




PROTECTING LIVES | SAFEGUARDING DEMOCRACY

# THE ACLU'S COVID-19 RESPONSE

A large, dark blue circular graphic on the left side of the page. Inside the circle is a stylized, red, hatched illustration of the Statue of Liberty, shown from the waist up, with her right arm raised holding a torch. The background of the circle is filled with numerous small, light blue dots of varying sizes.

The ACLU is monitoring the government's response to the crisis to ensure its actions and policies are rooted in science and public health needs, not stigma or bias.

We're amplifying the voices of public health experts, and confirming that our nation's efforts to combat COVID-19 are no more intrusive on civil liberties than absolutely necessary.

In all 50 states, D.C. and Puerto Rico, the ACLU's attorneys and advocates are working from remote home offices around the clock to establish rapid-response teams, create and share resources, and submit late-night filings.

*Note: Our world is changing rapidly during this challenging time. By the time these pages reach you, some of the information discussed may have changed. Visit [www.aclu.org](http://www.aclu.org) for updates.*

# ACLU EXPERTS WEIGH IN

## WHY CORONAVIRUS SHOULD CHANGE OUR IMMIGRATION POLICIES

*Andrea Flores, Deputy Director of Policy, ACLU Equality Division*

[Watch video](#)

Immigrant detention centers are particularly prone to disease transmission. Even in normal circumstances, ICE has proven time and again that it is unable to protect the health and safety of people and their families in close quarters.

The ACLU is calling on ICE to release individuals who are at heightened risk of severe illness or death from COVID-19, including those with heart and lung disease, HIV, compromised immune systems, pregnant people, people over the age of 50 and others.

## WHY CORONAVIRUS MAY CHANGE HOW WE VOTE

*Dale Ho, Director, ACLU Voting Rights Project*

No one should have to choose between protecting their health and exercising their right to vote. For many, the safest way to vote during this election cycle may be to vote by mail. The ACLU is calling on governments at all levels to make it as easy as possible for all eligible voters to vote by mail in 2020 and prepare for a likely surge in absentee ballots.

Specifically, the ACLU is taking three steps:

1. Create plans and resources to encourage and facilitate voting by mail
2. Advocate for universal vote-by-mail with a focus on the 17 states that currently do not allow it without an excuse
3. Push for early processing of absentee ballots to avoid unnecessary delays

## WHY CORONAVIRUS SHOULD CHANGE HOW WE INCARCERATE

*Udi Ofer, Director, ACLU Justice Division*

[Watch video](#)

People in government custody often become the forgotten victims during emergencies. Incarcerated people are highly vulnerable to outbreaks of contagious illnesses, as are staff and their families.

The ACLU is calling on police, governors, prosecutors and sheriffs nationwide to immediately release those most vulnerable to coronavirus — people who are

elderly or have underlying medical conditions — and to drastically reduce the number of people who are arrested and detained pre-trial due to cash bail. We're also joining groups across the ideological spectrum to call on President Trump to use his clemency power to commute the federal sentences of people who could benefit from compassionate release.

## WHY CORONAVIRUS COULD DECIMATE THE LAST ABORTION CLINICS STANDING

*Jen Dalven, Director, ACLU Reproductive Freedom Project*

The COVID-19 crisis comes on top of the last three-and-a-half years of states across the country passing extreme abortion bans, encouraged by the Trump administration's attack on reproductive health care. Anti-abortion politicians are now using the pandemic as an excuse to issue executive orders forcing clinics to shut down. These challenges are exacerbated by medically unnecessary restrictions — including bans on using telemedicine to provide medication abortion —

now particularly problematic given the way in which COVID-19 has made in-person care more difficult.

On March 30, the ACLU filed emergency actions in Alabama, Ohio, and Iowa to ensure that clinics can continue to provide essential care. Mere hours after filing, judges in Ohio and Alabama issued orders allowing clinics to stay open. We are preparing lawsuits in six additional states and expect to file more emergency lawsuits.

