

BATTLING CENSORSHIP, DEFENDING PROTESTORS

The ACLU's role as a free speech defender is once again front and center as we counter mounting efforts to suppress civic dialogue and dissent in classrooms, in communities, and in police encounters.

Isaac Adjei aligns desks in his classroom at Pleasant Run Elementary School, Tuesday, Feb. 8, 2022, in Indianapolis. A contentious Indiana bill that Republican lawmakers say would increase transparency of school curricula could undergo significant changes Wednesday, Feb. 16 in response to mounting criticism from teachers and education advocates. (AP Photo/Darron Cummings)

Politicians intent on unraveling our rights understand that knowledge is power—which is why they're attempting to censor discussions of race and other important social issues in classrooms. Across the country, lawmakers have proposed and enacted bills banning teaching “divisive concepts” in public schools and universities. Such bills blatantly suppress speech about race, gender, disability, and more—and force teachers into self-censorship out of fear for their jobs. Oklahoma and New Hampshire are two of a dozen or so states that have banned these types of classroom discussions. The ACLU has filed legal challenges to both states' bills, and we're planning action elsewhere.

Outside of the classroom, we're combatting insidious efforts to quell and control public protest that all too often focus on people of color. In California, an ACLU investigation revealed that the highway patrol spent millions on aerial surveillance to spy on protests demanding racial justice—to the apparent exclusion of any other kinds of protest, such as to COVID-19 lockdowns. In Minnesota, after journalists were attacked by the Minnesota State Patrol (MSP) while covering protests to the police killings of George Floyd and Daunte



“All young people deserve to learn an inclusive and accurate history in schools, free from censorship or discrimination.”

—EMERSON SYKES,
staff attorney, ACLU Speech,
Privacy, and Technology Project

Wright, the ACLU won an injunction that prohibits MSP from attacking or arresting journalists who are covering protests for the next six years.

The urgent mission to end systemic racism and pave the way for sweeping structural changes demands that we can openly reckon with our nation's past, debate its ideal future, and protest its failures safely. The ACLU is active on all of these fronts.



ACLU

VOTER SUPPRESSION is UN-AMERICAN

IMPACT REPORT SPRING 2022

DEFENDING THE WILL OF THE PEOPLE

Photo: Allison Bailey/NurPhoto via AP

Across the country, anti-civil liberties legislators have seized on the linchpin of our democracy—the right to vote—as the key to restricting abortion, racial equality, freedom of expression, LGBTQ+ rights, and more. In the face of this threat, the ACLU has redoubled its efforts to fight for voting rights in courts, state legislatures, and on the streets.

For decades, the ACLU has witnessed—and fought—sustained efforts to undermine our right to vote and to free and fair elections, which culminated in the January 6, 2021, insurrection at the U.S. Capitol. The brazen white supremacy that fueled this infamous event was also a stark reminder how voting rights and racial justice are intrinsically linked.

In 2021 alone, over 400 anti-voter measures were introduced by states and local jurisdictions across the country. Many of these bills blatantly target voters of color, from mass purges of voter rolls to racially gerrymandered electoral maps that systematically disenfranchise Black voters. These measures are being touted by politicians using baseless and unfounded claims of widespread voter fraud—but in reality, their aim is to limit who is part of the democratic process, how they get to participate, and when their participation counts. It is no coincidence that the same politicians attempting to undermine voting rights are also intent on passing extremist bills to ban abortion, target trans youth, and suppress protest.

With the 2022 midterm elections approaching, the ACLU is laser-focused on protecting voting rights. Our powerful integrated advocacy approach brings sophisticated data analysis to the courtroom, connects national and local allies on the ground—particularly in the embattled South—and amplifies voices raised in protest. There are uphill battles ahead, and we're counting on you to be right there with us. It's a fight that we can and must win.

ENSURING EQUAL REPRESENTATION

Legislators intent on rolling back our hard-won rights are trying to game the system by diluting people's voting power to their advantage.

New political maps, drawn as part of a once-in-a-decade redistricting process triggered by census data, will determine the allocation of political power, representation, and access to resources at every level of government for the next 10 years. Knowing this, state lawmakers across the country are attempting to stack the deck in their party's favor by passing skewed congressional and state legislative maps. Lawmakers in the South are notorious for gerrymandering—the practice of redrawing voting districts to deprive communities of color, and Black communities in particular, of political power.

