

The results of the 2024 election are clear: state governments must step forward to become the frontline for freedom and defend their residents against the Donald Trump administration's promised assaults on our rights.

We know about the civil liberties threats that a second Trump administration poses. In summer 2024, the ACLU published a [series of memos](#) analyzing likely policies under a second Trump administration. In addition to the president-elect's remarks in interviews and at campaign rallies, we examined [Project 2025](#), The Heritage Foundation's playbook for a second Trump presidency.

It's clear that a second Trump term will not simply be more of the same. Trump will pursue an even more extremist, anti-civil rights agenda than we saw in his first term. We have reason to fear he will act in partial or total disregard for legal constraints and governing norms. Immediately after the election, President-elect Trump began to announce his plans to appoint and nominate loyalists to positions in the White House and federal agencies who may be willing to take actions that even now are unthinkable in a democracy.

During the first Trump administration, we learned that the collective power among state and local officials was critical in blunting some of the worst abuses. From city leaders who fought to make their cities safe from federal deportation raids to state attorneys general who took legal actions, resistance was national and widespread. It also worked, which is why Project 2025 tries to limit the states' power and increase executive overreach.

Trump will attempt to turn the vast arsenal of federal law enforcement on the American people. But he will not be able to carry out his plans — mass deportations and suppressing dissent — without help from state and local officials who hold immense power and resources. Through state laws and policies, local ordinances, school board policies and courageous actions of locally elected officials, states and cities can refuse requests that they voluntarily collaborate with federal law enforcement to carry out anti-civil rights actions. They can refuse to

volunteer time, money, logistical support and know-how to make it much harder for the Trump administration to rapidly scale up attacks on residents related to immigration status, reproductive or gender-affirming care, dissent or other exercises of civil rights. We call this the Firewall for Freedom — a barrier to protect against the fiery spread of civil rights violations promised by Trump.

### WHAT THE ACLU IS DOING

The ACLU — with offices in every state, DC and Puerto Rico — was made for this moment. Our work across the states will be a key part of defending rights against President-elect Trump. In addition to expanding work in [state courts](#), we have been working with policymakers and community partners to prepare states to be this firewall for freedom.

Each state's landscape is different, both in terms of current politics and existing legal and policy frameworks. However, our organization is uniquely situated to meet this moment. ACLU affiliates prioritize the policy issues that will protect our communities. In this guide, we detail the executive orders, guidance attorneys general can issue, state legislative action, and municipal actions needed to keep us all safe.

Visit [aclu.org/firewall](https://aclu.org/firewall) to learn about all the ways the ACLU is taking action during a second Trump administration.

## IMMIGRATION

President-elect Trump's immigration plans are far crueler, more extreme, and more fundamentally damaging to core rights and freedoms than any in living memory. From mass raids and deportations to attacks on asylum and birthright citizenship, Trump's policies will not address border management or create a functioning, modern immigration system — these policies would harm all of us by tearing apart immigrant families, communities, and the fabric of American society.

At the state and local level, we are pushing elected officials to begin coordinating to protect their communities from Trump's attempts to ravage them. This includes:

- **Opting out of Trump's deportation machine** by minimizing local entanglements with abusive and discriminatory immigration enforcement programs. This includes refusing to contract with Immigration and Customs Enforcement (ICE) officials to provide detention space necessary to Trump's deportation machine and ensuring local police do not provide any support to ICE for its raids and other arrests.
- **Developing protocols to prepare and support communities impacted by mass raids:** Deportation raids will devastate our communities when people disappear from their neighborhoods overnight. Children will be left without parents, families will lose their breadwinners, and fear will ripple through our schools, places of worship and workplaces. We are urging state and local governments to prepare. Public and private leaders must convene now to create a protocol for how to respond to these raids, including setting up a hotline, providing pro bono legal assistance, preparing educators and faith leaders to provide support, and surging resources to families left behind.
- **Protecting people vulnerable to deportation,** including issuing pardons to immigrants for state criminal convictions that make them deportable and passing legislation to allow people to obtain a driver's license without regard to citizenship.

