

# ACLU magazine

FOR PASSIONATE GUARDIANS OF CIVIL LIBERTIES



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## CONTRIBUTORS



**Anita Little** is a writer and editor in Los Angeles. She has spent the past decade creating meaningful storytelling for outlets such as *Playboy*, *Ms.*, *Elle*, and *The Guardian*.



**Annie Flanagan** is a photographer in New Orleans, whose work explores themes of gender, memory, and people's relationship to place. They've contributed to *Time*, *The New York Times*, *ESPN*, and *National Geographic*.

CLOCKWISE FROM TOP: ANNIE FLANAGAN; ALFONSO DURAN; COURTESY OF ANNIE FLANAGAN; KELLY VICTORIA

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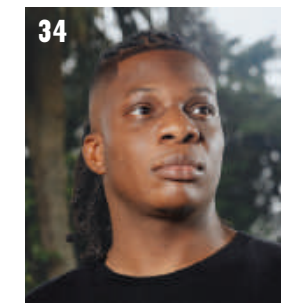
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**A**s we closed this issue of *ACLU Magazine*, we had reason to celebrate tremendous victories for voting rights and tribal sovereignty—even as we regrouped from losses on affirmative action and LGBTQ equality.

As for our wins, they were significant. In *Allen v. Milligan*, the lawsuit we brought with the Legal Defense Fund to challenge Alabama’s racially discriminatory congressional map, the U.S. Supreme Court ruled the state had violated the Voting Rights Act by unfairly diluting Black political power. This win will directly benefit a dozen other redistricting lawsuits that we have in the pipeline. Notably, the court also upheld the Indian Child Welfare Act, ensuring Native families will stay together—a case with outsize implications for Indigenous rights.

Unfortunately, we also saw disappointing decisions that reverse decades

of progress on racial justice and equal access. In a pair of cases involving race-conscious admissions policies, the court declared affirmative action unconstitutional, restricting schools’ ability to address racial inequalities in education. And the court turned back the clock on equality by allowing businesses to discriminate against customers based on sexual orientation. These decisions represent a step backward for constitutional rights and liberties.

In response to these losses and to the overturning of *Roe v. Wade* last year, we are devoting resources to new initiatives to strengthen rights protections

**“The ACLU community has vision, an incredible track record, and plenty of grit.”**

and preserve democratic norms. We created the State Supreme Court Initiative to fight for the expansion of rights in state supreme courts and launched the Abortion Criminal Defense Initiative to ensure that health care providers and patients facing prosecution for abortion have access to criminal defense lawyers.

Meanwhile, our legal team continues to achieve important First Amendment victories in federal courts. We secured a big win for freedom of speech when a federal district court struck down a vague Puerto Rico law that made it a crime to share so-called fake news about emergencies on the island. And in a major victory for academic freedom, we won a preliminary injunction against Florida’s “Stop WOKE Act,” which seeks to silence teachers in state colleges and universities who offer critical perspectives on this country’s racist legacy.

At the same time, we are cultivating the next generation of social justice advocates, as you’ll read in this issue. “Future Forward” (p. 22) profiles four such promising ACLU fellows and organizers devoted to advancing reproductive freedom, racial and gender justice, and immigrants’ rights through impact litigation and advocacy. In “The Justice Lab” (p. 10), the ACLU of Louisiana leads a coalition of law firms to pursue justice for the survivors of racist policing. And in “Restoring Asylum” (p. 16), the ACLU of Massachusetts and its partners provide a model for a humane asylum system: one designed to ensure that people who are fleeing the unimaginable have opportunities to seek safety for themselves and their families.

The ACLU community has vision, an incredible track record, and plenty of grit. Failure isn’t an option when your job is to secure equality and justice for all.



**Anthony D. Romero**  
Executive Director



PHOTOGRAPH BY VINCENT TULLO

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**ACLU Magazine (ISSN 2640-3560)** is a publication for members and supporters of the American Civil Liberties Union (ACLU). Send changes of address and questions about your ACLU membership to membership@aclu.org; mail them to ACLU, 125 Broad Street, 18th Floor, New York, NY 10004; or call 212-549-2500. Send editorial correspondence specific to the publication to ACLU Magazine, ACLU, 125 Broad Street, 18th Floor, New York, NY 10004, or email to ACLUmagazine@aclu.org. This is not a subscription publication, and we do not accept unsolicited manuscripts or advertisements. ©2023 American Civil Liberties Union Foundation. All rights reserved. Contents may not be reproduced without the express written consent of the ACLU. Requests for reprints should be directed to permissions@aclu.org. Published by ACLU, 125 Broad Street, 18th Floor, New York, NY 10004. Printed in the USA. The ACLU comprises two separate corporate entities, the American Civil Liberties Union and the ACLU Foundation. Although both the American Civil Liberties Union and the ACLU Foundation are part of the same overall organization, it is necessary that the ACLU has two separate organizations in order to do a broad range of work in protecting civil liberties. This magazine collectively refers to the two organizations under the name “ACLU.”

