



ACLU-AL and ACLU-AL Foundation 2008 Work Plan

Since the ACLU was founded in 1920, our work has enhanced basic human rights. As we work to conserve America's original values established in the Constitution and the Bill of Rights, we also fight to extend basic rights to segments of our population that have historically been denied them. Now, as we fight to keep abuses of power from eroding the very foundation of our freedoms, we continue to work to ensure that the government upholds our nation's promise of liberty and equality for all, regardless of race, gender, sexual orientation, religion, or national origin.

Advocacy Projects

Gay and Lesbian Rights

The ACLU works for equal treatment of lesbian, gay, bisexual and transgendered (LGBT) Alabamians. This means no discrimination by the government or in employment, housing, school or public places.

Protecting the rights of LGBT parents and their children is central to achieving equality for all LGBT people. A particular area of concern for the Alabama affiliate is the Alabama courts' denial of child custody and visitation rights to LGBT mothers and fathers solely on the basis of their sexual orientation. The Alabama Supreme Court has issued particularly disturbing religiously-based rulings against LGBT parents with the result that Alabama law is the worst in the country.

The ACLU-AL receives requests each year from mothers and fathers who are often desperate for help. We will continue to assist in as many of these cases as we can, either by working with attorneys already representing these parents or representing the parents directly.

We also need to strengthen our capacity to work in partnership with other civil rights groups to oppose legislative proposals which would discriminate against LGBT Alabamians.

Racial Justice

Equal Educational Opportunity

The ACLU of Alabama has a long history of working for equity in public education, especially for poor and racial minority students. We currently represent Pickens County students and their parents in Alabama's long-running school desegregation case, *Lee v. Macon (Pickens County)*. Last year we succeeded in helping parents and students in the little town of Carrollton preserve their community school by obtaining a federal court order requiring the school board to take action to make the long-neglected school a success. Next year this case will be a top priority for the ACLU-AL as we advocate for equal opportunity for the white and minority students in the system. We will likely need to defend our clients, the public school students and their parents throughout the Pickens County School system, against an attempt by the Justice Department to get the federal court to end its jurisdiction over this case.

Rights of Immigrants

The Constitution protects citizens and non-citizens alike from discrimination based on race and national origin and from arbitrary treatment by the government. The ACLU challenges unconstitutional laws directed toward immigrants and counters the myths upon which these laws are based. The need for the ACLU in Alabama to respond to Constitutional violations against immigrants has been growing rapidly over the last few years. During this time, we have represented people targeted by the FBI for questioning during the massive nationwide roundups of Middle Easterners and South Asians; provided "Know Your Rights" talks to these communities about their constitutional rights; and worked to stop racial profiling on the highways by Alabama State troopers who, under the guise of fighting terrorism, are stopping Latino immigrants who are here only to make a better life for themselves and their families.

The ACLU-AL is now working to end the indefinite detention of men and women being held in two new federal detention centers located in Etowah and Perry counties. These facilities hold close to 2,000 people. The U. S. Supreme Court ruled in 2005 that people who cannot be deported to their home countries and who pose no danger to society cannot be held over six months. Yet, such detentions without end continue in Alabama and all over the country. In 2008, we hope to bring legal challenges to these unlawful imprisonments and challenge the conditions in which these men and women are forced to live.

Humane and Equal Treatment of Prisoners with HIV

Alabama is the only state in the nation that segregates prisoners with HIV from the general population for participation in rehabilitative and other programs. HIV+ prisoners do not have the same access to religious services, visits with their families, exercise, jobs inside prison or drug rehab that their HIV- counterparts do. HIV+ prisoners are totally barred from participation in work release or prison factory jobs based solely on the fact that they have HIV. As a result, these prisoners serve longer and harsher sentences for no reason other than their HIV status. The ACLU-AL has been conducting interviews at Tutwiler and Limestone prisons this summer to gather detailed information about these practices from HIV-positive and negative inmates. We are seeking to end this tragic situation without going to court. Should this tactic fail, we need to challenge these discriminatory policies through litigation.

