman, former Congressmember, Deborah Glick, New York State Assemblymember, Deni Frand, from People for the American Way-New York, among others. The speakers, who inspired the crowd and drew applause and chants of "No to Roberts!" were interspersed with activist musical performances. Paprika, an all woman Brazilian drum troupe, got people moving to a beat that was a pure call to action, and singer Sonia and the band Disappear Fear also rocked the crowd. Even Chris Owens, who is running for a Brooklyn seat in the U.S. House of Representatives, burst into song on stage after his speech with a cry to keep "movin'." The rally ended with singer and activist Sandy Rapp, who also performed at the March for Women's Lives in D.C., leading everyone in a rendition of "Remember Rose: A Song for Choice," about the first back-street abortion fatality of the Medicaid-abortion cutoff in 1977. Lyric sheets were passed out as everyone sang, "Get your laws off me, I'm not your property....Remember liberty, remember Rose."

October 31 - NOW-NYC's Save the Supreme Court Committee march in the Greenwich Village Halloween Parade. With a 10-foot "Scalito" puppet and banner that read "Ultra Right-Wing Supreme Court: Now That's Scary" thousands saw NOW-NYC's message. The puppet represented President Bush's newest Supreme Court Justice nominee Samuel Alito, a circuit court of appeals judge, nicknamed "Scalito" for his ultra-conservative ideology that closely mirrors that of the most conservative Supreme Court justice, Antonin Scalia.



Pictured below from left to right, Deborah Glick, Chris Owens, Aimee Mullins, and Mary Alice Carr.



Activists gather in solidarity to oppose Roberts. - September 15



Paprika revs up the crowd with activist spirit at the NOW-NYC rally to Save the Supreme Court. - September 15

NOW MEMBERS

You can affiliate with NOW-NYC, the foundation of NOW's Activism in New York City & the founding chapter of NOW for FREE.

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Signature: _____

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NOW-NYC, 150 W. 28th St., Suite 304, NY, NY 10001



Calendar

NOW-NYC Programs and Events

Women & Media Committee Meeting
Thursday, December 8th - Join our work to improve images of women in pop culture, media and advertising. 6:30pm, please RSVP, 212.627.9895

Save the Court! Campaign Committee Meetings Every Tuesday night, 6:45 pm. Join to make sure a moderate judge is appointed to the Supreme Court., Please RSVP, 212.627.9895

Getting Ahead: The Unspoken Rules of the Real World of Work, Tuesday, December 14th, 6:30pm. Women will learn the skills to create job success, a new Service Fund clinic. Call the NOW-NYC office to participate. 212.627.9895.

Membership Meeting and Bylaws Vote
Thursday, December 15th 6:30 pm. Right before holiday festivities.

Holiday Party with Special Guest Dell Williams Thursday, December 15th 7:00 pm (right after the vote) Dell Williams is the author of "Revolution in the Garden." Join NOW-NYC for festivities and refreshments. Please call to RSVP.

Candidate Declarations Due for 2006 Election Friday, December 16th 5:00 pm

fax 212.627.9861 (see page 5)
email election2006@nownyc.org

Separation/Divorce Clinic 3rd Tuesday of every month, 6:30 pm. A matrimonial lawyer and an accountant are on hand to provide guidance. \$15, please RSVP, 212.627-9895

Employment Discrimination Clinic 3rd Wednesday of every month, 6:30 pm. An employment lawyer is on hand to provide guidance. \$15, please RSVP, 212.627.9895

2006 NOW-NYC Elections Thursday, January 19th, 5:30 pm. Voice your vote to elect the 2006 Board.

26th Annual Susan B. Anthony Awards Wednesday, February 16th, Call to RSVP 212.627.9895

Repealing the Statute of Limitations on Rape March 16, 6:30pm. Find out what you can do to fight for women's justice.

Visit our website at www.nownyc.org

All meetings are held at the NOW-NYC offices unless otherwise noted.

150 W. 28th St., #304. (corner of 7th Ave.)
Subway: 1, 6, R, W train to 28th St.
212.627.9895. FREE and open to members and non-members alike.

NOW-NYC Invites People to Love Their Body!

By Jean Bucaria and Sarah Solomon

NOW-NYC held a program, "Love Your Body! Images of Women in Pop Culture," at its October membership meeting which took place at City Hall. The event was part of the national celebration of Love Your Body Day, an annual campaign by the NOW Foundation. The program began with a screening of highlights from the latest version of Jean Kilbourne's documentary, "Killing Us Softly." Kilbourne is an author and filmmaker who has worked to bring attention to the subject of how the media objectifies and stereotypes women, by injecting humor into the issue. Although the video drew laughs from the audience, it was clear from both the film and the panel discussion which followed that how women are portrayed in the media is serious in both its influence and pervasiveness. Kilbourne, in her film, explains the double standards that are created by the repeated images of women as both sexy and innocent and in predominately passive roles and positions. She points out how sexuality is exploited and used to sell everything and anything, while real discussions about sex, such as sexual education, remain controversial.

The panel discussion that followed the viewing included a diverse group of women who have written about a variety of aspects of the issue. They included Pamela Paul, author of "Pornified: How Pornography is Transforming Our Lives, Our Relationships and Our Families," Catherine Orenstein, journalist and author of "Little Red Riding Hood Uncloaked," Akiba Solomon and Ayana Byrd, co-editors of "Naked: Black Women Bare All About Their Hair, Skin, Lips, and Other Parts," Julia Barry, musician, writer and creator of the multimedia documentary, "In Her Image: Producing Womanhood in America," and Wendy Shanker, Love Your Body Day spokesperson and author of the highly acclaimed, "The Fat Girl's Guide to Life."

The panelists were well-received by an engaged audience, and many lingered after the event to meet one-on-one with the authors. People were lined up to speak to the panelists, and they were warm, friendly and more than willing to speak to the audience members. When Wendy Shanker was thanked for attending she responded, "Are you kidding? I love this!" Reacting to the program, one attendee said, "It was great, it's really crucial."

Rape Survivor Finds Some Justice, After 32 Years

NOW-NYC Pushes for Stronger Rape Laws

By Summer Greenstein

In the latest victory for sex crimes prosecution, a 32-year-old rape case, ended on November 9, 2005 when a jury found Fletcher Worrell guilty of raping Kathleen Ham at knife point in her Manhattan apartment. In news coverage of this case, Ms. Ham has insisted her name be published, saying that she is not ashamed to have been a victim of rape. DNA evidence has been able to link Worrell to 21 other sexual assaults in New Jersey and Maryland, including a series of rapes in Maryland that had been attributed to the Silver Spring rapist. Recent advances in DNA testing have led to the identification of rapists and have helped build stronger cases. This has opened the door for cases such as Ms. Ham's to finally be resolved, and their victims finally acknowledged.

Worrell was first brought to trial in 1974. That trial ended in a hung jury after the defense insinuated that Ms. Ham might have been soliciting Mr. Worrell and questioned whether the encounter had actually been a violent assault, despite the fact that Ms. Ham had knife cuts to her neck. In his second trial, Worrell was convicted of one count of first-degree rape and one count of robbery for money that the police discovered he had stolen from Ms. Ham's purse upon his arrest in 1973. He faces 8 to 25 years in prison for each count.