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**In the Spring 2023 issue of *ACLU Magazine*, “Separate and Unequal” covers litigation against a California school district’s segregation of Black students.**

**Re: *ACLU Magazine***

I’ve been financially supportive of the ACLU for almost five decades. I suppose I have received the magazine before, but this [Spring 2023] issue arrested my attention. Your articles showed vividly how much the ACLU helps us appreciate that we can still fight the things that restrict our freedoms. I support the ACLU because it gives us hope in fighting the controlling urges of other citizens who want us to be free, but only if we do it in the way they expect.

*Robert A. Turk*  
Fort Worth, TX

**Re: “The Right to Learn”**

I live in Oklahoma and witness much opposition to CRT [critical race theory], even though they can’t define it. So glad to see the teacher from Bartlesville, Oklahoma [from Letters to the Editor, Spring 2023], fighting back, as we should. Thank you for doing so much for fundamental freedom and true intelligence.

*Carol McPheeters*  
Oklahoma City, OK

**Re: “The Future of Bail Reform”**

I have a close friend who has suffered this issue [of money bail] most of her adult life due to friends and family in poverty. She has fostered children and rounded up money bail. I also had a friend years ago who [worked] in the system as a professional, aghast at what she experienced on the job. I intend to place this excellent article in front of people who will see the win-win benefit of the future of bail reform. The ACLU is part of the essential pillar of my life.

*Robert R. Bullard*  
Port Orange, FL

**Re: Vital Work**

Even in hard times your work is so vital. I am still an ACLU card-carrying member.

*Valentin Martinez*  
Kingsville, TX

**We love your feedback!** Let us know what you think about this issue: [ACLUmagazine@aclu.org](mailto:ACLUmagazine@aclu.org)



# FRONT LINE

## PRIORITIES

### Defending Democracy

After a historic Supreme Court win, the ACLU continues its push to expand voter access in the South and beyond.

In June, the U.S. Supreme Court issued a favorable ruling in a monumental voting rights case, *Allen v. Milligan*, brought by the ACLU and its partners to challenge Alabama's racially gerrymandered congressional maps. The decision not only reinforced that the state legislature cannot disenfranchise Alabama's voters of color, it also clearly affirmed Section 2 of the Voting Rights Act, which bans racial discrimination in voting nationwide. The decision bodes well for similar ACLU challenges in Louisiana, Mississippi, Georgia, and other states. While forces working to dilute Black votes remain widespread and aggressive, this ruling supports the ACLU's push for fairer maps for voters of color across the country.

As efforts to suppress the vote have surged over the past decade, so too have the ACLU's efforts to defend democracy, particularly across the South and in battleground states, by bolstering election infrastructure, fighting racist voter suppression efforts,

CONTINUED FROM PAGE 5

stopping gerrymandering, and expanding access to the ballot through legislative advocacy. The ACLU of Georgia is expanding a poll worker recruitment program to support election administration and fighting a slew of anti-voter bills that threaten to disenfranchise thousands. Other progress includes successfully settling a racial gerrymandering case in South Carolina, challenging Mississippi’s district lines that deprive the state’s Black population of equal representation, and blocking the Jacksonville City Council’s newly drawn maps, which disenfranchise Black voters in Florida.

Meanwhile, the ACLU is driving the movement to restore the right to vote to people with conviction records in Kentucky and Mississippi. A similar movement in Nebraska is advocating for two key voter restoration bills that could help as many as 20,000 Nebraskans reintegrate into the community and engage with civic life. “You can’t say that a person is fully engaged or feels part of their community if they have no say in what actually goes on,” says Demetrius Gatson, a former court-watching supervisor for the ACLU of Nebraska and current executive director of Queens Butterfly House, the first women’s safe home in the state. Gatson completed a felony sentence in 2018 but still cannot vote. “One of the most important parts of our democracy,” she says, “is being able to vote on what happens in your community, your state, and your country.”

ACLU affiliates in key battleground states are engaged in a multifaceted effort to expand and defend the vote. The ACLU of Michigan is working with the governor and the legislature to make sure the recently passed pro-voting rights ballot measure, Proposal 2, is fully funded and implemented. Affiliates are expanding county clerk engagement programs in Michigan, Georgia, Pennsylvania, and Wisconsin to protect the integrity of the election system and increase voter access. The ACLU of Pennsylvania is educating voters about a state Supreme Court election in November with significant implications for voting rights, and the Nevada affiliate is building a potent legal network for election protection and voting rights litigation.

With the crucial 2024 elections on the horizon, the ACLU will continue fighting in the courts, in statehouses, and in Congress to ensure that voting remains accessible to everyone and that all voices are genuinely represented by elected officials. The United States will never be a truly fair democracy until all voters, regardless of color, have equal access to the ballot box. —JAY A. FERNANDEZ



## Jury Justice

**Twenty-five percent of eligible Black residents in Manhattan have been disqualified from jury service. A class-action lawsuit challenges that exclusion.**

When Manhattan resident Daudi Justin was studying for his undergraduate degree at Columbia University in 2016, he received a jury summons. He was astonished to learn that he was permanently disqualified from serving on a jury because of a past felony conviction. Justin had been arrested for drug possession nearly a decade earlier, an experience in part that prompted him to pursue a law degree to fight for prisoners’ rights. Now a staff attorney with the Neighborhood Defender Service of Harlem, he represents clients in the same courts that bar him from sitting on juries.