## FREE SPEECH, DATA PRIVACY, AND EXECUTIVE POWER ABUSES

President-elect Trump has made clear that his administration intends to dismantle the already insufficient guardrails that prevent the president from abusing the executive branch's power. Trump and his allies have made clear their desire to use the power of the presidency to criminalize dissent and stifle free speech, expand government surveillance, and target political opponents. Notably, he has threatened to deploy the National Guard or the U.S. military against people for exercising their First Amendment right to peacefully protest.

In the second Trump administration, state and local leaders who value civil liberties must take a lead role in resisting abuses of federal executive power. We're urging them to take action, including:

- **Limiting cooperation between local and federal law enforcement,** such as joint terrorism task forces and fusion centers that enable federal authorities to intervene in protests and mobilize local resources in abusive surveillance and investigations.
- **Restricting data sharing with federal agencies and departments,** which would reduce the pool of data available to federal law enforcement to carry out. This includes championing state and local laws to increase community control over policing, restricting reverse warrants, and ending purchases of personal information from data brokers.
- **Adopting clear rules governing how police may respond to peaceful protests,** to prevent the chilling of First Amendment protected activity. This includes guidance on demilitarizing their policing of demonstrations, creating greater transparency of policing at protests, and minimizing intrusive surveillance of protests.
- **Keep the military out of domestic law enforcement.** Trump has threatened to turn the powers of our government against the "enemy within," including using federal troops to suppress protest or aid in mass deportation. Our nation's foundational principles separate the military from domestic law enforcement, and these kinds of Trump actions would be abuses of power. We are urging state governors and legislatures to make clear that their state National Guard units will not

voluntarily participate in Trump's plans. Our state leaders can refuse to let National Guard troops under their command suppress peaceful protest or turbocharge immigration raids and detention. State governments can also decline to assist federal troops and federal law enforcement in the commission of rights violations, in certain circumstances.

## REPRODUCTIVE RIGHTS

During his first administration, President-elect Trump nominated three of the Supreme Court justices who voted to overturn *Roe v. Wade*, ending nearly a half century of federal protections for abortion. In his second administration, Trump could try to go even further. While Trump himself has waffled on the issue, his allies have proposed an extreme agenda that includes misusing the 19th century Comstock Act as a backdoor way to ban abortion nationwide, pushing the FDA to revoke approval of the abortion medication mifepristone, and decimating access to contraception.

States and localities must act as a critical bulwark in the face of a Trump administration that is hostile to reproductive rights. We're working to ensure they take action, including:

- **Passing "shield law" protections**, to protect people who provide, seek, and help others obtain abortion care in their states from civil or criminal repercussions from other states' laws.
- **Funding abortion, contraception, and abortion support services**, through grants to abortion providers and community organizations so that people can access the care they need regardless of income level.
- **Expanding access to medication abortion and preventing the criminalization of abortion under state law**. This includes eliminating barriers to using telemedicine for abortion medication and codifying

the right to contraception and other reproductive health care.

## TRANS JUSTICE

After Trump's inauguration in January 2017, we witnessed a sustained, years' long effort to erase protections for LGBTQ people across the entire federal government. Project 2025 gives the second Trump administration a roadmap on how to go further, including weaponizing federal law to override state level protections, mandating discrimination by schools and health care providers nationwide, and weaponizing federal law against transgender people across the country.

State and local governments must protect transgender people from Trump's attempts to implement sweeping discrimination against them. The Trump administration will likely try to force the cooperation of many local and state agencies and try to require information sharing. However, we're calling on states and localities to take action, including:

- **Ensuring self-reporting of gender, including for identification documents**. The Trump administration may require states to treat and/or report students, employees, or the general public according to their sex assigned at birth. Allowing gender self-reporting, without medical documentation requirements, will help states fight back.
- **Adopting LGBTQ-inclusive school district policies** that protect LGBTQ students from discrimination and harassment.
- **Funding for gender-affirming care, and comprehensive coverage under Medicaid**. States should create permanent, reliable funding streams for gender-affirming care providers, clinics, and patients to ensure people cut off from insurance coverage can still access care.

The ACLU was made for this moment. We are taking every step possible, at all levels of government and through all tools at our disposal to stop President-Elect Trump's assault on our rights.

Visit [aclu.org/firewall](https://aclu.org/firewall) for updates on actions in specific states and contact [media@aclu.org](mailto:media@aclu.org) to speak with our experts about this work.