Green Light for Golden Rice in Philippines

On December 18, 2019 Golden Rice was officially approved in the Philippines. It has been found to be “as safe as conventional rice” and has been issued a biosafety permit. It is now available for direct use as food as well as feed, through the International Rice Research institute (IRRI).

The DKT Liberty Project has helped support the development of Golden Rice for the last six years. With this approval, it may only be a matter of months before this solution to Vitamin A Deficiency (VAD) that effects so many preschool children and pregnant women becomes available in the market.

Golden Rice is genetically modified rice that is identical to other rice except for the addition of a gene from corn which allows the plant to create beta-carotene, giving this rice its golden color and fortifying it with Vitamin A.

Millions of people in the developing world, mostly in Asia, suffer from Vitamin A deficiency (VAD). This condition is responsible for the deaths each year of an estimated 500,000 people, half of them young children. Another estimated 500,000 children become irreversibly blind annually from VAD every year. These people are the poorest of the poor in Asia and often live on a bowl of rice a day.

The next step in the process will be “an approval to cultivate,” which should take six months or less. When Golden Rice is widely available, farmers will be able to plant it free of charge, and free seed will be available so that this rice can be replanted year after year. Farmers will sell the rice to consumers at market price.

“The Philippines has long recognized the potential to harness bio-technology to help address food and nutrition security, environmental safety, as well as improving the livelihoods of farmers,” notes IRRI Director General Matthew Morrell.

The Philippines now joins a select group of countries that have affirmed the safety of Golden Rice, including the U.S. Food and Drug Administration, Health Canada and Food Standards Australia New Zealand.
Joining Forces with Innocence Project of New Orleans to Release Prisoners Serving Unjust Sentences

Recently, The DKT Liberty Project joined forces with Jee Park, Executive Director of the Innocence Project of New Orleans on a visit to Angola State Prison in Louisiana, the largest maximum security prison in the United States. Park and The Liberty Project’s AC Bushnell were there to visit an inmate who is serving a sentence of life without parole at hard labor for selling $20 worth of marijuana to an undercover police officer. This is clearly a travesty of justice and just plain wrong.

The DKT Liberty Project is continuing to support efforts to get this inmate out of jail. When AC returned from his trip, Park sent an email:

"Since becoming the director of IPNO, I have wanted to hire a special litigation attorney to look at individuals who are not necessarily innocent (under our current laws) but are serving excessive sentences that defy common sense and human dignity. These cases are especially shocking nowadays because selling and profiting from marijuana is legal in many states, and many entrepreneurs and venture capitalists are millionaires as a result. To help one person but ignore these others feels arbitrary and capricious (much like how our drug laws are enforced) and will do little to bring about systemic and policy changes to end life sentences that are too often imposed against black and brown people.

Are you interested in bringing more people home than just the one person you are supporting? Do you want to show how deeply racially biased and flawed our drug laws are that we sentence men and women to prison for life when no one was harmed? As a woman whose father was murdered, I feel confident in saying that no one deserves a life sentence, not even the man who killed my father, and certainly no one accused and convicted of having drugs. I believe in redemption, that each of us truly is more than our worst act."

The cannibus industry is making many entrepreneurs and venture capitalists wealthy. And yet many others are still serving long sentences of hard labor for nonviolent marijuana convictions.

Angola State Prison in Louisiana is the largest maximum security prison in the country. The DKT Liberty Project works with the Innocence Project of New Orleans to get unfairly jailed prisoners out of here.

Louisiana is not the only state in which “habitual offenders” — those who serve life without parole for drugs — are incarcerated. As recently as 2013, 19 states allowed such sentences that result in these “drug lifers.”

The DKT Liberty Project is paying for a special litigation attorney for two years to investigate these cases of wrongful imprisonment and bring these men and women home.

This collaboration focuses on 89 inmates whose only crime was drug related. Incredibly, all 89 have been sentenced to life without parole.
Under civil asset forfeiture law, US citizens can be subjected to having their money or property seized, often without having been even charged with a crime, let alone convicted of one. When police and law enforcement take property, with no trial, little due process, and sometimes no warning, it is up to the victim to hire a lawyer (if they can afford one) to try and get their property back.

When police seize property - usually money or vehicles - they count on encountering little resistance from the victims. Many victims are poor, especially after their property is taken, and the legal procedures required to get their property back are tortuous. The Liberty Project has found that the police are often willing to negotiate when faced with determined legal opposition. These stories illustrate that point.

**Hilda Bazán**

Hilda Bazán works in sales in Los Angeles. She lives with her two nephews.

A few years ago, Hilda purchased a new Kia Optima. She often lent the car to her nephew, so he could get to work and run other errands.