**Daudi Justin, pictured here at the federal courthouse in downtown Manhattan, is the lead plaintiff in a lawsuit against New York County’s jury ban.**

Justin is co-lead plaintiff in a first-of-its-kind class-action lawsuit, *Justin v. Tingling*, filed in federal district court in Manhattan in December by the New York Civil Liberties Union (NYCLU). The case challenges the permanent exclusion of people with felony convictions from serving on juries. Decades of racialized policing and prosecution targeting Black residents have resulted in the mass disenfranchisement of Black people in Manhattan from the jury pool. A jury ban mocks the very idea of the equal administration of justice and the guarantee of an impartial jury.

“People [on juries] interpret things differently and may not

understand the context of certain evidence that’s produced,” says Justin. “That’s why it’s harmful not having that diversity of perspective in the jury pool. We lose out on justice.”

Taking an approach that has proven effective in voter discrimination cases, the NYCLU is using statistical patterns of gross racial discrimination to argue against the jury ban in New York County. A favorable ruling could provide a legal blueprint for challenging similar criminal-record-based disqualifications state and nationwide. Manhattan has the worst disparities in arrest and conviction rates between Black people and white people of any county in the state. Approximately 25 percent of Manhattan’s otherwise eligible Black residents—a staggering 38,000 people—have been disqualified from jury service. Justin’s 2009 conviction came in the midst of a 20-year period during which Black people in Manhattan were convicted of felonies at a rate more than 21 times greater than white people. And the crime of which he was convicted—a remnant of the racist Rockefeller Drug Laws, which provided harsh sentences for drug offenses—is now classified as a misdemeanor.

Jury service is a fundamental right. It holds law enforcement, prosecutors, and judges accountable in a criminal legal system that is inherently biased. “If more individuals who feel a certain way about the system are on the jury, they have the power to determine the cases,” says Justin. “So not only is jury duty participating in the democratic process, it’s also a way of exercising your political power.” —J. A. F.



## Sex Discrimination and Housing

Sex-based discrimination occurs when a person is treated less favorably because of their sex, including sexual orientation and gender identity. It can have dire consequences for a person’s security at home or on the job. Victims of gender-based or domestic violence are particularly vulnerable to discrimination; they may get evicted or be denied housing by landlords who punish tenants for disruptions, even if the tenants are victims of criminal activity. Below are some of the existing protections against sex-based housing discrimination.

- Under the Fair Housing Act, a landlord cannot reject a tenant’s application because of their sex.
- A landlord can’t apply rules not applied to other tenants in response to learning a tenant is in an abusive relationship.
- The federal Violence Against Women Act sets out specific provisions to protect survivors of domestic violence, dating violence, sexual assault, and stalking from discrimination.
- Public housing authorities can’t refuse admission to housing based on an applicant’s status as a victim of domestic violence.

Find out what to do when your rights are violated at [aclu.org/kyr](https://aclu.org/kyr).

# The Fight for Abortion Rights

With advocacy and litigation, the ACLU continues its staunch defense of lifesaving abortion care.

**A year after** the U.S. Supreme Court ripped away the federal protections of *Roe v. Wade*, total abortion bans or severe restrictions in about half the states now block critical health care for millions. Meanwhile, anti-abortion extremists have used the courts to try to limit access to medication abortion.

In April, after a federal district judge in Texas blocked nationwide access to mifepristone, an FDA-approved medication used in more than half the abortions in the country, the ACLU and its partners coordinated on an amicus strategy for the U.S. Supreme Court and provided abortion providers with state-specific guidance on how to mitigate the harms of the ruling. Ultimately, the high court stayed the decision, keeping the safe, effective medication available for millions while the case works its way through the lower courts.

At the same time, state efforts to criminalize abortion have proliferated. Earlier this year, the ACLU, drawing on its criminal justice expertise and presence in every state, launched the Abortion Criminal Defense Initiative (ACDI), a nationwide system for connecting criminal defense lawyers with those who face investigation, arrest, or prosecution for providing, assisting, or receiving regulated abortion care. “The people who are most likely to be investigated as a result of criminalization are Black, Brown, and those with low incomes,” says ACDI Director Lauren Johnson. “We are here and ready to fight on [their] behalf.”

With on-the-ground advocacy, the ACLU continues to protect access to essential, lifesaving abortion care, including organizing voters and advocates in North Carolina, Virginia, and Nebraska to put pressure on legislators who support extreme bans. In Wisconsin, the ACLU

and its state affiliate waged a statewide campaign to educate voters about the important role the state Supreme Court plays in shaping abortion rights ahead of a crucial election for an open seat.

