

REPRODUCTIVE FREEDOM UNDER FIRE

Over the next year, the right to abortion and contraception will face unprecedented assaults. Our top-flight litigators and our nationwide network of state affiliates are ready for whatever comes.

The ACLU has been a critical backstop against state laws that would otherwise have made it extremely difficult, if not impossible, for women to get an abortion. The ACLU has blocked 17 state abortion restrictions over the last year. At the same time, we’re bringing cases designed to expand access to abortion care and working with state officials to remove existing barriers to access.

In New York, for instance, we recently celebrated passage of the Reproductive Health Act, which ensures that New York treats abortion like health care, not a crime, and affirms that a woman can get the care she needs throughout her pregnancy—bringing the Empire State’s outdated laws in line with the protections of *Roe v. Wade*.

It’s no accident that the Trump administration waited until *after* the 2018 midterms to announce burdensome new rules restricting insurance coverage for both abortion and contraception. As voters consistently have shown, pushing health care out of people’s reach doesn’t do well at the ballot box—and we’ll make sure lawmakers remember that in 2020. The ACLU’s new “Rights for All” campaign, launched in March, is mobilizing volunteers to get presidential candidates on the record on our core civil liberties issues, including reproductive freedom.



ON THE FRONTLINES

The ACLU is pressing forward on all fronts to protect and defend our civil liberties. Since President Trump took office, the ACLU has filed 216 legal actions and counting. Here are two other issue updates.

CRIMINAL JUSTICE REFORM

The midterm elections saw voters soundly reject President Trump’s divisive “tough on crime” rhetoric and policies in favor of criminal justice reform and reformers. Taking advantage of this momentum, the ACLU is litigating seven bail and pretrial justice reform lawsuits—in Alabama, Colorado, Georgia, Louisiana, and Texas—and pursuing other reforms in close to 40 states.

On the federal front, last year saw bipartisan passage of the First Step Act, which includes sentencing reform provisions for which the ACLU and others have long fought.

This year, with a new Congress in place, we’re pushing hard for oversight hearings to examine and review the Justice Department’s decision to abandon its role in investigating and reforming police departments that repeatedly violate people’s civil rights.

LGBT RIGHTS

Since Trump took office, we’ve defeated most of the state-level anti-LGBT bills that have been introduced, including those in Tennessee and South Dakota. On Capitol Hill, we’re preparing to fight new Health and Human Services regulations that, if approved, will roll back a section of the Affordable

Care Act that eliminates bans on transition-related health care in all 50 states that receive federal funding.

We’re also pushing hard for passage of the Equality Act to prohibit discrimination on the basis of sexual orientation and gender identity in all aspects of public life. The act would ensure real-world equality for LGBT people in areas where they’re still vulnerable, such as housing, employment, and education.

Questions? Please contact
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WHY WE FIGHT

When the ACLU takes Trump and his administration to court, we’re not just defending principles. We’re fighting on behalf of people who pay a personal price when the rule of law is violated. Inspired by their courage, our 1.5 million members and 3.6 million online activists are fiercely committed to defending the rights of “we the people”—at the ballot box, in state legislatures, and on the streets.

There is perhaps no better recent example of the power of the people than the resounding “Yes” vote on Florida’s Amendment 4 last November. This ACLU-backed constitutional amendment, years in the making, restores voting rights to most people convicted of felonies after they complete the full terms of their sentences. With its passage, Floridians repudiated a lasting vestige of Southern lawmakers’ attempts to suppress Black political power since the days of Jim Crow.

Across the nation, people are pushing back against attempts to suppress the political power of minority communities. The ACLU recently beat back the Trump administration’s insidious attempt to add a citizenship question to the 2020 Census, a blatant ploy to scare immigrants away from participating and thus strip federal resources and political representation from those who need it most. In a stinging rebuke to the administration, a federal judge ruled against the scheme in January, calling it “an egregious violation of federal law.”

The case has been fast-tracked to the Supreme Court and the ACLU will be presenting its arguments in April.

Behind every case and cause the ACLU champions—no matter how complex or technical—are real people who have served their time and are now putting their lives back together; immigrants pursuing opportunity for themselves and their children; countless others who have turned to the ACLU when their government turns on them. Their stories, and their courage, remind us daily why we fight.