In this case, Worrell was arrested within hours of the rape and a case that ended in a mistrial was opened for retrial. However, in cases in which an indictment is not made within the current statute of limitations for rape in New York (five years, or within 10 years under certain circumstances), the rapist can never be prosecuted and justice cannot be served. Manhattan District Attorney Robert M. Morgenthau is advocating for the elimination of the New York state law that

places a five-year statute of limitations on sexual assault crimes, and for the reclassification of rape as a Class A felony.

"Rape is among the gravest of crimes," said Sonia Ossorio, president of NOW-NYC, "Murder has never had a statute of limitations because society believes it is too serious a crime for an individual to escape responsibility due to the lapse of an arbitrary time period. The same is true of rape, a crime that can destroy lives." NOW-NYC is aggressively working to repeal the New York statute of limitations in rape cases. Launched this year, NOW-NYC's "Justice Delayed But Not Denied: Ending the Statute of Limitations For Rape" Campaign has centered around public education and lobbying of lawmakers. NOW-NYC supports legislation proposed by State Senator Jeff Klein that would eliminate time limits for all first degree rape and sodomy cases. While other bills proposed call only for lifting the time limits when DNA evidence exists, NOW-NYC supports Klein's bill because the Chapter believes that rape cases should not be subjected to a higher standard of evidence.

"DNA has been a tremendously valuable tool in identifying rapists and in building solid cases for prosecution," Ossorio said. "Cases need to be brought forward that have rock solid evidence. That can be something other than DNA, such as fingerprints or videotapes of the rapist with the victim at the ATM. If every case must meet a standard of DNA, many rapists will go free."

NOW-NYC urges legislators to take action and asks its members to make their voices heard by calling their representatives in the state senate and assembly. Strong support will help ensure the passage of this bill and would be a tremendous victory for women and the justice system.

Join the NOW-NYC Women & Media Committee. We're working on improving images of women in pop culture, media and advertising.

Thursday, December 8th 6:30pm

212.627.9895
Please RSVP

President's Desk

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activist citizens. The majority of Americans believe women have the right to abortion, yet the far right is winning, with restrictions on abortion becoming law and the President of the United States under the thumb of conservatives.

The Republicans did with Miers what Democrats have been afraid to do: stand up for what they believe in, without hesitation or apology. It is up to us—individually and collectively—to push our Senate leaders to fight with all they've got. And that includes the filibuster, which may be the Democrats' only weapon to derail the Alito nomination. The far right is ambitious and focused because their goal of banning abortion is attainable, only just out of reach. They know whoever fills retiring Justice Sandra Day O'Connor's seat is the crucial fifth vote on abortion. It is for that exact reason we have to be equally informed, ready to make our voices and votes heard. This is what we were marching for—1.15 million women and men in Washington DC for the March for Women's Lives in 2004. We knew then that we would ultimately be in the position we are in today, at risk of losing a balanced Supreme Court and our reproductive freedom with it.

If *Roe v. Wade*—last upheld by a slim 5-4 vote—is overturned, losing its federal protection, many states would quickly move to ban abortion or even make it a criminal act.

We can then expect conservative lawmakers to shift their focus to restricting contraception. As with abortion, the restrictions start with laws aimed at teenagers—all under the guise of safety.

If the scenario seems farcical, just remember how earlier this summer our own governor, with only a hint of presidential aspirations, vetoed the Unintended Pregnancy Act, a bill that would allow for over-the-counter sales of Emergency Contraception (the "morning-after" pill) and prevent an estimated 40,000 abortions in New York annually. Pataki's supposed concerns about teenage use of the pill were what he claimed led him to veto this huge victory for increased availability of contraception.

NOW-NYC was at the forefront in protesting the Roberts nomination and in calling for the truth about Miers, because this is a battle that the women of this country and the world cannot afford to lose. It is time to demand that Democrats step up to the plate and do everything in their power to demonstrate who the majority in this country really are: people who care about protecting women's lives, health, and freedom.

Yours truly,
Sonia Ossorio

212.627.9895
150 W. 28th Street, Suite 304

NOW-NYC President, Sonia Ossorio, speaks to reporters about the need to preserve balance on the Supreme Court - August 25



IN PRESS

August 21 - NOW-NYC President Sonia Ossorio and NOW-NYC Legislative VP Pat DiLieto appeared on the Manhattan News Network cable program "Women's Rights in New York and the Nation." They discussed with host State Senator Tom Duane the Chapter's goals and current projects—including the Save the Supreme Court campaign, as well as efforts to eliminate the New York statute of limitations for rape and increase state penalties for human and sex trafficking.

October 16 - NOW-NYC held a press conference during the NOW-NYS State Council meeting. NOW-NYS President Marcia Pappas and former Congressmember Liz Holtzman spoke with the press about the critical role the next confirmed Supreme Court Justice will play in preserving legal rights that women have come to know as fundamental rights.

October 31 - The BBC interviews NOW-NYC President Sonia Ossorio about President George Bush's newest Supreme Court nominee Samuel Alito.

Take Action! Get Involved! Stay up-to-date on NOW-NYC campaigns, events, and issues. Join our email Action Alert Network. Simply visit our website at nownyc.org and click the Action Alert Network button to fill out your email address.

NOW-NYC Proposes Bylaws Changes

Purpose of the Proposed Amendments

The 2005 NOW-NYC Board of Directors is proposing a number of changes to the by-laws. The purpose of the changes is to:

- 1) slightly reduce the total number of Board positions to create a more effective, agile decision-making body that accurately reflects the current needs of the Chapter;
- 2) re-define the roles of Board Members to better accommodate volunteers and ensure an active, smoothly running Chapter;
- 3) streamline the elections process and reduce its cost to the Chapter, saving much needed resources;
- 4) hold the President accountable for filing Chapter tax forms and state charities registration forms.

Summary of the Proposed Amendments

If the membership votes to implement the proposed changes, the following would occur:

Restructuring the Board

- 1) The Board positions of Public Information Vice President, Director of Administration, Director of Archives, and Director of Speakers Bureau would be eliminated. The role of the Public Information Vice President would fall to the Chapter President. The role of the Director of Administration would be altered (see #3). The role of the Director of Archives would be assumed by the Chapter Secretary.
- 2) The role of the Director of Membership Processing would be combined with that of the role of the Director of Membership Recruitment. This would effectively combine the two positions into one.
- 3) Two new positions would be created: a) the Director of Volunteers, which would, in part, take on the role of the Director of Administration but would be primarily focused on maintaining a fully staffed office of volunteers and funneling new volunteers to the appropriate committees, and b) the Website Director, who would be responsible for maintaining and managing the content and function of the Chapter website.
- 4) The role of the Action Vice President would be re-defined to include the responsibility of chairing an issues committee in the case that no other chapter committees are currently viable.