And success in the courtroom endures: In March, a federal district court in Guam denied the attorney general’s request that it lift a permanent injunction won by the ACLU that blocked a total abortion ban from taking effect. The Georgia Supreme Court heard oral arguments in *SisterSong v. State of Georgia*, the ACLU’s case challenging the state’s ban on abortion after six weeks of pregnancy. And the ACLU filed a lawsuit to prevent the Idaho attorney general from making it a violation for health care providers to refer patients out of state for abortion care.

We are at a crisis moment for abortion access. As always, the ACLU is pushing back to protect bodily autonomy and ensure that no court or politician will take away the fundamental right to make decisions about our bodies and our futures. —JAY A. FERNANDEZ

If you or someone you know is seeking legal representation for prosecution related to abortion care, visit [aclu.org/acdi](https://aclu.org/acdi).



ILLUSTRATION BY CELIA JACOBS

# Building Better Futures

ACLU National Board President Deborah N. Archer sat down with *At Liberty*, the ACLU’s podcast, to discuss the country’s legacy of housing discrimination, and the ACLU’s work to address it.

**At a time** when this country’s population has become more racially diverse, extreme residential segregation on the basis of race persists. We attend separate schools; we live in separate neighborhoods. We attend different churches and shop at different stores. Residential segregation impacts an individual’s access to quality education, employment, government services, and social capital. Without access to opportunity, the cumulative effects of segregation on Black people and other people of color are profound. We see isolated, over-policed, and under-resourced communities of color—a legacy and reality of housing discrimination.

The United States has a long, complicated history of racial segregation that was enforced through public policies, through individual acts of discrimination, and through mob violence. We had real estate companies that would steer people of different races to different communities, trying to ensure the continuation of racial segregation. The Federal Interstate Highway System was intentionally built through and around Black communities to physically entrench racial inequality, a post-Jim Crow tool as the more traditional tools of segregation were being challenged and struck down by the courts.

QUINN RUSSELL BROWN



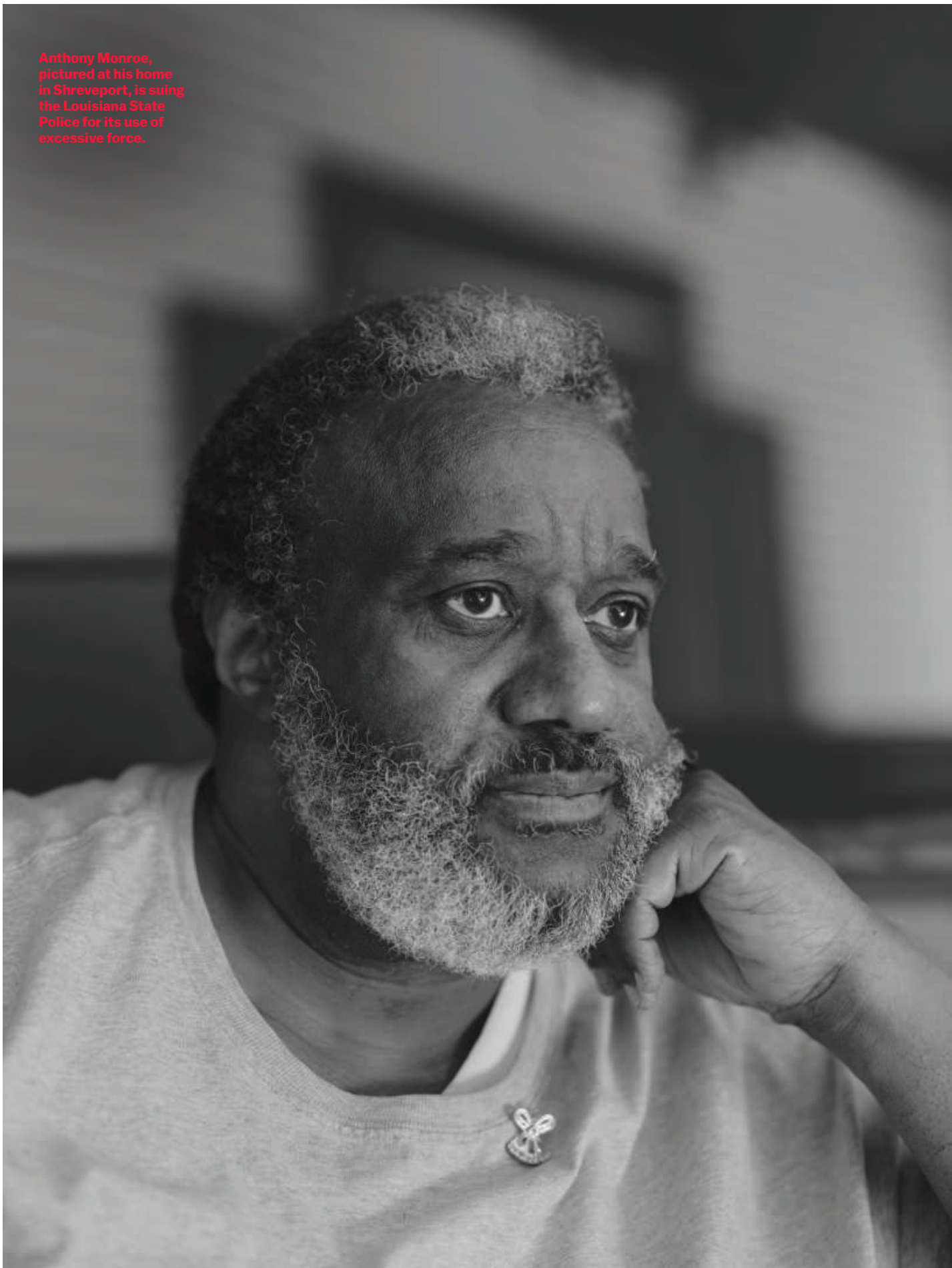
The Fair Housing Act [signed in 1968] was designed to address residential segregation...and combat acts of intentional discrimination. We have seen more integration from it but not a fix. Challenging those individual acts of discrimination doesn’t address systemic inequality. We have to advocate for other laws that can better protect people’s human right to access affordable housing.

