



ACLU OF ALABAMA NEWSLETTER 2017

FROM THE EXECUTIVE DIRECTOR — RANDALL C. MARSHALL

Over my 17-year tenure with the ACLU, I can say this has not only been the most challenging year of my career, but also one of the most rewarding. I have seen this organization mobilize people like never before in an effort to uphold the Constitution and the very foundation of what it means to be an American. Yet, the resilience of our small staff here in Alabama over the last 10 months has been transformative for me as a leader.

On December 2, 2016, we lost our executive director, Susan Watson. She came to the ACLU of Alabama in 2013 and ensured that we were vigilant in the

fight for civil liberties. I was honored to work alongside her as a colleague and friend for many years – eight in Florida and four in Alabama. Despite our great loss, the ACLU of Alabama has pressed forward in her memory by building on the groundwork she established early on and I am honored to have been selected to take on the role of Executive Director to continue our work.

Over the past year, the ACLU has seen the most significant growth in its history, both in membership and contributions. As the primary organization committed to preserving and protecting the rights



of all Americans, we've emerged as the leader of the resistance against unconstitutional and discriminatory policies proposed by the Trump Administration. The growth of the ACLU nationwide exploded after President Trump's issuance of the first Muslim travel ban in January.

IN THIS ISSUE

- 1 FROM EXECUTIVE DIRECTOR
- 2 WOMEN'S AND REPRODUCTIVE RIGHTS IN MEMORY: SUSAN WATSON
- 3 LEGISLATIVE UPDATE
- 4 "EL PUEBLO UNIDO": HOW KNOW YOUR RIGHTS INFO HELPS IN THE FIGHT AGAINST ICE
- 5 A BRIEF LOOK AT OUR CURRENT LEGAL WORK
- 6 BOARD ELECTION NOTICE

("From the Executive Director" continued)

From slightly under 500,000 members, we grew to 1.8 million members nationwide. In Alabama, we nearly tripled our membership, gaining an additional 3,000 members.

While we are making progress, there are still many challenges here in Alabama and across the nation. The Alabama legislature continues its assault on women's reproductive freedom and we continue to win court victories striking down unconstitutional restraints. We seek equality for the LGBT community and equity for those who have been disfranchised from voting. We want to divest from mass incarceration and invest in ways to curb the school-to-prison pipeline. We strive to ensure our immigrant community is protected and empowered. The fight continues.

The work of our office is laid out in detail throughout this newsletter, and we are excited to be a part of the resistance to the implementation of unconstitutional policies both in Alabama and nationwide. With the sea change resulting from the 2016 election, the work of the ACLU has never been more important than it is now.

We thank you for your past support and look forward to your continued support for the advancement of civil liberties for all.



WOMEN'S AND REPRODUCTIVE RIGHTS

What We Did:

- Ensured that Alabama can never terminate its Medicaid contract with Planned Parenthood without cause
- Stopped minors from being subjected to a trial-like procedure when seeking an abortion without parental consent
- Struck down four separate restrictions that impacted a woman's access to an abortion in Alabama
- Supported a police officer in her workplace discrimination lawsuit following her maternity leave



IN MEMORY: SUSAN WATSON

In opposing the raft of bills seeking to make it more difficult to obtain an abortion, Susan Watson often commented, "Next it will be a crime to be a woman in Alabama." And then she got to work overseeing the equivalent of seven federal court challenges to such restrictions in her first three years as the executive director of the ACLU of Alabama. After a brief illness, Susan died unexpectedly in early December last year, and Alabama lost a champion for civil liberties.

The ACLU of Alabama has a long and proud history, but when Susan took over in April 2013, she proceeded to elevate the organizational presence to meet many civil liberties' challenges. Susan hit the ground running in Alabama and never let up. We will truly miss her drive, her ambition, her leadership and, most of all, her potential. But we will press on in her memory and her spirit.

HIGHLIGHTS FROM THE 2017 LEGISLATIVE SESSION

By Rebecca Seung-Bickley rseungbickley@aclualabama.org



During the 2017 legislative session, the ACLU of Alabama monitored 14 bills due to their impact on our civil liberties. With every single bill, we advocated for freedom, justice, and equality for all. For more information about other legislative work, visit aclualabama.org/legislation.