Streamlining Elections Process

- 5) Election mailings will be consolidated into one mailing instead of two; the mailing shall include notice of bylaws requirements for elections, date & location of election, deadlines for declaring candidacy, and list of positions.
- 6) The election rules shall be incorporated into bylaws except for the date & location of the election.
- 7) The Election Committee shall consist of 5 or 7 members.

Holding the President Accountable

- 8) The Chapter President may not run for re-election unless federal tax forms and state charities registration forms have been filed for preceding year, by date of election.

Proposed Amendments (changes are in bold):

Changes to Article V, Section 2

The Board of Directors shall consist of the **seven [changed from eleven]** elected officers of the Chapter; the **five [changed from seven]** elected directors; and the appointed committee coordinators.

Changes to Article VI, Section 1

The officers of the Chapter shall be the President, **three [changed from six]** Vice Presidents, Chair, Secretary and Treasurer.

Changes to Article VI, Section 3

In the case of a vacancy in the office of President, the office shall be immediately filled by the next officer in the following order of succession: Legislative Vice President, Action Vice President, **Public Information Vice President [removed]**, Development Vice President, **Diversity Vice President [removed; note this position has been inactive]**, Treasurer, Secretary, Chair. If the President vacates the office before May 1, there will be an interim election.

Changes to Article VII, Section 2

Action Vice President shall develop and implement a plan to activate members and others on NOW issues. **This shall include acting as the chair of an ad-hoc issue committee in the event that there is no other viable committee. [language added]**

Public Information Vice President shall be responsible for public relations and international materials. [language eliminated]

Changes to Article VII, Section 4

The Secretary shall keep minutes of Board of Directors meetings and other meetings as necessary; submit approved minutes for Chapter records; **and shall assure the maintenance of and access to Chapter archives. [language added]**

Changes to Article VIII, Section 1

Director of Administration shall assist in the operations of the Chapter. [language eliminated]

Director of Archives shall assure the maintenance of and access to Chapter archives. [language eliminated]

Director of Membership Processing ["Processing" shall be removed and title shall be changed to Director of Membership] shall develop and implement a plan to retain and recruit new members and shall process new

memberships and resolve member record problems. [roles of Director of Membership Processing and Director of Membership Recruitment are combined.]

Director of Speakers Bureau shall organize speakers on NOW issues and publicize their availability. [language removed]

Director of Volunteers shall assist in Operations of the Chapter, by staffing the office with volunteers and interns and matching volunteers to committees and other functions. [language added]

Director of Website shall be in charge of keeping the chapter website content current and will update the website in a timely manner to ensure a consistent and cohesive message with members and the public. The director will also serve as the acting information technology liaison for all issues related to the website and its content delivery. [language added]

Changes to Article XIII, Section 1

An Elections Committee consisting of **five or seven [language added]** Chapter members shall be elected by voice or by ballot at the October General Membership Meeting. The Elections Committee shall elect its own chair, who may not run for any elective office. The Elections Committee shall publish the following information in the **December newsletter: a description of the duties of all elected positions, notice of bylaws requirements for elections, the date and location of the election, and deadlines for declaring candidacy. [language added]**

The Elections Committee shall solicit candidates for the elected offices from the Membership; shall record and present the names of all announced candidates at a General Membership Meeting between October and the Annual Election Meeting.

The Elections Committee **shall be responsible for drafting a set of election procedures, presenting same to the Membership for approval, and printing the final copy of the election rules; [language removed, will be covered under new section 4, Article XIII]** shall have ballots and voting cards printed; shall be responsible for organizing the

administrative aspects of the election of the Advisory Council in November and of the officers and elected members of the Board of Directors in January.

Changes to Article XIII, Section 2

A candidate for officer must be a member of the Chapter for six months prior to the Annual Election Meeting. A candidate for President or Vice President must be a Chapter member for one year and must have been either an active member of a committee or must have held a position on the Board of Directors for one year. Each candidate shall provide a biographical description to the Elections Committee. The Elections Committee shall distribute these biographies to the Membership in the month of the Annual Election Meeting.

The election rules shall be incorporated into bylaws as Article XIII, Section 4 as follows:

ARTICLE XIII

SECTION 4. Elections Rules

I. ANNUAL ELECTIONS MEETING

A. Time and Place. The time and place of The Annual Elections Meeting will be decided upon by the Elections Committee in accordance with these bylaws.

B. Notice. A notice of the election, descriptions of the positions to be elected and the election rules will be placed on the NOW-NYC website and published in the NOW-NYC December newsletter.

C. Speeches. Each candidate, in the order listed on the ballot, shall make a verbal presentation of no more than five minutes for presidential candidates and of three minutes for all other candidates.

II. CANDIDATES

A. Declaration of Candidacy. Each candidate for office shall submit a Declaration of Candidacy (Declaration) accompanied by a feminist resumé of no more than 750 words for candidates for president and 500 words for all other candidates. Each Declaration must contain the candidates' name, contact information and a statement of how the candidate meets the eligibility requirements for that office.

B. Submission of Declaration. The Declaration and resumé shall be sent by fax to: (1) the NOW NYC office, attention Elections Committee at 212.627.9861. Copies should also be emailed to the address designated by the elections committee. Declarations and resúmes may also be submitted in person or mailed to the NOW-NYC office.

The election committee chair will notify candidates that their Declarations and resúmes have been received. The Declarations and resúmes shall be maintained in a file at the NOW-NYC office and separately by the election committee chair at another location.

C. Deadline for Nominations. The deadline for receipt of Declarations of Candidacies and resúmes will be decided upon by the Elections Committee and published in the December newsletter.

There will be no nominations from the floor at the Annual Elections Meeting.

D. Eligibility for Office. The elections committee will determine a candidate's eligibility to run based on the NOW-NYC bylaws requirements for each position. The Committee will notify candidates of their eligibility or ineligibility to run for the office chosen.

E. Notice to Members. The names and resúmes of eligible candidates shall be posted on the NOW-NYC website as soon as possible after they are verified. All members can request paper copies of candidate information be mailed to their home address. Furthermore, copies of candidate information will be made available to voters at the Annual Elections Meeting.

III. Membership Lists/Rosters

A. Access for Candidates. All candidates shall have access to the NOW-NYC complete membership lists for campaigning purposes, including copies of all new-join membership forms for members joining on or before December 31 of the year prior to the election with credit card information blackened out. Photocopies of these new-join membership forms may be

Membership Vote on Bylaws Changes to be Held at the December 15th Membership Meeting!!

made by the candidates at cost.

The original membership lists shall not be taken from the Chapter office. However, membership rosters shall be provided electronically by e-mail to all candidates, on request, for use for this election only and for no other purpose. As a condition of receipt, candidates shall sign a statement certifying that they: 1) will not distribute or disseminate the list or any portion thereof to any individual or organization, and 2) agree to pay a financial penalty of \$100 in the event of a violation.

- B. Ordering of Rosters.** The NOW-NYC election committee chair shall order the electronic membership roster from National NOW. The NOW-NYC president shall inform National NOW on the same days as the orders are placed that the aforementioned orders are approved.
- C. "In-chapter new-joins."** Two copies shall be made of each NOW-NYC "in-chapter new-join" and its attached proof of payment received by **December 31, the month before the election.** One copy shall be sent to the Elections Committee chair, and a separate file in the Chapter office shall maintain one

copy.