What we’re looking for is not only to challenge segregation but to facilitate and block the barriers to integration. And it takes a long time. The ACLU’s Systemic Equality [campaign] aims to ensure we have full and equal access to education, jobs, housing, voting rights,

and more to help build better and more equitable futures. On housing, it includes reducing mass evictions for Black women renters in particular. The ACLU’s Women’s Rights Project is leading the work to secure a right to counsel and to prohibit the consideration of prior eviction records and tenant screenings. We’re also focusing on legislation to prohibit companies from using targeted advertising in discriminatory ways that undermine people’s rights and hinder their capacity to survive and thrive.

Visit [aclu.org/systemicequality](https://aclu.org/systemicequality) to learn more about the ACLU’s work to dismantle housing discrimination.

Anthony Monroe, pictured at his home in Shreveport, is suing the Louisiana State Police for its use of excessive force.



## The Justice Lab

# A small team at the ACLU of Louisiana has brought together the country's best legal minds to mount a defense for some of the most invisible victims of police brutality: living survivors.

By **ANITA LITTLE**

Photographs by **ANNIE FLANAGAN**

*CONTENT WARNING: THIS STORY DISCUSSES RACIAL VIOLENCE AND POLICE BRUTALITY.*

It was the day after Thanksgiving in 2019 when Anthony Monroe left his job as a blackjack dealer at a Shreveport casino, got into his truck, and headed in the direction of home. It was the same drive he had made every worknight for the past 20 years.

Monroe was driving the speed limit and breaking no traffic laws when a Louisiana state trooper pulled off from the shoulder and began flashing his lights. Fearful of being alone with the police officer with no witnesses present, Monroe flipped on his turn signal and pulled into another nearby casino.

The officer “got out of his vehicle, and he had one hand on his flashlight and another hand on his gun. I felt something about this wasn’t right,” says Monroe.

What would ensue in the next few moments would result in Monroe being slammed to the ground, handcuffed,

and then violently beaten without provocation by three officers.

Monroe’s life changed forever that night. He suffered a heart attack during the incident and is now disabled with permanent injuries to his arms and shoulders. He lost the casino job he had held for more than two decades due to fabricated criminal charges the police filed against him. And he suffers from PTSD, reliving the assault constantly.

“They tore my body up and left me with pain and nightmares. I was never a threat, they were. They had the guns. They had the handcuffs. They had the law on their side. How can they say they were afraid of anybody?” asks Monroe.

Unlike known victims of police brutality, Monroe is alive. Monroe’s community isn’t mourning the loss of another beloved member with sidewalk shrines, candlelight vigils, and murals. Monroe can still plan for the future and attempt to seek justice.

“We ultimately have a system where your family is more likely to get access to a court of law if you end up being killed than if you survive,” says Nora Ahmed, legal director at the ACLU of Louisiana, “which puts a large question mark on what kind of a legal system we’ve developed in the first place.”

She believes that since the national crescendo of Black Lives Matter protests in 2020, the country is moving back to a place of complacency about police violence. The status quo has remained largely unchanged. For each name that trends, there are countless names that go unspoken, many of them living survivors.

“Once you have an Alton Sterling, Breonna Taylor, or George Floyd, we see a swell of outrage over racist policing, but over time that dips downward,” Ahmed says. “People are concerned during these moments of cataclysm, but racist policing incidents continue happening on a daily basis.”

The ACLU of Louisiana, as part of its Justice Lab campaign, as well as global law firm Latham & Watkins LLP, has filed a federal lawsuit against the Louisiana State Police for its illegal, brutal arrest of Anthony Monroe. The Justice Lab was founded in 2020 to challenge racially discriminatory policing in Louisiana through free legal representation and community advocacy. The Justice Lab’s primary focus is on cases where the plaintiffs are still living, defending those who have experienced excessive force; unlawful stops, searches, and seizures; wrongful arrest; or racial profiling.

According to a recent article in *The Atlantic*, only 1 percent of potential civil rights plaintiffs have access to legal representation. The Justice Lab fills the gap by offering legal services entirely on a pro bono basis. The ACLU and its co-counsel take on cases the private bar cannot afford to litigate because they are uneconomical to bring.