# ACLU 2020 MATCHING FUND LEADERSHIP OPPORTUNITY

The ACLU is working harder than ever to stop unconstitutional attacks on our fundamental freedoms. We entered 2020 knowing that it would be a pivotal year for the future of our country. But none of us anticipated that our lives, economy and politics would be disrupted by a far-reaching pandemic.

During this time of crisis and a high-stakes election season, it is critical that “We the People” means all of us.

To ensure that the burdens of the outbreak and the government’s actions do not unfairly fall on our most vulnerable communities, and to respond to ongoing threats to our civil liberties, we need a select group of supporters to take a leadership role by helping us create the **ACLU 2020 Matching Fund**. This fund will be used to inspire more people to stand with us and make a financial commitment to our work.

The chart below gives an overview of the goal and the opportunities to help. We hope we can count on you to extend your support and leadership at this critical time.



To support the 2020 Matching Fund, make your check payable to the ACLU Foundation and mail it to ACLU Foundation, **2020 Matching Fund**, 125 Broad Street, 18th Floor, New York, NY 10004. To make a gift online, visit [www.aclu.org/leadershipmatch](http://www.aclu.org/leadershipmatch).

If you have any questions about this opportunity, other ways to give or our work, please contact Meghan M. Lee, Assistant Director of Impact Giving, at 212-284-7368 or [mlee@aclu.org](mailto:mlee@aclu.org).



# THE FIGHT TO STOP VOTER SUPPRESSION

Voting should be as easy and convenient as possible, but across the country politicians are passing measures making it harder to cast a ballot. Long before the COVID-19 crisis, the ACLU was already compiling an aggressive plan to fight voter suppression in the consequential 2020 presidential election and beyond. Certain communities are particularly susceptible to voter suppression, and in some cases they are outright targeted: people of color, students, the elderly and people with disabilities. The ACLU is pulling out all the stops to make sure that every vote counts.

## LEADING THE CHARGE AGAINST VOTER ID LAWS

### WHAT'S AT STAKE:

Voter ID laws deprive many voters of their right to vote, reduce participation, and make it harder for citizens to engage in the democratic process. Thirty-six states have identification requirements at the polls.

Seven states have strict photo ID laws, under which voters must present one of a limited set of forms of government-issued photo ID in order to cast a regular ballot — no exceptions.

### DID YOU KNOW?

- 11% of U.S. citizens — more than 21 million Americans — do not have government-issued photo IDs.
- The combined cost of document fees & travel expenses is estimated to range from \$75 to \$175.
- Voter ID laws reduce turnout by 2–3%, which translates to tens of thousands of votes lost in a single state.

### ACLU RESPONSE

The ACLU has long opposed voter ID laws. We successfully confronted voter ID laws in Arkansas, North Carolina, Pennsylvania and Wisconsin, and we are challenging laws in several states that have imposed stricter voter ID laws since 2010.

## LIFTING BARRIERS ON VOTER REGISTRATION

### WHAT'S AT STAKE:

Restricting the terms and requirements of registration can include requiring documents to prove citizenship or identification, limiting the window of time in which voters can register, or onerous penalties for voter registration groups and drives — all of which significantly impact voter participation.

### DID YOU KNOW?

- Less than 20% of Americans are offered the opportunity to register to vote at the DMV.
- After adopting automatic voter registration, Oregon added more than 272,000 new voters.
- In the 2016 presidential election, more than 90,000 New Yorkers were unable to vote because their registrations did not meet the 25-day cutoff.

### ACLU RESPONSE

The ACLU works to ensure that all eligible citizens can register to vote. We advocate for same-day, online and automatic voter registration, and challenge states with burdensome rules for voter registration drives.