IV. Voter Eligibility/ Credentialing

- A. Voter Eligibility.** In order to vote, one must have been a chapter member for at least 30 days at the time of the Annual Elections Meeting (**i.e. must have joined on or before December 31, of the year prior to the election.**) The membership form and dues payment must have been received at the NOW-NYC office or at the National NOW office by that date. The elections committee shall verify the eligibility of voters and check documentation where necessary.
- B. Proof.** Proof of membership shall consist of: (1) the voter's name appearing on the roster from National NOW, or (2) a cancelled dues check or credit card billing statement, or (3) a receipt if payment was made by cash.
- C. Photo I.D.** Photo identification (e.g., driver's license, work i.d. or student i.d.) must be presented at the time of credentialing.
- D. Opening and Closing of Credentialing.** Credentialing of voters shall begin at **5:30 PM** and continue thereafter, with no one allowed on the credentialing lines after **9:15 PM.** The

close of credentialing shall be 10 minutes after the last person on line at 9:15 PM shall have received a ballot or been declared ineligible to vote.

V. Voting.

- A. Ballots.** Once a voter has been determined eligible, a ballot initiated by a member of the elections committee shall be issued to the voter. The voter will be required to sign her/his name in one or more places to acknowledge receipt of the ballot.
- B.** Each voter shall receive only one ballot. A listing of the candidates and the office for which they are running shall appear on each ballot, with a method of signifying voting choice. The positions will be listed in the order they are listed in the chapter bylaws. Under each position, the candidates' names will be listed in alphabetical order.
- C.** Ballots may be deposited in one or more ballot boxes from the time that credentialing opens until 15 minutes after the close of credentialing. There shall be no replacement of lost ballots.
- VI. Poll Watchers and Electioneering**
- A. Poll Watchers.** Each candidate in a contested election may appoint poll watchers to be present during

credentialing and the counting of ballots. Poll watchers may also inspect the balloting box(es) before balloting begins. Candidates at the first level contested office, going in the order presented in the bylaws, may select one poll watcher at each credentialing table and two at the balloting box(es).

B. Electioneering. There shall be no election materials, such as posters, buttons, stickers, literature (except for candidate resumés) or other campaign paraphernalia distributed or worn on the premises during the night of the Elections Meeting. The elections committee shall enforce this rule.

C. Election Results. The elections committee will announce the results of the elections after they are tabulated. The election committee chair will keep the original ballots/ signatures/roster, with one copy made and sent by the election committee chair to the National NOW VP-Membership.

These proposed change can only be adopted by a majority vote of the members at the December 15th General Membership Meeting. Vote will take place promptly at 6:30 pm.

2006 NOW-NYC Election Approaching: Call for Nominations!

The 2006 election for the Officers and Board of Directors of the New York City Chapter of the National Organization for Women will take place on January 19, 2006 at the NOW-NYC office. A list of positions and instructions on how to run for office are found below. If you have any questions, please contact the Elections Committee by calling 212.627.9895 or emailing election2006@nownyc.org.

Eligibility:

A candidate for officer must be a member of the Chapter for six months prior to the Annual Election Meeting. A candidate for President or Vice President must be a Chapter member for one year and must have been either an active member of a committee or must have held a position on the Board of Directors for one year. Each candidate shall provide a biographical description to the Elections Committee. The Elections Committee shall distribute these biographies to the Membership in the month of the Annual Election Meeting.

How to Nominate Yourself or a Friend:

- 1) Declaration of Candidacy. Each candidate for office shall submit a Declaration of Candidacy (Declaration) accompanied by a feminist resumé of no more than 750 words for candidates for president and 500 words for all other candidates. Each Declaration must contain the candidate's name, contact information and a statement of how the candidate meets the eligibility requirements for that office.
- 2) Submission of Declaration. The Declaration and resumé shall be sent by fax to: (1) the NOW NYC office to the attention the Elections Committee at 212.627.9861 and (2) Emailed to election2006@nownyc.org. Declarations and resumés may also be submitted in person at the NOW-NYC office.
- 3) The election committee chair will notify candidates that their Declarations and resumés have been received. The Declarations and resumés shall be maintained by the Elections Committee in a file at the NOW-NYC office and separately by the Elections Committee Chair at another

location.

Deadline for Nominations:

The deadline for receipt of Declarations of Candidacies and resumés is 6:00 PM Friday, December 16, 2005, except that if there have been no Declarations of Candidacy for a specific position. In that case declarations and resumés may be submitted in the same manner as specified above by 5:00 PM January 19, 2006.

Candidates may only be nominated in the manner and by the dates specified in these rules. There will be no nominations from the floor at the Annual Elections Meeting.

The vote on the proposed bylaws changes will influence the positions that are available for the 2006 election. The positions for the NOW-NYC Board of Directors are listed below. All potential position changes, additions, and deletions are indicated by an asterisk and note describing the changes.

Positions for 2006 Election:

President

The President shall be the chief executive officer and principal spokesperson of the Chapter, shall preside at the meetings of the Executive Committee; shall act as Chapter liaison with the National NOW and New York State NOW Chapter, shall make regular reports to the Board of Directors and the Membership; shall perform such duties as are directed by the Executive Committee; shall be an ex officio member of all committees except the Elections Committee. The president shall also preside at each General Membership Meeting, or designate another Board member to preside. The President may choose to be compensated if serving full time, or if not compensated, must appoint an Executive Director who will be full time and compensated. Compensation of the President or Executive Director shall be determined by the Board of Directors at its January meeting. Those nominated for the office of President must specify before election whether they wish to be full-time and compensated or whom they wish to designate as Executive Director.

Action Vice President

shall develop and implement a plan to activate members and others on NOW issues. This shall include acting as the chair of an ad-hoc issue committee in the event that there is no other viable committee.* **The second sentence is a redefinition of the role, if the bylaws changes are enacted.*

Development Vice President

shall develop and implement a plan for the financial growth of the Chapter.

Legislative Vice President

shall develop and implement a legislative program for advancing NOW's issues, in cooperation with the National NOW and New York State NOW Chapter.

Public Information Vice President*

shall be responsible for public relations and international materials. **This role will be eliminated, if bylaws changes are enacted.*

Chair

The Chair shall prepare the agenda for and preside at all meetings of the Board of Directors.

Secretary

The Secretary shall keep minutes of Board of Directors meetings and other meetings as necessary; submit approved minutes for Chapter records; and shall assure the maintenance of and access to Chapter archives.* **Role in archives will be added, if bylaws changes are enacted.*

Treasurer

The Treasurer shall be responsible for the receipt of funds; shall disburse funds with the approval of the Board; shall make monthly and annual reports to the Board; shall prepare the annual budget; shall prepare and file any necessary governmental tax and information returns; shall maintain all financial records in the Chapter office. There shall be a review of the accounts by the Finance Committee if there is a change at any time in the office of Treasurer before the Annual Election Meeting.