Ahmed explains that few lawyers will take cases that offer no payout for the baseline costs of litigation, which creates a barrier for those seeking justice.

“If an attorney is not going to be able to make a livelihood, they’re less likely to take on difficult cases. Without the gen-

erosity of our donors and our partnering co-counsel, our clients would not have legal representation.”

The Justice Lab has brought together a coalition of more than 50 major law firms across the country and more than 20 legal clinics to support and empower those harmed by the legal system in Louisiana. In its three years of existence, it has filed 50 cases against racist policing and secured more than a dozen legal victories for survivors of police violence.

“Our partnerships with big firms allow us to litigate these cases with some of the best legal prowess available. We’re able to send a message that we can litigate, and we can fight to the end,” says Ahmed.

The team embraces a twofold strategy of litigation and storytelling. Ahmed says that though the courts are a strong place to start when it comes to addressing systemic challenges, she recognizes the law isn’t enough. So they work to give victims and their families a platform in local and national media outlets.

**M**alikh Asante-Chioke is another Justice Lab client. In 2021, her father, Jabari Asante-Chioke, was shot by Louisiana police 24 times while suffering from a mental health crisis. Instead of de-escalating the encounter with Mr. Asante-Chioke or using less-than-lethal methods, officers began firing and continued to fire long after he was incapacitated.

“My father was an exceptional person. He was willing to do anything for anyone, especially his family. He was my go-to person and the only person I had in this world. Now he’s no longer here, and I can

never talk to him again,” says Malikh, who lost her mother as an infant and is now left parentless.

A friend told her about the ACLU of Louisiana’s Justice Lab and soon they took on her case with the White & Case law firm as pro bono co-counsel.

She says speaking about her father is extremely difficult, but she does it because she wants people to know about

**ACLU of Louisiana Executive Director Alanah Odoms (right) with Bilal Hankins at the U.S. District Court in New Orleans. The Justice Lab filed its 13th lawsuit on behalf of Hankins, who experienced a traumatic encounter with police while looking for a lost dog in June 2020.**



## Louisiana has the highest ratio of police officers to residents of any state and the highest incarceration rate in the country.

what Black Louisianans are faced with each day.

“It’s what my father would have wanted me to do. I will continue to seek justice for him as long as I’m alive,” says Malikh. “What I’m doing won’t change what happened to my father, but it could change what happens in the future.”

Malikh’s case is now pending before the United States District Court for the Eastern District of Louisiana.

On the Justice Lab website, there’s a collection of more than two dozen firsthand accounts from police brutality survivors or the families of slain victims. The stories show the humanity that these people have been denied by Louisiana police.

In one, Phil Anthony was severely beaten and jailed after an officer accused

him of illegally parking his motorcycle on the sidewalk outside a bar. Today, his vocal cords are paralyzed and his breathing and speaking are permanently impaired from a chokehold the officer placed on him.

Terrica Johnson was driving home when she was randomly pulled over by two officers who searched her car, tightly cuffed her, and confiscated money that she made from her home-repair business, only some of which she has been able to recover.

During a peaceful demonstration protesting the murder of Alton Sterling, Javier Dunn was shoved to the ground, called a racial slur, and struck repeatedly, breaking several bones in his face.

In total, the Justice Lab has collected hundreds of complaints from Louisiana’s

64 parishes and published more than 30 long-form stories on its website. The stories create an indicting catalog of the failures of Louisiana’s legal system and the unchecked abuses of its police force. The collection shows how insidious and pervasive the problem is and gives community members a chance to speak out about what’s been done to them.

“Litigation is not an easy process, and there are people for whom the law will not bring any form of justice. But their stories are very real. They matter. By bringing these stories forward, we seek to pay homage to each person,” says Ahmed. “They have parents, they have children, they could be your neighbors. They’re everyday people who were living their lives when they were targeted for violence.”



That's why a key goal of the Justice Lab is to "stop the stops," or in other words, lessen the random, unwarranted interactions between police officers and residents.

"The more you police a group of people, the more interactions you'll have between those being policed and those doing the policing. That means those policed are more likely to end up behind bars or end up dead," says Ahmed.

Louisiana has the highest ratio of police officers to residents of any state and the highest incarceration rate in the country. Between 2013 and 2020, police killed at least 167 people in Louisiana, and out of that number, more than half of the people were Black, severely disproportionate to their percentage of the population. The statistics show that Black Louisianans are over-policed and under-protected.

To understand Louisiana's present, one must dive into the past. The Louisiana of today, where residents of color live in fear of any interaction with the police, is the result of generations and generations of the dehumanization of Black Americans that started with chattel slavery. In the American South, some of the first police groups formed were slave patrols. Their mission was to suppress enslaved Black people, squash slave uprisings, and return runaway slaves to their owners.