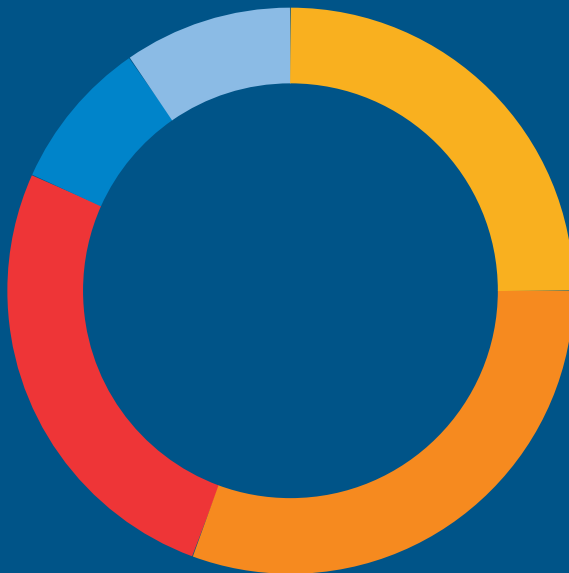
Sanctioned LGBT Discrimination for Adoption Agencies: HB24 passed as a religious freedom act (RFRA) that allows adoption agencies to refuse placement to families who do not share their religious beliefs. In practice, this law will likely discriminate against same-sex couples and punish vulnerable children in need of a home.



Kept Separation of Church and State: SB193 failed to come to the floor for a vote in the House, but is expected to resurface again in future sessions. This bill would have authorized the Briarwood Presbyterian Church to have its own police force and, in so doing, would have violated the Establishment Clause of the First Amendment to the Constitution.

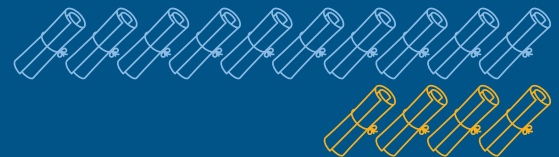


Proposed Amendment to Establish “Right to Life” State: HB98 seeks to add to the Alabama Constitution language that expresses a policy commitment to the “sanctity of unborn life.” While it is largely symbolic because abortion access is a federally protected right, this still represents a threat to reproductive freedom and healthcare access and must be voted down next November during midterm elections.



● Reproductive Rights — 31%
 ● Voting Rights — 6%
 ● LGBT Rights — 6%
● Criminal Justice — 25%
 ● Religious Liberty — 32%

of bills monitored — 14



of bills passed that we supported — 4



of bills passed that we opposed — 5



of bills failed that we opposed — 5



"EL PUEBLO UNIDO":

HOW KNOW YOUR RIGHTS INFO HELPS IN THE FIGHT AGAINST ICE

By Lucía Hermo | lhermo@aclualabama.org



Ever since its inception in 2003, Immigration and Customs Enforcement (ICE) has been finely tuning their detention and deportation tactics and testing them out on our immigrant communities. Since then, the machine that drives detention and deportation has only been growing.

We have heard reports of ICE showing up at courts, doctor's offices, and other public areas to check papers and take away anyone who couldn't show them. We have heard of sweeping ICE raids that break apart families, leaving children alone in houses and families scrambling to create emergency plans in the case that they don't make it home from work that day. And we have heard of DREAMers being detained and deported, even though they qualify for deferred action on deportation because they came over as children.

In order to combat this, we at the ACLU of Alabama are ramping up our Know Your Rights efforts by reaching out to local communities, working with other organizations, and providing content on our website and social media in an effort to give people the tools they need to stand up for their rights and for their families. We offer Know Your Rights workshops in both English and Spanish, and we are working to translate our materials into Spanish and Arabic so we can reach more communities in Alabama. We provide trainings at local churches and immigrant-owned businesses so that community leaders can talk with us and stay connected with the ACLU, as we try to help or connect them to the right places whenever possible.