Director of Membership Processing

shall process new memberships and resolve member record problems.* **see Director of Membership Recruitment*

Director of Membership Recruitment*

shall develop and implement a plan to retain and recruit new members. **These two positions will be combined into Director of Membership if bylaws changes are enacted.*

Director of Newsletter

shall be responsible for the editing, production and distribution of the Chapter newsletter.

Director of Programs

shall organize and schedule appropriate programs for the Chapter.

Director of Volunteers*

shall assist in Operations of the Chapter, by staffing the office with volunteers and interns and matching volunteers to committees and other functions. **This role will be added, if bylaws changes are enacted.*

Director of Website*

shall be in charge of keeping the chapter website content current and will update the website in a timely manner to ensure a consistent and cohesive message with our members and the public. The director will also serve as the acting information technology liaison for all issues related to the website and its content delivery. **This role will be added, if bylaws changes are enacted.*

Director of Administration*

shall assist in the operations of the Chapter. **Role will be eliminated if bylaws changes are enacted.*

Director of Archives*

shall assure the maintenance of and access to Chapter archives. **Role will be eliminated if bylaws changes are enacted.*

Director of Speakers Bureau*

shall organize speakers on NOW issues and publicize their availability. **Role will be eliminated if bylaws changes are enacted.*

Access To Birth Control is Under Attack: What You Can Do About It

By Carolyn B. Maloney

Forty years after the landmark Supreme Court decision, *Griswold v. Connecticut*, affirming the existence of a Constitutional protection for the private right to use birth control, Americans are increasingly facing barriers to obtaining birth control. This country has a growing anti-birth control movement, with very powerful allies.

President Bush has refused to take a stand supporting access to birth control. On at least two separate occasions, his press Secretary Scott McClellan has been asked whether or not President Bush is "opposed to contraception" and each time he has declined to give a substantive answer. I sent two letters joined by 18 of my colleagues asking the President to make his views known, and I have not yet received a response to either letter.

The anti-birth control movement has started using its political clout to push legislation. This year alone, 15 states have introduced legislation that would allow pharmacists to deny health care services based on religious, moral or ethical objections.

As if this weren't bad enough, there is a growing trend among pharmacists to refuse to fill legal prescriptions on "moral" grounds. Imagine walking into your neighborhood pharmacy and having your prescription ripped up. Or having a self-righteous pharmacist deliver a lecture on the evils of premarital sex. This has happened to women all over the country—in small towns and large cities, in Red States and Blue States. These women have been young and not-so-young, married and single, with children and without. Some pharmacists will return the prescription slips, but too often they have refused, forcing the women to return to their physicians for another prescription. For women who need emergency contraception, the delay can be catastrophic. It can mean the difference between becoming pregnant and not.

New York is not immune from this growing trend. There have been two recent incidents in the state in which pharmacists have refused to fill prescriptions, including one in Huntington, Long Island. If it can happen on Long Island, it can happen anywhere.

Take Action!

Does your Representative support fair access to birth control?

New York Congressional Representatives who have signed Carolyn Maloney's letter are:

Charles B. Rangel (NY-15), Maurice D. Hinchey (NY-22), Joseph Crowley (NY-07), Steve Israel (NY-02), Carolyn McCarthy (NY-04), Gary L. Ackerman (NY-05).

If your Representative didn't make the list, call them today. Find out who represents you, see Take Action box on page 7.

New York City Pharmacies Place Low Priority on Access to Birth Control

continued from page 1

director of Duane Reade's pharmacy department. No representative from Rite Aid was available for comment.

In her dealings at both local drug chains, Ms. Mesnick said it was "as though pharmacists and pharmacy staff wanted to avoid the extra work of obtaining a diaphragm by claiming unavailability."

While Ms. Mesnick was not denied her diaphragm because of the pharmacists' religious or moral objections, these types of objections, called "conscience clauses," are becoming all the more common, and health advocates deem such loopholes a growing threat to women's access to contraception.

At New York City-based Duane Reade, policy dictates that pharmacists can decline to fill prescriptions in accordance with religious obligations. The pharmacist must then make arrangements for the prescription to be filled

When a doctor issues a legal prescription, no one's moral views should be able to stop it from being filled—it's as simple as that. Access to birth control is a women's health issue and a private matter not to be tampered with by a pharmacist with an agenda. That's why I, along with Christopher Shays, Debbie Wasserman Schultz and Joseph Crowley in the House

New York is not immune from this growing trend. There have been two recent incidents in the state in which pharmacists have refused to fill prescriptions

and Senator Frank Lautenberg in the Senate, introduced the Access to Legal Pharmaceuticals Act ("ALPhA," H.R. 1652 and S. 809) to ensure that people will have access to legal pharmaceuticals without confrontation, stress or embarrassment.

ALPhA will require companies employing pharmacists to ensure that individuals can fill their prescriptions. If a pharmacist does not want to fill a particular prescription because of his or her personal beliefs, the pharmacy must ensure that another pharmacist is available to fill it. It must be filled without harassment or ridicule and, most importantly, it must be filled without delay. This legislation would not force pharmacists to violate their private beliefs, but it would ensure that women can receive the medication to which they have a legal right. It also guarantees that women will not have their prescription slips taken from them, and that the prescription will be transferred if requested.

Ninety-five percent of American women will use birth control at some time in their lives. We need a guarantee that no one will be able to interfere with our access to legal birth control. ALPhA will guarantee our privacy, our full range of health options and our legal rights.

The author is the U.S. Congressional Representative from District 14, in Manhattan and Queens. 212.860.0606 <http://www.house.gov/maloney/>

at another store.

If Congresswoman Carolyn Maloney has her way, that won't be good enough. She recently introduced the Access to Legal Pharmaceuticals Act, a federal law ensuring that women seeking contraception would not need to travel from pharmacy to pharmacy to fill their prescriptions. The Act requires pharmacies to ensure that if one pharmacist does not want to fill a prescription because of his or her beliefs, there will be another pharmacist available who will fill the prescription.

According to Melnick, he has had no reports of Duane Reade pharmacists refusing to fill prescriptions.

Only time will tell if loopholes like conscience clauses allowing individual pharmacists to restrict access to birth control will deter pharmacies themselves from carrying a wide variety of contraceptives.

The author is an activist and intern with NOW-NYC.

Fighting For A New York State Equal Rights Amendment

By Senator Tom Duane

As a strong advocate for women's rights and equality, I am proud to have introduced legislation to create a New York State Equal Rights Amendment (S1864).* My bill amends Section 11 of Article 1 of the New York State Constitution to ensure that no person shall be denied the equal protection of the law because of sex. It is hard to believe that New York's Constitution still does not ban sex discrimination. Twenty-two other states have already passed their own versions of the ERA.** I believe the time is long overdue to fix this glaring omission in our State Constitution because New York's women deserve, and all New Yorkers must demand, far better.