The work that Ahmed's team does is historically informed, and part of Jus-

**Bridget Wheeler (left), an attorney at the ACLU of Louisiana's Justice Lab, and Nora Ahmed, legal director at the ACLU of Louisiana, stand outside the U.S. District Court in New Orleans.**



justice Lab's training is teaching advocates about the racial history of Louisiana. They watch documentaries, read historical research, and visit the Whitney Plantation in Louisiana, the only plantation site in the state that's dedi-

cated to the legacy of slavery. They learn that policing cannot be seen through an ahistorical lens.

"The present, by and large, is a product of the past. We must confront our history in order to repair the problems we have

Americans with Disabilities Act protections and applies them to our criminal legal system's treatment of people with disabilities. By championing alternative response techniques, such as clinician-staffed mobile crisis patrols and the funding of a national 988 mental health crisis line, our society can shield our most vulnerable from harm.

"We must continue fighting for a society in which police violence is rare instead of rampant," says Yasmin Cader, the ACLU's deputy legal director. "We must all work toward transformational change that centers care and safety—and that includes being safe from police violence."

today. You can't talk about modern-day policing in the South without talking about slavery," explains Ahmed.

"There is an active attempt to neutralize the present by disconnecting it from the past, but that's not going to get us where we need to go. We need to draw those through lines, no matter how difficult that might be."

A barrier for Louisiana's Justice Lab is a doctrine called qualified immunity. This rule, introduced by the U.S. Supreme Court during the civil rights era, shields police officers and other public officials from civil liability when they violate a person's constitutional rights. It assumes good faith on the part of the official and puts a more significant burden of proof on the plaintiff. It has received major criticism from legal scholars on the way it is applied in police misconduct cases. In a 2018 dissenting opinion, Supreme Court Justice Sonia Sotomayor called it a "one-sided approach" that "sends an alarming signal to law enforcement officers" and "tells officers that they can shoot first and think later."

Another even larger roadblock is the statute of limitations for police misconduct in Louisiana. Those who have suffered from police violence in the state have only one year to file a court case against their perpetrators, compared to the majority of states where a person has several years. From the moment the offense happens, the clock starts counting down. Police can use obstructive tactics like refusing to release bodycam footage or filing criminal charges against their victims until time has run out—barring victims and survivors from ever attempting to use the legal process to fight for justice.

"About half of the people who contact us for representation do so after the one-year statute of limitations has expired," notes Ahmed. "They are effectively locked out of the legal process before they have had sufficient time and opportunity to find a lawyer to take on their case."

The work Justice Lab does is daunting, and the team is up against centuries-long sociohistorical hurdles. Despite this, they've secured groundbreaking legal

## The Justice Lab is bringing us closer to a future where Black Americans can simply exist without constant fear of violence.

victories that have brought justice to survivors of violence.

"When we initiated this venture, I didn't even know if a victory in the courts was possible," says Ahmed.

But in a short time, the Justice Lab has seen several decisive wins where they were able to overcome the qualified immunity doctrine to either win the suit or reach a settlement outside of court.

In a victory this spring, Justice Lab client Craig White won a settlement after an officer with a well-documented history of racial aggression knocked White unconscious and falsely arrested him after an unjustified traffic stop.

Another settlement was reached for Timothy Watkins, who was left with debilitating long-term pain after an officer injured him during a false arrest. He had called 911 after someone vandalized his car only for the responding officers to roughly handcuff him and take him to the station on a fabricated charge of shoplifting.

And there was yet another settlement earlier this year for Yohann Jackson, who has cerebral palsy and suffered what he felt was a deliberate injury to his disabled arm when police conducted an unlawful search of his home.

The Justice Lab has even more cases in discovery or winding their way through the courts.

"These settlements will never adequately compensate clients for the harm that they encountered, but it shows a modicum of progress and allows them to move forward," says Ahmed.

An ultimate hope is for the Justice Lab in Louisiana to serve as a model for other states throughout the South when

it comes to holding police departments accountable. Kentucky and Tennessee, for example, have the same one-year statute of limitations that plagues Louisianans and enables racist policing to continue with impunity.

"What we are trying to do with the Justice Lab is show how you can bring resources to extraordinarily under-resourced states. If we can do it in Louisiana, we can do it anywhere," says Ahmed. "We want to ensure that people in every state get the same representation that people in other states get."

Ahmed's team published a Justice Lab Manual, available on the ACLU of Louisiana's website, meant to be a blueprint for communities and organizations that are seeking to start their own Justice Lab. The 70-page downloadable guide contains guidance on everything from recruiting law firm partners to launching awareness campaigns to collecting data.

"It explains everything we did to get the program up and running," she says.

As Ahmed has shared, litigation is not a panacea. It doesn't take survivors and their families back to the moment before their lives were irrevocably altered. Courtroom justice doesn't erase pain and trauma. But the team at Justice Lab is bringing us closer to a future where Black Americans can simply exist without constant fear of violence.

"If we don't care about the stories of the living, then eventually they will become the stories of the dead. The system must hold bad actors accountable, otherwise it's facilitating the deaths of more people," says Ahmed.