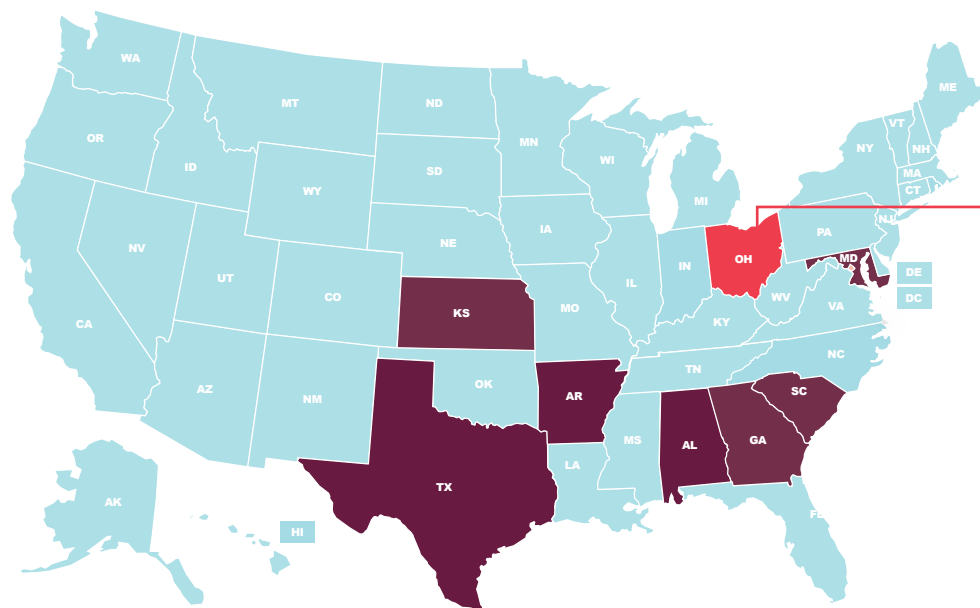
In advance of the midterm elections, the ACLU has filed 10 cases in eight

states to date, challenging political and racial gerrymandering schemes.

To prepare for this fight, the ACLU scaled up a team of data analysts and political and computer science experts who produced rapid-fire analysis of new redistricting maps—allowing us to go directly to court with clear proof of partisan gerrymandering.

At the same time, our Southern Redistricting Working Group—formed from national and local affiliate staff across a range of legal, advocacy, and organizing disciplines—is focused on growing Black political power in the South while staving off efforts to weaken voting rights in communities of color.

The ACLU has active cases challenging gerrymandering in eight states:



CLIENT PERSPECTIVE

The case of **Crystal Mason**, a Texas mother of three, starkly demonstrates how the myth of voter fraud is being weaponized to suppress the vote. In 2018, Mason received a five-year prison sentence because she mistakenly cast a provisional ballot in the 2016 presidential election.

Texas wanted to teach Mason a lesson—that she didn't have a vote or voice. Instead, they forged a fighter. “You wanted me to feel fear. You wanted me to be scared to educate and teach my kids to continue to vote. Instead of letting it be a crutch, I have let it motivate me now.”

The ACLU has been defending Mason since 2018. Our ongoing appeal of her conviction has garnered national and international attention and helped educate the public about the myth of voter fraud.

Early ACLU Wins

OHIO

Ohio's supreme court agreed with the ACLU in two lawsuits that the state's congressional district map and state House and Senate district maps gave “blatantly unfair advantage” to the Republican party and ordered them to be redrawn. Our involvement will continue until new constitutional maps are drawn.



Photo: Phil Skinner/ACLU

FIGHTING RELENTLESSLY FOR REPRODUCTIVE RIGHTS

With *Roe v. Wade* hanging in the balance, the ACLU is forging new strategies, litigation plans, and alliances to safeguard reproductive freedom.

Every day, the future of abortion access grows bleaker. The Supreme Court has allowed an extreme ban on abortion to remain in effect in Texas for over six months and will decide on a direct challenge to *Roe v. Wade* this summer. We are working quickly and strategically to prepare for this ruling and to protect abortion access wherever we can—particularly for low-income people and communities of color. Our voting rights team is integral to this mission, working to ensure that the public (59 percent of whom say abortion should be legal in all or most cases) is empowered to elect officials that represent their views.

Critical strategies include:

→ Expanding access to medication abortion.

In response to ACLU litigation, the U.S. Food & Drug Administration permanently repealed its medically unnecessary requirement that mifepristone, a drug used in early abortion and miscarriage care, be dispensed to patients in person. The ruling expands abortion access for hundreds of thousands more people at a critical time.

→ Restoring access to medication abortion via telemedicine.

Our recent win in Guam means that residents no longer have to fly nearly 4,000 miles each way to Hawai'i just to receive care.

→ Codifying abortion access through state legislation.

This includes New Jersey's Reproductive Freedom Act, passed on January 13, which will ensure a right to abortion no matter how the Supreme Court rules. We've helped pass similar laws in 12 other states.

→ Preparing for a new legal landscape.

We are working closely with our partner organizations to plan for the many frightening scenarios our country could face immediately after the Supreme Court rules on abortion. We are conducting legal research, advising clinics, devising litigation plans, and developing potential legal claims in some two dozen states.