

LET PEOPLE VOTE

While lawmakers continue to make voting hard, the ACLU is working to make it easier, through a nationwide campaign to promote voting rights and increase election participation.

In October 2017, the ACLU launched Let People Vote, a campaign to restore Americans’ voting rights through People Power, our online activist platform. Over 1 million people tuned into a livestream of our launch event in Kansas (ground zero for attacks on voting rights), and thousands more attended almost 600 in-person events in every state in the nation.

Harnessing the energy of our 1.85 million members, 2.7 million online activists, and 3 million social media followers, we are encouraging activists to participate in actions at all levels, from testifying at state legislative hearings to canvassing on the street in order to identify other supporters and engage them in ballot initiative-based objectives.

The ACLU’s top priorities for public engagement include restoring voting rights for formerly incarcerated people, promoting election reforms such as same-day registration, and establishing independent redistricting commissions across the nation to put a stop to partisan gerrymandering.



ON THE FRONTLINE

The ACLU’s charge to uphold the Constitution keeps us active on multiple fronts, where we’re defending our democracy aggressively through litigation, advocacy, and activism.

PROTECTING REPRODUCTIVE FREEDOM

With anti-abortion forces in control on Capitol Hill and heading critical agencies, we are facing substantial federal threats to abortion and reproductive health services. While the ACLU continues to bring its full legal firepower to the fight, we are working to reduce longstanding barriers to abortion access, such as Maine’s “doctors only” law that blocks qualified nurse practitioners and nurse-midwives from performing abortions. The ACLU also filed emergency lawsuits to halt the Trump administration’s unconscionable new policy preventing young immigrant women in federal custody from getting abortions.

DEFENDING LGBT RIGHTS

The Trump administration has ushered in a dangerous future for lesbian, gay, bisexual, and transgender (LGBT) rights. Undeterred, the ACLU is fighting back. We defeated most of the state-level anti-LGBT bills introduced this past legislative session, and we are already seeing success this year—like in Tennessee, where the ACLU helped defeat a bill that would require the attorney general to defend public schools that discriminate against students or employees based on their gender identity.

STANDING UP FOR IMMIGRANTS’ RIGHTS

Immigrants now face the most hostile climate directed toward them in generations. The ACLU’s litigation against Trump’s notorious Muslim travel ban continues, and we are hard at work combatting a flood of new anti-immigrant laws coming out of the states. We recently filed a nationwide class-action lawsuit on behalf of young Dreamers whom the administration has illegally stripped of protections under Deferred Action for Childhood Arrivals program.

Questions? Please contact Caroline Pronovost, Office of Major Gifts at (212) 284-7381 or leadership@aclu.org.

PROTECTING THE RIGHT TO VOTE

The Trump administration has ushered in a dangerous era for voting rights as we know them. Not only has Trump revived the myth of “voter fraud,” but his victory and the changing composition of the courts have emboldened states to double down on voter suppression efforts.

It is difficult to overstate the importance of voting rights in this midterm election year—especially when the outcome of those elections will determine how voting maps get drawn through the year 2030.

In response to these high stakes, the ACLU hired five new voting rights lawyers as well as a new state advocacy strategist, a new communications strategist, and a field organizer to provide direct support to people impacted by strict photo ID laws—the majority of them older voters, voters of color, and low-income voters.

In January, the ACLU scored an early victory in forcing Trump to disband a sham “election integrity commission,” co-led by none other than Kansas Secretary of State Kris Kobach, the voter suppression mastermind who describes himself as “the ACLU’s worst nightmare.” In Kansas alone, we’ve filed three separate cases challenging Kobach’s voter suppression efforts; similar litigation is underway in many other states.

While the majority of our litigation in previous years was based on the Voting Rights Act—which the Supreme

Court gutted in 2013—the ACLU is now using legal vehicles such as state constitutions, the National Voter Registration Act (NVRA), and the Americans with Disabilities Act (ADA) to protect voters’ rights.