Some months ago, without Hilda's knowledge, her nephew decided to take some currency to Mexico and failed to declare it to US customs (this is a violation of federal law if the currency exceeds $10,000). He was arrested, and Hilda's car was seized. The government sought to forfeit the vehicle as an instrument of the crime committed by her nephew.

The DKT Liberty Project paid for a lawyer to represent her in fighting this federal forfeiture case. Hilda had no knowledge of what her nephew did, and the lawyer pointed out that she was an innocent owner of the car. Within a week, the federal authorities decided to return her vehicle.

**Sandra Camacho**

Sandra Camacho works as a housekeeper in San Diego. Camacho's son used her 2015 Ford Flex and transported two undocumented immigrants already here in the United States. The US Border Patrol stopped Camacho's son, took the undocumented immigrants into custody, and seized Sandra's car. Sandra was an innocent owner. Even though she had no knowledge of what her son was up to, the Border Patrol refused to return the car.

The car was worth $10,000 - $12,000. Through the intervention of the DKT Liberty Project in summer of 2019, the Border Patrol capitulated and returned the vehicle.

**Supreme Court strikes a blow against excessive fines in landmark case**

In February 2019, the Supreme Court voted unanimously for a reform in the criminal justice system, placing limits on “policing for profit,” as it has rightly been called. This ruling confirms that the Eighth Amendment to the Constitution which prohibits excessive fines applies to all states as well as the federal government.

In this case, *Timbs v. Indiana*, law enforcement took Mr. Timbs’ $42,000 truck when Timbs’ crime was punishable by a maximum fine of only $400. This decision has important implications for all asset forfeiture cases and represents a major step in eliminating policing for profit.

As Institute for Justice lawyer Wesley Hottot said, “This case is about more than just a truck. This case is about whether 330 million Americans coast to coast enjoy the protections of the Bill of Rights.”

The DKT Liberty Project joined the Cato Institute and four other organizations who filed an amicus brief that said, in part:

“State and local governments have increasingly turned to forfeiture, fines, and fees as a means for raising revenue. This system creates perverse incentives because those who are charged with enforcing the law also have a profit motive for their enforcement. The effects of this system are felt most harshly by those who can least afford it.”

To learn more about the importance of this case, see this video from CBS News.

**Yesenia Navarro**

Yesenio Navarro lives in Los Angeles, CA. Her boyfriend drove her car, a 2008 Infinity worth $4,600, and her only means of transportation, to San Diego, where he was involved in a drug deal. He was caught and sent to jail, and Yesenia’s car was forfeited. Although this case took longer to resolve than many civil forfeiture cases because the DEA was involved, The DKT Liberty Project persevered.

Before The Liberty Project intervened, Navarro couldn’t retain a lawyer because most attorneys wouldn’t take such a small case. But because of our help and the attorney’s presentation, the government agreed to return the car.
Liberty Project asks the Supreme Court to overturn Ninth Circuit decision in Jessop v. City of Fresno

Law enforcement authorities, including police, are generally immune from criminal or civil prosecution for acts committed as part of their law enforcement duties, under a doctrine called “qualified immunity.” This doctrine, however, can be egregiously abused. Jessop is a clear case of that sort of violation. Police officers searched a house with a warrant. The next day, one of the officers returned and asked for permission to reenter the house while he checked a few other things. He went upstairs and stole the coin collection he had seen the day before, along with $50,000 in cash.

DKT Liberty Project, joined by the Reason Foundation, the Individual Rights Foundation, Public Justice, the National Police Accountability Project, the Law Enforcement Action Partnership, the Institute for Justice, and Americans for Prosperity, filed an amicus brief in support of rehearing en banc in this case, which involved the expansion of qualified immunity to shield law enforcement officers who inexcusably stole the defendant’s property for their own personal gain. Amici argued that the panel’s decision would shield law enforcement officers from liability for even egregious and obvious Constitutional violations, and that such an unwarranted expansion of qualified immunity harms litigants, the police, and law enforcement itself.

Fifth Circuit Amicus Brief in Singleton v. Canizzaro

In this case, prosecutors from New Orleans issued counterfeit subpoenas telling individuals that they had to come to the district attorney’s office and give testimony.

The DKT Liberty Project, joined by the Center on the Administration of Criminal Law, the Center on Race, Inequality, and the Law, the Cato Institute, and a number of professors who study prosecutorial misconduct (including former prosecutors and public defenders), submitted an amicus brief in support of the district court’s decision that New Orleans prosecutors were not covered by prosecutorial immunity when they issued sham subpoenas to try to coerce witnesses into testifying.

The brief argues that prosecutorial immunity is a narrow doctrine that only shields prosecutors absolutely from liability for conduct “intimately associated with the judicial phase of the criminal process.” Here, the subpoenas were issued entirely outside the judicial process that Louisiana has codified for seeking such subpoenas. As the district court correctly held, absolute immunity does not cover this conduct and, because prosecutors rarely face accountability for misconduct, the court should not extend absolute immunity in this case.