This past year, my office has been hosting strategy meetings with advocates and elected officials in order to mobilize support for passing an ERA in New York State. I'm happy to say that NOW members have played a vital part in our discussions. Throughout our ERA Coalition meetings we have highlighted the important difference that a New York State ERA would make in many areas of the law, including equal pay for equal work, judicial review of sex discrimination cases, and health and reproductive care, just to name a few. However, it is apparent that by not including women in our Constitution, New York conveys a message that inequity and discrimination are still allowable. I ask all NOW members to join me in changing this deplorable situation.

We all have been fighting for the federal ERA for decades and decades and will continue to do so. I commend my colleague, Representative Carolyn Maloney, for leading the battle on Capital

Hill. The journey has been long and difficult. We are all aware that the right-wing and major "special interest" groups do not want to see the ERA passed on either the federal or state level and that they will campaign heavily against it. We know that these people and groups will try and scare women into opposing an ERA. However, I am optimistic that this time we will succeed, having learned from the valiant women who fought the same fight in the 1970's and 1980's.

I will continue to fight hard for women's equality in Albany. I invite you to join me at our ERA Coalition meetings and at the first Hearing on my ERA legislation in Albany in March (Women's History Month). Please call my office at 212.268.1049 for further information. Together we can win!

*Assemblymember Jonathan Bing has introduced a comparable bill in the Assembly, HR3465.

**Alaska, California, Colorado, Connecticut, Florida, Hawaii, Illinois, Iowa, Louisiana, Maryland, Massachusetts, Montana, New Hampshire, New Mexico, Pennsylvania, Texas, Utah, Virginia, Washington, Wyoming, Rhode Island and Louisiana

The author is the New York State Senator from the 29th District in Manhattan.

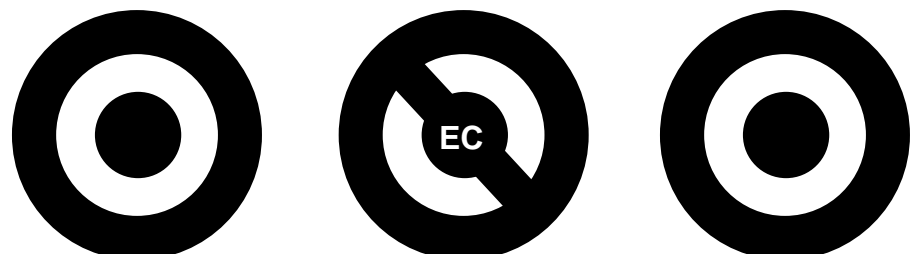
Take Action!

Call State Senator Tom Duane's office at 212.268.1049 or visit <http://www.tomduane.com/>.

Take Action! Target Pharmacists Refuse to fill EC Prescriptions - Let Them Know You're Outraged!

A Target store pharmacist in Fenton, Missouri refused to fill a 26-year-old woman's prescription for Emergency Contraception (EC or the "morning-after" pill) on September 30. The pharmacist apparently told the woman, "I won't fill it. It's my right not to fill it." In response to e-mails from outraged individuals, Target's Executive Office replied, in part, "...Target has a policy that ensures a guest's prescription for EC is filled, whether at Target or at a different pharmacy, in a timely and respectful number. This policy meets the health needs of our guests while respecting the diversity of our team members." The bottom line: Target doesn't support a policy to fill valid prescriptions for birth control, including EC, in-store and without delay or discrimination.

Tell Target that you are outraged and that their refusal to fill valid prescriptions has nothing to do with "respecting diversity" and everything to do with allowing their employees to discriminate on the basis of their personal beliefs. Call Target's Executive Offices at 612.304.6073, or e-mail Target.Response@target.com, and demand that they drop their discriminatory policy. Let them know that you'll think twice before spending your money in their store.



LEGISLATIVE WATCH

By Pat DiLieto, NOW-NYC Legislative VP

PENDING

On October 4, the Senate passed its version of the federal Violence Against Women Act (VAWA) S.1197. A less comprehensive version of VAWA 2005 passed the House of Representatives a week earlier as H.R. 3402. While the House version included reauthorization of crucial VAWA programs, it does not achieve all that is needed. At the last minute just before the vote, the Republican leadership dropped important provisions dealing with immigrants and women of color. The Senate version retains many of these provisions but eliminates one that would extend unemployment insurance coverage to domestic violence survivors who lose their jobs when they flee or hide from their abusers.

NOW calls on Congress to renew this very important legislation. If you haven't done so yet, please go to www.now.org and sign the petition urging Congressional leaders to immediately convene a conference

committee to iron out a final bill. The petition asks Congress to craft the strongest possible bill from these two versions. (Whenever there are differences between similar bills that are passed in the House and Senate a "conference committee" with representatives from both houses, must meet to work out the differences between the two bills and come up with one final bill before the President can sign it.)

On the local level, the New York state legislature is now in recess until January 2006 (a special legislative session will be held in December) As of the close of the 2005 regular legislative session, almost 80 bills had been introduced that addressed domestic violence, another 25 dealt with rape and other sexual offenses, and several addressed the ever-growing problem of human and sex trafficking in New York. About one third of these bills either passed one house of the legislature or had some support in both houses; however, only one bill passed both the State Assembly and State Senate and was signed into law by the governor.

The 100-plus legislative proposals had several goals: increasing protections for domestic violence and sexual assault survivors, increasing penalties for abusers and rapists, prohibiting discrimination against victims of domestic violence, preserving confidentiality for domestic violence survivors, and increasing domestic violence training/reporting for certain professionals.

NOW-NYC will continue to support the passage of many of these measures if they are reintroduced in 2006. In particular, NOW-NYC will renew its efforts to pass the following:

- A503/S2915, which would eliminate the five-year statute of limitations for rape. Currently, if a rapist is not caught within five years of the rape, he can never be prosecuted for that crime, no matter how strong the evidence.
- S3914, a bill that would create new offenses and penalties for sex and human trafficking. (New York is the entry point and final destination for many trafficked victims.)

PASSED

- The one state legislative proposal to be signed into law this year (A17691-A/S2507) renews an existing law requiring that all court referees who hear and determine applications for court Orders of Protection receive training on domestic violence. These referees, who are not judges, have enabled New York City's family court system to conduct night sessions in Brooklyn and the Bronx—making it easier for victims to get orders of protection in emergency situations and after working hours.

Take Action! For updates on federal legislation, visit the national NOW Web site at www.now.org. For more information on New York legislation, visit the NOW-NYC and NOW-NYS Web sites at www.nownyc.org and www.nownys.org. In addition, from time to time, NOW sends out action alerts asking you to contact your legislators at critical points in the legislative process. It's important that our legislators hear from you. If you'd like to receive NOW-NYC action alerts, please visit our website or email us info@nownyc.org to sign up.

Blood Money: Attacking Human Trafficking in New York State

By Jane Manning

NOW-NYC and NOW-NYS activists have mobilized in support of proposed legislation to attack the vicious practice of human trafficking in New York State.

