

CONTINUING OUR BATTLE FOR ABORTION ACCESS

State legislators introduced a flood of abortion bans in 2019 — and the ACLU racked up a 7-0 record against them. The fight goes on, especially as state officials threaten to declare abortion a “nonessential” health care service.

The ACLU is tracking how COVID-19 is affecting reproductive care, while pushing forward with our active cases.

In March, the Supreme Court heard arguments in a case that will have wide-reaching consequences for reproductive freedom. *June Medical Services LLC v. Russo* involves a law in Louisiana that creates burdensome and medically unnecessary regulations for abortion clinics with the goal of forcing them to shut down. If the Court

upholds this law, it will be a green light for a wave of these laws to be passed in politically conservative states, forcing more people to travel across state borders for abortions. We submitted a friend-of-the-court brief urging the court to invalidate the law, and we’ve launched a project addressing many legal questions raised by the crossing of state lines to seek care.

We’re also already taking on states that are introducing other restrictions, including bans on abortion at various stages of pregnancy and “reason” bans, which prohibit abortions based on the sex, race, or disability status of the fetus. We will bring new challenges to many of these anti-abortion laws while continuing our existing challenges in Kentucky, Alabama, Arkansas and Indiana.

Taking their cue from state bans and restrictions, seven cities in east Texas have passed ordinances that prohibit abortion providers and advocates from operating within their city limits, declaring themselves “sanctuary cities for the unborn.” The ACLU is representing two organizations labeled “criminal entities” by the cities because they support abortion access.

UPHOLDING LGBTQ EQUALITY ACROSS THE COUNTRY

The ACLU is challenging the administration’s dramatic rollback of protections for LGBTQ people while battling an unprecedented wave of bills targeting transgender and non-binary youth in the states.

The ACLU is awaiting decisions in two Supreme Court cases that will determine whether LGBTQ people can be fired from their jobs simply for being who they are. We’re also girding for another Supreme Court battle about whether taxpayer-funded foster care agencies have a constitutional right to discriminate against prospective foster families based on religious requirements. In this case, Catholic Social Services in Philadelphia claims it has a religious right to reject same-sex couples. But freedom of religion does not give them the right to impose their beliefs on others or deny homes to the more than 400,000 children in foster care across the country.

We are only a few months into 2020, and dozens of state lawmakers have introduced nearly identical bills blocking trans and non-binary youth from accessing health care and participating in school activities. In 10 states, bills are pending that would criminalize lifesaving, best-practice medical care for trans youth, putting government in the way of decisions that should be left to the young person, their parents and their doctors.

At the same time, 16 states are considering bills that would ban young trans athletes from participating in athletic activities consistent with their gender identity and that would authorize invasive medical examinations. The ACLU has no intention of letting any of these bills succeed.



SPRING 2020 IMPACT REPORT

ENSURING “WE THE PEOPLE” MEANS ALL OF US

We entered 2020 knowing it would be a pivotal year for the future of our country. But none of us anticipated that our lives, our economy, and our politics would be disrupted by a far-reaching pandemic. The ACLU is responding swiftly to the COVID-19 crisis, drawing strength from your partnership and support.

The ACLU’s nationwide team of attorneys, lobbyists, and advocates is actively responding to the unique civil liberties risks posed by this public health crisis to immigrant communities, people in the criminal legal system, and voters.

We filed a lawsuit against the U.S. Immigration and Customs Enforcement on behalf of immigrants with health risks who are being unnecessarily held in civil detention and at high risk for serious illness or death in the event of COVID-19 infection. We’re combining this litigation with advocacy to press officials to develop plans to ensure the safety of immigrants.

The ACLU is also calling on the federal government and state and local officials to protect those involved in the criminal legal system, as well as demanding the immediate release of communities identified as high risk for infection. As mass incarceration disproportionately affects Black and brown communities, these groups will be impacted most.

In this critical election year, the ACLU has adapted our voting rights strategy to focus on making it as easy as possible to vote by mail in 2020. We’ve doubled down on advocacy efforts for universal vote by mail, and we’re pushing for early processing of absentee ballots to avoid unnecessary delays.