Amicus Brief asks US Supreme Court to hear Fourth Amendment search case in Pennsylvania v. Shaffer

Jon Shaffer took his computer to a store to have it repaired. The technician noticed that there was material on the computer that might be against the law. He called police and officers seized and searched the computer.

“The ‘private search’ doctrine has been in effect since 1981 and states that if a private party has already done a search of a certain item, a law enforcement search is allowed because the item has already been opened. The DKT Liberty Project’s brief argues that when applied to digital data and items like cell phones and computers, the “private search” doctrine creates a large exception to the Fourth Amendment’s warrant requirement and puts sensitive, private information into the government’s hands. The result is deeply inconsistent with the Supreme Court’s earlier Fourth Amendment decisions.
Pushing Back Against the Criminalization of Poverty

Missouri Suspension of Driver’s Licenses

Thirty-nine states will suspend your driver’s license for unpaid court debt or child support payments. These laws provide minimal or no due process protections and, despite the Fourteenth Amendment’s protection against wealth-based discrimination, most states lack the Constitutionally required ability-to-pay analysis. These laws are particularly counterproductive: studies show that the single most important factor in getting and maintaining a job is having a valid driver’s license. In other words: you’re too poor to pay your court debt, you lose your license, then you lose your job, then you get evicted, and then you’re trapped in a cycle of poverty, making it even harder to repay your court debt.

With Liberty Project support, Equal Justice Under Law has filed a lawsuit challenging Missouri’s suspension of licenses for unpaid child support. As a part of the case, five affidavits were submitted from expert witnesses, who provided their opinions on the effect of child support debt on parents, the effect of driver’s license suspensions on mobility, and the public safety implications of suspending driver’s licenses for reasons unrelated to traffic safety.

Our goal is to ensure that Missouri honors Constitutional rights to due process and stops suspending people’s drivers licenses simply because they are too poor to pay.

Supporting Individuals Seeking Asylum in U.S.

Fleeing Heinous Violence, A Family Secures Safety

The DKT Liberty Project is supporting asylum-seekers who need a lawyer to represent them during this process. Only 5% of asylum-seekers without an attorney are granted entry into the United States, while those with lawyers have a 45% chance. The current administration has been making entrance to the United States ever more difficult, and we will continue to provide all the help we can.

Originally from Nicaragua, Pablo posted anti-government sentiments on Facebook and participated in a protest at a popular university against the Nicaraguan government’s actions to take pensions from seniors. Pablo held signs and demonstrated at the protest.

The government sent the military to repress the crowd. Military members shot rubber bullets into the crowd, and they hit Pablo among many others. The military then held protesters at the scene for three days, and threatened to shoot anyone who tried to escape. Pablo was finally able to leave the site, but then paramilitary groups came to his home asking for him by name. Pablo’s house was marked with obscene words indicating that Pablo was anti-government. An informant lives in the neighborhood, and Pablo believes that person gave away his location.

Pablo heard through neighbors that he had been labeled a participant and would pay dearly for his actions. There have been disappearances, detentions, tortures, and deaths of other participants. Pablo’s home was approached by officials several times, and Pablo feared for his life and that of his family. Pablo and his family fled their home to stay with a family member in another part of the country. Pablo became aware that a local informant in the new area had started to investigate, and that paramilitary groups had visited the new home twice. Pablo was forced to leave his family and flee the country to seek asylum in the United States.

The DKT Liberty Project provided Pablo with a lawyer. Following our presentation at his asylum hearing, the court granted Pablo’s asylum application, and he is well on his way to getting his permanent residency and being able to bring in his wife and children.
In 2018, 608,775 people in the U.S. were arrested and charged for marijuana possession. The DKT Liberty Project supported efforts in states where campaigns are underway to legalize cannabis. Here are the results from the three ballot initiatives that The Liberty Project supported in 2018:

New Approach Missouri garnered nearly two-thirds of votes cast in a three-way race to legalize medical marijuana, easily defeating competing initiatives in November 2018. This ballot initiative was the leading 2018 vote-getter in Missouri, even besting candidates for Senator and Attorney General. In Michigan, voters strongly supported adult-use recreational marijuana. And, in Utah, medical marijuana prevailed, despite opposition from the Mormon church.

The DKT Liberty Project has always been opposed to the war on drugs. Invasion of people’s homes, forfeiture of property without arraignment or conviction, wiretappings, warrantless searches of cars, homes, boats, aircraft, and persons have all resulted from the government’s effort to “win” an unwinnable war against substances which themselves do far less harm than the efforts to suppress them. The war on drugs is a catastrophic failure. We can’t end it until we stop arresting and locking people up simply for using or possessing drugs.
‘End It [The Drug War] for Good’

End It For Good is a nonprofit based in Mississippi that advocates for an end to the War on Drugs. End It For Good was started by Christina Dent, a lifelong Mississippian. She is a politically conservative Christian who supported a criminal approach to drugs until she became a foster parent. As she saw the effects of criminalizing drugs up close for the first time, that support wavered. Over time she became convinced that our current approach isn’t reducing the harms of drugs, but rather exponentially increasing them.