Trafficking is the global practice of exploiting vulnerable men, women, and children for use as commodities in the sex industry or in operations such as sweatshops, farm labor, or domestic service. Traffickers control their victims using a wide range of weapons, including violence, intimidation, blackmail, immigration abuse, deception, and often the profoundly powerful weapon that is the desperate poverty of their victims. Human trafficking is both cause and effect of pervasive injustice against women and girls around the world. Because women and girls are disproportionately poor, they are especially vulnerable to the most brutal forms of trafficking, such as sex trafficking. Women and girls in economically depressed regions are often persuaded by promises of well-paid employment as waitresses or babysitters to leave their homes, only to find that when they reach a destination, their passports are confiscated, their recruiter has turned violent and brutal, and they are forced against their wills, against all their hopes and expectations, to work in strip clubs or brothels or other dehumanizing situations.

The motive that drives traffickers is profit. The sex industry alone is a multi-billion dollar moneymaking machine. It is driven by demand, by the huge numbers of buyers willing to pay for the services of a compliant woman or girl, and willing to ask no questions about why she is compliant or how she was made that way.

Assembly Bill 1898-A would revolutionize the legal status of trafficking in New York State. Currently there is no law that even defines something called trafficking. But 1898-A would make trafficking a person a felony. And the bill defines trafficking not by whether the victim was moved across a geographic border, but by whether the perpetrator coerced the victim into servitude using any one of the different kinds of coercion that are identified in the bill—methods of coercion that have been described by real trafficking victims in their own accounts.

The bill also reflects an awareness that the trafficking industry is driven by demand—that the reason why traffickers resort to force, fraud, and brutality to snare women is that there are more men seeking these services than there are women wanting to provide them. Thus the bill raises penalties for "johns"—the buyers of trafficking victims—on the theory that the industry can be attacked most effectively by holding both buyers and sellers accountable, attacking both ends of the chain of exploitation that they form.

On October 25, NOW-NYC expressed our strong support for 1898-A at public hearings sponsored by the New York State Assembly. Also present were representatives of numerous other women's rights and human rights organizations who spoke in support of the bill.

"Assembly Bill 1898-A is not the end of what New York State should do to combat human trafficking," NOW-NYC's statement asserted, "but it is a beginning. We also need a major commitment to providing services to trafficking victims to enable them to rebuild their lives." 1898-A was introduced by Assembly Member Jeffrey Dinowitz (A.D. 81) and has the support of other legislators, including Amy Paulin (A.D. 88), Joseph Lentol (A.D. 50), and William Scarborough (A.D. 24). The bill does not yet have a sponsor in the State Senate.

Take Action!

You can easily learn the names of your representatives in the New York State Senate and Assembly at www.senate.state.ny.us and www.assembly.state.ny.us. Both sites make it possible to identify your representative in each house and get his or her contact information, simply by entering your home zip code. Phone calls, letters, and e-mails all make a difference.

YOU'RE INVITED

Holiday Party with Special Guest

Dell Williams (founder of Eve's Garden, the first sexual boutique designed specifically for women and author of "Revolution in the Garden." She was also a 2005 Recipient of the NOW-NYC Susan B. Anthony Award.)

Thursday, December 15th 7:00 pm
(right after the vote) Join NOW-NYC members for holiday festivities and refreshments. Please call to RSVP.



National Organization for Women/NYC

The Founding Chapter

150 W. 28th St., Suite 304, New York, NY 10001 Phone 212-627-9895 Fax 212-627-9861
VISIT OUR WEBSITE AT: www.nownyc.org

Women's Rights Supporter Questionnaire

Name _____ Address _____

City _____ State _____ Zip _____ Fax _____

Email address _____ Cell _____

Phone (Day) _____ Phone (Evening) _____

Check this box if you would like to receive emails on important issues and legislation, and to be notified about upcoming events.

Are you a NOW-NYC member? Y N

*If not, would you like us to send you information about joining NOW? Y N

In what ways would you like to support women's rights activism?

Activities:

- | | | |
|---|---|--|
| <input type="checkbox"/> Advertising Sales | <input type="checkbox"/> Graphic Arts | <input type="checkbox"/> Phone Banking |
| <input type="checkbox"/> Bookkeeping/Accounting | <input type="checkbox"/> Voter Registration | <input type="checkbox"/> Special Events Organizing |
| <input type="checkbox"/> Computer Repair | <input type="checkbox"/> Fundraising | <input type="checkbox"/> Tabling/Public Outreach |
| <input type="checkbox"/> Data Entry | <input type="checkbox"/> Legislation/Lobbying | <input type="checkbox"/> Mailings |
| <input type="checkbox"/> Protests/Rallies | <input type="checkbox"/> Publications Layout | <input type="checkbox"/> Newsletter |
| <input type="checkbox"/> Other (please explain) _____ | | |
| <input type="checkbox"/> I can't give my time. I will help by making financial contributions. | | |
| <input type="checkbox"/> I will help by paying NOW-NYC dues. | | |

YES! I WANT TO JOIN THE NEW YORK CITY CHAPTER OF NOW!

- | | |
|---|---|
| <input type="checkbox"/> \$45 Regular Membership | <input type="checkbox"/> \$60 Supporting Member |
| <input type="checkbox"/> \$85 Contributing Member | <input type="checkbox"/> \$150 Friend of NOW/NYC |
| <input type="checkbox"/> \$250 Gold Members | <input type="checkbox"/> \$500 Platinum Members |
| <input type="checkbox"/> \$1000 Lifetime Membership | <input type="checkbox"/> Sliding Scale Reduced Dues (\$44-\$15) \$_____ |

\$_____ Additional I have enclosed \$_____ with this membership form.

I have Contribution

enclosed CASH for \$_____

I have enclosed a CHECK for \$_____

(Make CHECK payable to NOW-NYC and mail with this form to: NOW-NYC, 150 W. 28th St., Suite 304, NY, NY 10001)

OR call the office at 212-627-9895 to find out how you can CHARGE your membership.

The Service Fund

NOW-NYC's sister organization, the Service Fund, is one of New York City's most active and important charities. The Service Fund has been serving women in NYC for the past twenty-five years. Whether a woman seeks divorce and custody legal advice or counseling after a sexual assault, the Service Fund of NOW-NYC connects women to NOW-NYC programs and clinics or other agencies that serve women in need.

Find out about the Service Fund's newest clinic which will focus career building for women. See the Calendar on page 2.

by Summer Greenstein and Sonia Ossorio

Janice Page, CPA, has been co-leading the NOW-NYC Service Fund Divorce and Separation Clinic for 15 years.

Q How did you become involved with NOW and the clinic?

A Sherri Donovan [the attorney who leads the NOW-NYC Service Fund Divorce and Separation Clinic] and I were brought together by a mutual client. She told me about her connection with NOW and the Divorce clinic. She thought the clinic would be that much more effective if an accountant was there to advise women on finances. Marriage is about love and sharing your life with someone, but legally it is about shared legal obligations and the accumulation of assets.

Q What are common misconceptions women have about getting a divorce as it relates to what each person is entitled to?

A I find that many women don't realize how much they are entitled to or how much they have contributed to a marriage. For instance, in New York State, degrees and licenses have value that entitle people to money if the degrees were obtained during the marriage. It doesn't have to be an academic degree; a professional license like a plumbing license is also a financial asset, which can also be used as one of many negotiating points.