For instance, in New York, we are involved in a test case on behalf of people with disabilities to compel the state to make online voter registration systems compliant with the ADA. If we’re successful, the case will be a model for similar litigation in other states.

MEET GLADYS HARRIS

Longtime Milwaukee resident Gladys Harris, 66, was turned away at the polls when she tried to vote in the 2016 presidential election. Her story is not uncommon, and unfortunately like so many others, does not end with her vote being counted.

Harris (pictured at right), who has voted in Milwaukee for years, had recently lost her state ID card. She showed up to the polls with her Social Security and Medicare cards as well as a government-issued bus pass with her name and photo on it. But according to Wisconsin’s new voter-ID law—one of the harshest in the nation—that wasn’t good enough. Her vote didn’t count that day.

Harris is one of 300,000 registered voters in Wisconsin who lack acceptable identification under the state’s restrictive voter ID law. These laws don’t affect all voters equally: People of color, low-income people, the elderly, students, and people with disabilities disproportionately lack the types of IDs that at least 34 states demand. Except for being a student, Harris meets every one of those risk criteria.

“People weren’t pushing these laws 20 years ago,” says Dale Ho, director of the ACLU’s Voting Rights Project. “They are pushing them now, as people of color are not just a larger share of the population but also voting at higher rates than they have in the past.” Courts nationwide have agreed that unnecessary and burdensome restrictions on voters are discriminatory and unconstitutional.



The ACLU’s lawsuit over Wisconsin voter ID regulations has been ongoing for nearly a decade, and other lawsuits may meet further challenges as judges who have once ruled in our favor leave the federal bench and are replaced with recent appointees.

The ACLU is going on the offense more. “It’s not sufficient to wait until these problems happen,” adds Dale Ho. We have to attack the system as it exists for Gladys Harris and voters like her—and for the sake of our democracy.

CONFRONTING VOTER SUPPRESSION

In 2017, states passed more restrictions on voting rights than in the previous three years combined, making it harder for Americans to exercise their fundamental right to cast a ballot. Here’s a quick primer on the different forms of voter suppression, and what the ACLU is doing to counter these insidious tactics.

VOTER PURGES

Federal law prohibits purging voters because they don’t vote, but many states are doing just that. In a case now before the Supreme Court, the ACLU is challenging Ohio’s “use it or lose it” policy of kicking voters off the rolls if they haven’t voted in the last two federal elections. Under Trump, the Department of Justice flipped sides in the case, abandoning its previous support for the ACLU’s challenge and arguing for the purge.

CUT-OFFS TO VOTER REGISTRATION DEADLINES

According to estimates, implementing Election Day registration can boost turnout by as much as 10 percent. Yet 39 states do not offer same-day registration. In a Massachusetts case, the ACLU successfully argued against a 20-day cut off using the novel legal theory that advances in technology now allow states to verify eligibility electronically and instantaneously. We are looking to replicate this success in other states.

REDISTRICTING AND GERRYMANDERING

Last year, the Supreme Court took up an extraordinary case out of Wisconsin about whether partisan gerrymandering violates the First Amendment. The ACLU is a friend-of-the-court in that case, where we argue that locking up the political process in order to disable competition is at odds with the proper role of government in administering elections. The ACLU also filed a similar Supreme Court brief in another partisan redistricting case out of Maryland.

NVRA NONCOMPLIANCE

With states across the country failing to comply with the federal National Voter Registration Act (known popularly as “Motor-Voter”), millions of Americans are being denied the chance to register to vote through state departments of motor vehicles (DMVs) and public assistance agencies. The ACLU’s new docket targeting NVRA enforcement gives us the potential to reach the 31 million eligible Americans—disproportionately young people and people of color—who are currently not registered to vote.

We scored a victory in California earlier this year in a settlement requiring the state to offer voter registration through DMV mail renewal, a process used by approximately 1 million Californians a year. We’re currently investigating potential cases in Arizona, Missouri, and Tennessee, with plans to help ACLU affiliates develop their own enforcement litigation.



>21 MILLION AMERICANS
More than 1 in 10 eligible voters don’t have government-issued identification.