With these presentations, we hope to establish trust and respect in a

community that has too often been targeted in this state. When conducting trainings, we offer a collaborative environment where people can ask questions and talk to us frankly about the issues that they care about. By providing this space, we are arming people with information and giving them an avenue where they can come together, talk about the problems in their own communities, and work together to increase the power and strength that is inside of them.

Building these relationships and giving people the tools they need to change their own communities is the best defense we have against ICE and its efforts to separate families. After all: *El pueblo, unido, jamás será vencido.* (The people, united, will never be defeated.)



DO YOU KNOW YOUR RIGHTS?

If an immigration agent comes to your door...

You do not have to open the door unless they have a warrant signed by a judge that names a person in your residence or your address.

If a law enforcement officer asks about your immigration status, if you are arrested, or if you are being charged with a crime...

You have the right to remain silent and request a lawyer.

If you do not speak English...

You may request an interpreter at any time for both spoken and written information.



A BRIEF LOOK AT OUR CURRENT LEGAL WORK

By Brock Boone

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The ACLU of Alabama covers a broad scope of legal issues; here are just a few highlights of some of the cases we have been working on this past year. For more information on our litigation, please visit aclualabama.org/cases.

Ending wealth-based bail practices:

In *Edwards v. Cofield*, we partnered with Southern Poverty Law Center and Civil Rights Corps to represent a former Army National Guard member whose bail was set at \$7500. She could not afford to pay, so she remained in jail even though she was seven months pregnant at the time of arrest. We sued because our system of justice should not be based on wealth.

Ensuring prisoners' rights are respected: In *Hunter, et al. v. Beshear*, we partnered with Alabama Disabilities Advocacy Program to bring a class-action lawsuit against the Alabama Mental Health Commissioner. Individuals with severe mental disabilities who cannot stand trial are committed to the custody of the Alabama Department of Mental Health for competency restoration treatment. Due to an average wait time of eight months to be transferred from county jails to Taylor Hardin for treatment, the lawsuit alleged due process rights have been violated. Over the spring, the parties negotiated a settlement agreement to greatly shorten the wait time.

Protecting the First Amendment:

Yvonne Allen, from Tuskegee, is a Christian woman who covers her hair with a headscarf as part of her religious practice. When attempting to renew her license at the Lee County driver's

license office, she was told to remove the head covering because she was not a Muslim. We argued that Lee County's policy violated the Establishment Clause, the Free Exercise Clause, and Alabama's Religious Freedom Amendment. We successfully negotiated a settlement that gave Ms. Allen a new driver's license with her head covering and the payment of \$10,583.25 in damages, fees, and costs (including the cost of a new license).

Keeping speech free in the face of big business: Uniontown is an impoverished community in the Black Belt where toxic coal ash has been dumped since 2009. An activist group, Black Belt Citizens Fighting for Health and Justice, spoke out against the company responsible, Green Group Holdings, which in turn attempted to silence them by filing a meritless defamation lawsuit for statements the group made on their website and Facebook page. After winning a motion to dismiss, we were able to negotiate a settlement of the case with a dismissal of all claims with prejudice and to ensure the public would receive advance notice for any future plans to take in more hazardous waste.

Our legal program seeks to challenge regressive policies and to fight against discriminatory practices as we work to create laws that are more just for all. Our litigation will always work to defend and preserve the individual rights and liberties guaranteed to every person in the United States.

ADVOCACY UPDATES 2017



This past June, Alabama showed its Pride as people came out to support LGBT communities across the state. We were excited to attend festivals in Huntsville, Birmingham, Mobile, and Montgomery, which included a speech from our own Staff Attorney, Brock Boone.



In July, we partnered with Legal Services Alabama to offer clinics for those with felony convictions who need their voting rights restored. Thanks to a new Alabama law defining crimes of moral turpitude, there are many with felony convictions who have previously been disfranchised but who are now eligible to vote. This campaign kicked off at Brown Chapel A.M.E. Church in Selma with a collaborative training that included presentations from Executive Director, Randall Marshall and Staff Attorney, Brock Boone.