Many women also don't realize the negotiating power they may have when the divorce proceedings begin. Marriage constitutes a financial contract as much as an emotional one, and the dissolution of marriage involves issues of assets and debts, money that needs to be allocated appropriately. It is the responsibility of each party to think creatively about how best to negotiate for their needs. For example, if the wife's parents give her and her husband money to furnish a new home, that could be listed as a loan rather than a gift and then both parties would be responsible for repaying it. Coming to the table with this kind of attitude will ultimately give women more negotiating power throughout the proceedings.

Of course, divorce is an emotional issue, not just a financial one. But many people get caught up in what has been lost in a marriage; I tell clients that

certain things shared in a marriage are simply not recoverable, and they shouldn't expend too much energy on what has been lost. The focus should be on the here and now and what they can get out of the deal that is going to be reached. Contributions to a marriage aren't just financial; think about contributions women make to the management of a household or to raising a family. If the wife is the primary caregiver to the children or responsible for making sure the roof gets fixed or caring for a sick relative, the court recognizes that contribution and will attach a monetary value to it. Women must realize that their practical contributions, as well as their financial ones, have had value in a marriage.

Another problem women face is that they tend to listen to their husbands' definitions of the law. I regularly tell my clients that your spouse should not be your point of reference for what your rights are. If someone tells you point blank you are not entitled to alimony or a pension or custody of your children—don't let this intimidate you. Unless your spouse is a matrimonial lawyer licensed in New York, I don't think they have a lot of credibility.

Q What is the first step a woman can take on her own to before she meets with an attorney?

A Attorneys handle the dissolution of marriage, but a divorce also involves a division of assets. Marriage starts out being all about love and if that marriage comes to an end, it ends up being all about assets, finances and future financial obligations. I tell women that they need to take control of their finances if they haven't already. Even happily married women must be aware of their financial situation and have some money of their own. Women facing divorce have to think about how they're going to support themselves. I tell women to know their bank account numbers and to have a sense of what they need to live on because when the proceedings start, they will need this information anyway. If you're even thinking about divorce, it's important to make copies of tax returns and any documents showing what your financial assets are. What's a friendly divorce one day may not be friendly the next, and documents may disappear. Start setting money aside for an attorney. It is so important not to be dependent on anyone else for finances.

Janice Page

Sherri Donovan

by Summer Greenstein

For over 15 years, Sherri Donovan, Esq. has conducted the Divorce and Separation Clinic organized by the NOW-NYC Service Fund. The clinic, which helps women seeking information about divorce, offers both legal advice on matrimonial law and financial advice. Donovan, proprietor of Sherri Donovan & Associates, has been practicing matrimonial law since 1988.

Q What drew you to matrimonial law? How did you become involved in NOW?

A I've always been involved with women's rights issues, domestic violence issues, abortion issues, so there was a natural draw to go into this area, where women need protection and children need protection. I'm divorced myself and a child of divorce, so I can identify with the women I'm helping. I became involved with NOW when I was a district leader in Greenwich Village and active in progressive politics.

Q How does the clinic help women and who typically needs divorce advice?

A Marriage is part of a partnership; women should have full economic knowledge of their situation. They should write down their marital history, their monetary and non-monetary contributions to the marriage, and everything relating to the finances of the marriage.

Everyone's situation is unique but there's one thing that every marriage undeniably is—a contract. Divorce is a major life change. It can be difficult to undertake. It's a long process, so I tell women to take it step-by-step. The first thing women need to do is start assessing their finances: shared assets, shared debts, etc. They need to be prepared before they visit an attorney and before they start any type of proceeding. You want to be prepared with knowledge, a support network, legal advice and a good handle on the couple's finances and copies of documents.

The clinic can be very useful in laying the groundwork for the initial steps they should be taking to prepare for marital change. Women attending the clinic get practical information they might not get from a book. For instance, they should have all their writings relating to the proceeding labeled "attorney/client work product" so that the

opposing council cannot subpoena this information. At the clinic they are able to express themselves, and find a lot of comfort and support from meeting other women who are also going through such a life change. The clinic offers legal advice, as well as emotional support.

Q What challenges do low-income women with few resources face when getting a divorce?

A The problem with our society is that we don't have enough free lawyers. Women in need are really in a bind. If you do qualify for free legal services (based on income), there's a waiting list and divorce cases are not a priority. Without a domestic violence situation it's difficult to get a free lawyer. This is a major problem because these women, who are already facing a crisis, now have the additional burden of paying for a lawyer.

I tell women that their lawyers should always ask for attorney fees from the other side [the husband], especially if the husband has more assets and money. If the woman borrows money for the divorce before the action is filed, that could be considered marital debt and then the spouse could be responsible for at least half that debt. The woman should get a promissory note [a form of debt similar to a loan] and see if she can put some money aside.

Q What can women do to prepare for divorce?

A Assets can tend to disappear during a family crisis and the break-up of a marriage. You may want to start collecting copies of important documents prior to telling your spouse you are seeking to dissolve the marriage. Find out the balances of all accounts and notify all institutions and brokers not to release funds without your approval. You can withdraw funds and utilize it for reasonable expenses or put it in a separate account for safekeeping. Maintain careful records on any funds withdrawn from accounts because you will have to provide full disclosure. Credit lines from credit cards or other sources and home equity loans should either be utilized by yourself or closed; otherwise your spouse may utilize them and incur more debt. If you borrow money from such sources, be aware of the interest rate on the loan. Establish credit in your own name before the divorce because it may be more difficult to do so after you are divorced.

Q What is the importance of a prenuptial agreement?

A Marriage is so easy to get into, but so hard to get out of, it's a huge contractual obligations and commitment. Legal advice is definitely needed before marriage.

A prenuptial is a legal contract that establishes, before marriage, financial obligations of each person and other issues likely to come up in a marriage, like children and sharing housekeeping duties. It sets up what property is shared and what is owned by a single spouse. People may perceive prenuptial agreements as anticipation of divorce, but anyone entering into a contract like a marriage should have full disclosure of a potential spouse's assets, debt, and income. A prenuptial agreement can provide peace of mind during the marriage, because assets have already been delineated and protected.

Getting married carries serious legal and practical meaning that cannot be overlooked. A smart couple should begin their marriage with full financial disclosure and consider a prenuptial agreement, which will provide security down the road.

Q Do you notice a change in the women after they have attended a clinic?

A They're grateful for the legal information and for dealing with a lawyer they feel they can trust to give them good information. They also appreciate the support they get in a group setting, being with other women in similar situations and also just being in the NOW-NYC office. They know that NOW helps women and that the office is going to be a supportive environment where they're not being judged.

I'm very proud to be doing the clinic and I feel very committed to it. I get as much out of leading the clinic as the women themselves do.

The Divorce and Separation Clinic is held every third Tuesday at the NOW-NYC office. Call 212.627.9895 for more information.

For more information about divorce, to read case vignettes, and to learn more about Sherri Donovan's background, visit www.sherridonovan.com.