## KEEPING VOTER PURGES NON-DISCRIMINATORY

### WHAT'S AT STAKE:

Cleaning up voter rolls can be a responsible part of election administration, but state officials also use this process as a method of mass disenfranchisement, purging eligible voters from rolls for illegitimate reasons or based on inaccurate data.

### DID YOU KNOW?

- The state of New Hampshire is trying to block residents with out-of-state driver's licenses. Six in 10 college students in NH come from out of state.
- 70% of voters purged in Georgia in 2018 were Black.
- In 2016, Arkansas purged thousands of voters for so-called felony convictions, even though some of the voters had never been convicted of a felony.

### ACLU RESPONSE

The ACLU fights reckless voter purges across the country. We currently represent two Dartmouth College students who voted in the 2018 elections but would now be forced to update their driver's licenses in order to be eligible to vote.

## FIGHTING TO RESTORE VOTING RIGHTS TO DISENFRANCHISED CITIZENS

### WHAT'S AT STAKE:

In some states, one felony conviction can mean the loss of your right to vote, forever. Due to racial bias in the criminal justice system, felony disenfranchisement laws disproportionately affect Black people, who often face harsher sentences than white people for the same offenses.

### DID YOU KNOW?

- Nationwide, one of every 13 Black adults is disenfranchised.
- In Iowa, where people with felony convictions are disenfranchised permanently, an estimated one in four Black men are barred from voting.
- 80% of people who were re-enfranchised after Florida's 2018 Amendment 4 ballot initiative now have up to thousands of dollars in outstanding fees to pay to be eligible to vote.

### ACLU RESPONSE

The ACLU promotes automatic re-enfranchisement at the time of release from incarceration that is not contingent on the payment of legal fees. We are in court fighting Florida Governor Ron DeSantis's attempt to thwart Amendment 4 which restored voting rights to 1.4 million Floridians.

## SNEAK PREVIEW: THE ACLU'S CAMPAIGN TO ENSURE FAIR REDISTRICTING

Every 10 years, states redraw district lines based on population data gathered in the census. Legislators use these district lines to allocate representation in Congress and state legislatures. Too often, states use redistricting as a political tool to manipulate the outcome of elections. That's called gerrymandering — a widespread, undemocratic practice that's stifling the voice of millions of voters.

Using the results of the 2020 Census, states will soon redraw district lines

across the country — in effect determining our political voice for the next decade.

The ACLU is in the exploratory stages of an organization-wide, state-by-state campaign to ensure that maps are drawn fairly and every person's vote counts.

We've already laid the groundwork for this exciting new campaign by protecting the Census itself. Last year, we went to the Supreme Court to block the Trump administration's attempt to add a citizenship question to the

2020 Census — a blatant attempt to intimidate immigrants and communities of color and drive down participation.

In all 50 states, there is a route to fair districts, whether it's through legal reforms, advocacy or litigation. Working with our nationwide network of affiliates and coalition partners, the ACLU will be using every strategy at our disposal to ensure that the new district lines accurately reflect the population. We are targeting 16 states where districts are historically biased against people of color.

# COVID-19 RAPID- RESPONSE RESULTS

## BECAUSE OF YOU & THE ACLU

**84**

legal cases were filed  
to ensure “We the People”  
means all of us

- 6 for Reproductive Freedom
- 42 for Criminal Law Reform
- 30 for Immigrants’ Rights
- 7 for Voting Rights

**10**

states are being  
compelled to stop  
exploiting the crisis  
to strip access to  
abortion services

**40**

states are being  
pressured to release  
the most vulnerable  
from prisons  
and jails

**2,600**

immigrants have  
been released from  
custody by ICE

**17,000**

people have been  
released from prisons  
and jails

**30**

states are being  
urged to push for  
vote by mail

### AN ACLU-COMMISSIONED POLL SHOWED THAT:

**63%** of the public support the  
release of people from prisons  
and jails during this pandemic

**72%** of the public are in favor  
of granting clemency to  
the elderly