Please know that we are staying vigilant through this crisis while carrying forward the important work we already have underway in voter expansion, immigrants’ rights, reproductive freedom and LGBTQ equality.

Together — with courage, caring and community — we will continue to fight for a country where “We the People” means all of us.

As an important member of the ACLU community, you can get up-to-date information on how the ACLU is responding to COVID-19 at [aclu.org/COVID-19](https://www.aclu.org/COVID-19).

PROTECTING THE VOTE, NO MATTER WHAT

The ACLU remains committed to challenging voter suppression, improving access to the ballot, and ensuring all votes count equally.

The ACLU has been leading an all-out effort to ensure every American has access to the ballot in 2020. Now, we're facing new challenges due to COVID-19. While monitoring this crisis as it changes by the hour, we are preparing for the inevitable impact it will have on our elections, specifically the threat it poses to voter turnout, access to the polls, and ballot processing.

With this new reality, we have to make it as easy as possible for eligible voters to vote by mail in 2020, and prepare for a likely surge in absentee ballots. That's why we're working across the country to encourage universal access to voting by mail, among other key objectives:

- We're calling on election officials to distribute absentee ballots to all eligible voters, or, at a minimum, eliminate unnecessary restrictions on when and how voters can request them.



The ACLU is fighting to stop voter suppression and expand access to the polls.

Photo: Alicia Vera/ACLU

- We're advocating for states to eliminate laws that prohibit early processing of absentee ballots so that they're able to report accurate results as early as possible.
- We're fighting to protect the rights of absentee voters — to make sure their ballots aren't rejected without notice based on minor technicalities.

These fixes could mitigate disruptions to our democracy caused by the pandemic and help ensure that every eligible voter can participate in November. We will pursue this critical work while also continuing other essential efforts to protect voting rights.

For instance, in Florida, we're fighting government efforts to chip away at our huge victory in 2018 that restored the voting rights of more than a million people with past felony convictions. We are challenging a proposed law that threatens to put wealth-based hurdles in the path of those citizens in the form of a modern-day poll tax.

We're also working to stop voter suppression and expand access to the polls in states including New York, Indiana, New Hampshire, Minnesota and Montana. No matter what, we will keep fighting for every voice and every vote.

STOPPING THE BANS AT OUR BORDERS

While we work to guarantee the safety and security of immigrants in civil detention, the ACLU continues to lead the resistance against the Trump administration's discriminatory, xenophobic policies that target the broader immigrant community.

Now more than ever, the COVID-19 crisis underscores the need to provide safety and security to people at risk. With a robust docket of pending immigrants' rights cases throughout the country, the ACLU is defending the many thousands of families and children who are fleeing danger and persecution.

We won a crucial victory when a federal appeals court blocked the administration's policy that forced asylum seekers to return to Mexico in often dangerous conditions and remain there indefinitely while their asylum applications were processed in the United States. However, the Supreme Court has allowed the policy to remain in effect while it decides whether to review the case, per the government's request, so our legal team will continue to work to permanently end this discriminatory policy.

ACLU litigation has also led to the release of over 98 percent of the children originally known to be separated from their parents at the border. We continue litigation to identify and reunite thousands of additional families, and to ensure the separation policy is never restarted. But reunification isn't enough — these children and parents have been traumatized by separation. To hold the administration accountable, we filed another lawsuit seeking damages for these families, and to create a fund for professional mental health services.



Photo: Ashoka Mukpo/ACLU

Meanwhile, the administration's expanded Muslim ban now includes people from Eritrea, Kyrgyzstan, Myanmar, Nigeria, Sudan and Tanzania. Individuals from these countries are blocked from entering the United States on most types of visas, even if they have family members living here. Hope for these families is on the horizon in the form of the NO BAN Act, legislation that would repeal Trump's Muslim ban, asylum ban and refugee ban. The ACLU has endorsed the legislation and is urging Congress to pass it.



I am dedicated to making an impact to help the ACLU take on newly emerging challenges and continue longstanding work at this critical time for our nation.

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