RESTORING THE RIGHT TO VOTE

Clarence Office Jr. was one of the first people in line at the Miami-Dade county elections headquarters on a bright Tuesday in January when Florida’s historic Amendment 4 went into effect, allowing an estimated 1.4 million men and women who have served time to regain their right to vote. It was a long time coming for the 61-year-old Army veteran.

Office lost his right to vote due to non-violent crimes he committed while in the grip of a drug addiction. He has had no run-ins with the law in 10 years, is drug-free, and for the past six years has worked as a counselor with the Department of Veterans Affairs, helping other vets who have encountered problems with the criminal justice system. Last fall, as an advocate for the Amendment 4 campaign, Office shared his story in a television ad

promoting the initiative. His message was simple: “Everyone deserves a second chance.”

Office is among the two million people across the country who now have access to the ballot. Backed by ACLU campaigns, voters in Maryland, Michigan, and Nevada ushered in a wave of voting rights victories that made it easier to register and vote, showing that voters reject suppression efforts and bogus “voter fraud” myths. In Colorado, Michigan, Missouri, and Utah, voters also said “Yes” to redistricting reforms and, in North Carolina, an emphatic “No” to partisan gerrymandering schemes, which make elections less democratic and legislatures less representative of their populations.

Buoyed by these victories—and with 2020 and beyond in their sights—ACLU activists are already gearing up with new campaigns to expand voting rights and register as many voters as possible.

“WE’RE TALKING ABOUT HUMAN BEINGS”

If the Trump era has taught us anything, it’s that policies built on bias, bigotry, and xenophobia have lasting human consequences. Nowhere is that truth more evident than in Trump’s cruel policy of separating families at the border. The ACLU is determined to put an end to this appalling practice and see all families reunited.

The fight over the rights of families separated at the border took a shocking turn in January when an Inspector General’s report revealed there could be thousands more families separated than the roughly 2,800 already reunited, due to the fact that the Trump administration’s separation policy had been “unofficially” in place as far back as July 2017.

The revelation of more lost children had the ACLU back in court in its class action lawsuit over family separation, *Ms. L. v. ICE*, demanding that the government take action to reunite these families. When administration lawyers balked, the ACLU said that if necessary it would organize volunteers and pro bono attorneys to help track down all separated parents and children, just as it did with the original group of families the administration admitted separating.

A federal court rejected the Trump administration’s claim that it has no responsibility for potentially thousands more children and parents ripped apart under its family separation policy after the ACLU argued the government must account for those families. In his ruling, U.S. District Judge Dana Sabraw agreed to expand the class to cover these newly reported families.

“I FELT MY SOUL ACHE”

The emotional toll of the separation on parents and children alike cannot be overstated—nor can the joy of reunions. Last October, one such reunion took place in what is likely one of the longest separations under the Trump administration’s policy.

“Ricardo,” together with his three-year-old “Luna” (both pseudonyms), fled violence and chaos in Guatemala in December 2017. When the Border Patrol took them into custody in South Texas, father



and daughter spent one night together and then were wrenched apart. “I was hugging her very hard while she was crying. I begged and cried, and said please don’t do this.” It was, Ricardo says, the worst moment of his life.

Ricardo was promised that he’d see his little girl again after an immigration judge determined his status. But one week later, ICE agents arrived to deport him—and sent him home without Luna. Back in Guatemala, he called the number he was given for the shelter where Luna was being held, only to be told that she wasn’t in their system. Six long months passed before she was found. After nine months—long after the court-ordered deadline—Luna and her family were finally reunited.

“When I saw her, I felt my soul ache,” said Ricardo. “It was a sad but at the same time very joyful moment.”

Luna turned four while in detention. The trauma she endured is likely to leave lasting scars. According to the American Academy of Pediatrics, “the psychological distress, anxiety, and depression associated with separation from a parent would follow the children well after the immediate period of separation.”

At the time of the reunion, there were still as many as 18 children under five—that we know of—who remained separated from their parents; some of their parents, like Ricardo, have also been deported.

PICTURED CLARENCE OFFICE JR.

“After all these years, I’m a complete citizen now,” he said, after texting a photo of his voter ID to the ACLU of Florida. “And, yes, I’m going to vote in the very first election I can and every chance I get.”