Christina discovered that the war on drugs was really a war on people.

“Our laws will change when the will of the people changes,” Christina says. “End It For Good works to change people’s minds by providing opportunities to learn, ask questions, and explore the hope and healing we believe is possible by addressing drugs and addiction as a health issue instead of a criminal issue.” It is the passion to care for people and help them thrive that first led Christina into foster care, and that is the same passion that drives End It For Good.

Christina advocates for drug policies that keep people out of jail and let them lead productive lives.

Facing Intimidation and Attacks, Honduran Man Granted Asylum in the U.S.

José R. is from Honduras and was active in Honduran politics for more than five years as a volunteer. José believes that the current party president won the election by fraud. During the last election, military personnel closed the election table at 4:30 p.m., even though the table should have been closed at 6 p.m. and there were still plenty of people waiting in line to vote. José had been attacked twice. On the day of the first incident, he attended a political demonstration in the morning where the police used tear gas on the crowd. José was hit in the stomach during the confusion but did not go to the hospital for his injuries out of fear. Later that day, he was walking with a friend. Four masked people with military uniforms and the phrase “ejercito military” on their shirts grabbed them by the neck and threatened them. The masked men told them they knew where they lived, who they were, and that they were going to kill them. José and his friend were finally able to break free and flee the scene.

Three days later, José was attacked again. He was forced to run and hide behind a wall and was nearly hit by a rock. After that incident, José and his friend reported the incident to the local human rights office. A congressperson from José’s political party then wrote a letter for both José and his friend. José stated that his friend who was recently granted asylum presented this letter as evidence. José fled the country and presented himself at the United States border.

José had a good case, but did not have enough money to hire a lawyer to prove it. When The DKT Liberty Project heard about this, we got Attorney Richard Barnett who has been a very successful lawyer in Southern California to take the case. The Liberty Project paid for the legal expenses, and José was granted asylum.
On June 25, 2019, Illinois Gov. J.B. Pritzker made history, by signing into law the Cannabis Regulation and Tax Act (CRTA). January 1, 2020 was the first day adults 21 and older were allowed to possess and purchase cannabis. Watch here – from The Springfield News-Leader.

With the governor’s signature, Illinois became the 11th state to legalize marijuana for adults and the first to approve legal sales by enacting the law through the state legislature rather than a ballot measure. The DKT Liberty Project is happy to have supported the Marijuana Policy Project on this campaign.

The CRTA legalizes the possession and purchase of up to 30 grams of marijuana for adults who are Illinois residents (for visitors, the limits are half that) and establishes an inclusive, regulated market for cultivators, processors, retail stores, and testing labs. Cities can also opt-in to having on-site cannabis consumption (cannabis cafés).

The bill is an enormous step forward. It will help hundreds of thousands of Illinoisans and set a new standard for addressing the harms caused by decades of marijuana prohibition.

The CRTA includes far-reaching expungement provisions for prior marijuana offences, funding for communities hard-hit by the drug war, and assistance to business applicants operated by those harmed by prohibition or from areas of disproportionate impact. It also legalizes home cultivation for patients. You can learn more about the bill’s criminal justice reform and social equity provisions here.
Medical Marijuana Moves Ahead in Mississippi

In September 2019, 105,686 certified signatures were filed with the Secretary of State in Mississippi to qualify Initiative 65 to appear on the ballot for Mississippians to vote on in the November 2020 election. After submitting well over the number of required voter signatures, Mississippians for Compassionate Care succeeded in qualifying a responsible and compassionate medical marijuana measure for the 2020 ballot.

This ballot initiative is the first to be certified in a Deep South state. If approved by Mississippi voters, qualifying patients who suffer from debilitating medical conditions will be able to obtain medical marijuana after they are examined by a Mississippi licensed physician.

“The DKT Liberty Project is thrilled to have helped give the voters of Mississippi the chance to have the benefits that are available in 33 other states,” said AC Bushnell, Program Director for the DKT Liberty Project, “Now, the people of Mississippi will be able to choose.”

State Representative Joel Bomgar, a Republican legislator, is heading up the campaign.

Marijuana Overdose and Arrest Statistics

9 of 10 people arrested for marijuana violations in 2018 were charged only with possession.

68,500
Deaths from accidental drug overdose in 2018

0
Deaths from marijuana overdoses in 2018

Of all lethal drug overdoses in 2018, about 47,600 died due to opioids.