Reproductive Freedom

The ACLU fights for reproductive freedom so that women have the support they need if they want to have children, meaningful access to birth control and the right to a safe and legal abortion if needed. We also advocate for sex education in our public schools that gives students the information they need to make healthy decisions.

Reproductive freedom is seriously threatened in Alabama and the nation. In Alabama, like many states, abortion clinics were singled out again in 2006 and - regardless of the safety record of the facility - required to meet new standards that providers of analogous medical care are not required to meet. The affiliate provided testimony opposing the new requirements.

Nine anti-choice bills were introduced in the legislature this year, including several outright bans. In response, the ACLU-AL played a leadership role in forming the Reproductive Health and Education Coalition of Alabama (RHECA). RHECA's mission is to preserve access to reproductive health care for women and to promote accurate age-appropriate sex education. Due to gridlock in the Senate most of the anti-choice measures made little progress through the Legislature and none passed. Next year they will be introduced again and are likely to pose a real risk to abortion care in the state. An important focus of the ACLU-AL's work in 2008 will be expanding the coalition to address this threat.

In the last year the ACLU-AL also played a key role in working with other groups to get Dothan City Schools to stop using a sex education curriculum provided by religious groups that contained medically inaccurate information. The curriculum materials also included gender and LGBT-biased content. The Superintendent not only agreed to stop using these materials throughout the system but invited the ACLU-AL and our partners to help shape the new curriculum. We are prepared to address this problem when it arises in other school systems in the future.

Voting Rights for Ex-felons Who Have Paid Their Debt to Society

Working in coalition with other groups, the ACLU-AL succeeded in getting a law adopted that restores the right to vote to most ex-felons in the state who have completed their sentence and paid their fines. Prior to passage of the new law, Alabama had the second highest disenfranchisement rate in the country with one out of seven adult Alabamians disenfranchised, including a staggering one out of three adult African-American males. 241,000 Alabamians were estimated to be disenfranchised due to felony convictions when the new law passed.

A 2005 Attorney General's opinion and recent litigation have created confusion about which felons the 2003 law applies to and which felons should have never lost their right to vote in the first place. It is critical that this confusion be cleared up so that there is a clear statewide standard for voter eligibility. In 2008, the ACLU-AL plans to work in partnership with legislators and community groups to address this problem and bring a lawsuit if needed. Resources permitting, we will carry out a statewide outreach campaign so that ex-felons, their communities and the general public understands their rights.

Ongoing Efforts

Safeguarding Free Speech and Assembly Rights

The ACLU-AL receives complaints every year by groups and organizations seeking to hold peaceful demonstrations, marches and community meetings who are being discriminated against by city governments because of the viewpoint of the group.

We respond to every complaint, resolving them without litigation when possible, through litigation when necessary. It is vital that we intervene swiftly when there are such constitutional violations. Otherwise, government officials will get the message that it's okay to fashion their own criteria about who does and does not speak.

Preserving Religious Liberty

The ACLU of Alabama has challenged every serious violation of the separation of church and state and denial of religious liberty rights in Alabama in the last 30 years. The body of law our efforts have created has defined the wall that should separate church and state in Alabama, and has restrained government officials substantially.

Despite these victories, the tendency of Alabama officials to cross the line runs deep. We intervene in four to six serious violations in public schools every year and typically remedy the problems without expensive long-running litigation.

It is important that we are always ready to respond swiftly to these violations, without litigation whenever possible, with litigation when necessary. Otherwise, the line will be crossed more frequently and more egregiously.

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The ACLU of Alabama is comprised of two separate corporate entities: the ACLU of Alabama and the ACLU of Alabama Foundation. Although these two entities are part of the same overall organization, it is necessary to have two separate organizations in order to do the broad range of work required to protect civil liberties. Although there is some overlap in the work done by each organization, certain activities are done by one and not the other. The ACLU of Alabama engages in the legislative efforts described above. The Foundation typically works in the courts and carries out public education activities.