"We're engaged in a fight for the soul of our country, a country where we aspire to live up to the ideals espoused in our Constitution." ■

### Beyond Policing

Law enforcement officers are not trained mental health professionals. And yet in many communities, there's no other option but to dial 911 when someone is suffering from an acute mental health episode. The outcome of these encounters can easily turn fatal. People who have untreated mental illness are 16 times more likely to be killed during police interactions, according to a study by the Treatment Advocacy Center. The numbers become even more dire when race enters the equation.

As part of its Systemic Equality campaign, the ACLU is building a litigation strategy that takes existing

# RESTORING

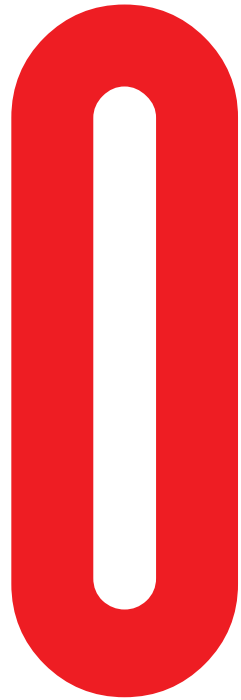
# ASYLUM

When immigrants traveling from Texas to Massachusetts became part of a political stunt, the ACLU and its partners mobilized on their behalf—providing hope to families fleeing the unthinkable.

BY CHARLEY LOCKE  
ILLUSTRATIONS BY EDEL RODRIGUEZ



Thousands of people legally seek protection at the U.S. border with Mexico every day. They often endure grueling journeys in pursuit of safety.



**ON SEPTEMBER 14, 2022,** when Elizabeth Carolina Mujica boarded a flight in San Antonio, she thought she and her family were starting a new life in Boston. “We thought we were headed to a sanctuary, to a place that gave help to immigrants,” says Mujica.

She had no idea that she was a victim of a political stunt—or that she would soon be the center of a media firestorm.

When Florida officials, including Governor Ron DeSantis, enacted a plan to fly 49 immigrants from Texas to Martha’s Vineyard, they intended to prove a point: that border states are overwhelmed by the number of incoming immigrants, and people in the Northeast wouldn’t be so pro-immigration if asylum seekers were arriving in their own backyards. “It’s somewhat tongue in cheek, but it is true,” DeSantis said in December 2021. “If you sent [them] to Delaware or Martha’s Vineyard or some of these places, that border would be secure the next day.”

State governors in Florida, Texas, and Arizona had for months transported migrants to major cities like New York City and Washington, D.C., by bus. In the case of Martha’s Vineyard, DeSantis officials misused funds to exploit migrants and stir anti-immigrant sentiment for political gain on a national stage.

But DeSantis’ stunt proved a very different point than intended: Faced by people in urgent need, citizens and advocates can come together to protect the vulnerable. Months after they stepped off a plane in Martha’s Vineyard—not knowing where they were or where to go—all 49 of the immigrants are pursuing visas to remain in the United States due to the fierce advocacy of a group of Massachusetts lawyers, including from the ACLU, who came together to represent the families.

“What’s remarkable about these cases is that people in state government set out to harm them and make a spectacle of them because they were immigrants,” says Adriana Lafaille, a staff attorney at the ACLU of Massachusetts. “But ultimately, the very thing that was done to harm these clients is providing them a path to gain status in the United States.”



**B**y the time Mujica boarded the plane in San Antonio, she had been traveling from South America for more than two months. Along with her 8-year-old daughter and other family members, she had experienced an arduous journey by train, bus, car, and foot in search of a safer life. After turning themselves in to immigration custody, she and her daughter were separated from the rest of their family. They were released from custody a few days later and got a ride from a stranger to a migrant center in San Antonio, where they reunited with the rest of her family—although they could only stay there for three days. “We felt very worried because we didn’t know what we were going to do after leaving there,” says Mujica.

Across the street from the center, in an outdoor area where people offered food and clothes to immigrant families, Mujica met a woman called Perla, who said she was from a sanctuary. If Mujica and her family came with her, said Perla, her organization would get them housing and food assistance, legal help, work, and schooling for the kids. With nowhere to stay and nothing but the clothes they could carry, Mujica and her family felt it was their best option and went with Perla. “We weren’t sure about her offer, but we decided to accept it,” says Mujica. “We felt like it was the only option to not end up on the street with our children.”

Days later, along with 40 other migrants, Mujica and her family members boarded a plane. Perla, a former counterintelligence officer hired by Florida state officials, and her associates told them that they were going to Boston, where aid and sanctuary would be waiting.

When they arrived on Martha’s Vineyard, they only learned they were on an island by looking at the GPS on Mujica’s partner’s phone. Mujica and her family were transported to a nearby school and given apples and water; two hours later, they were brought to a nearby church, where residents of the island offered them beds, clothing, and food. “It was a surprise for them and for us,” says Mujica. “But they are good people, and they made us feel safe and supported.”

Rachel Self, an immigration attorney who lives on Martha’s Vineyard, was spending the week in Boston, her first week back at her law practice since her brother died of COVID-19 complications a month before. She made her way back to the island the next morning, catching a ride on the newspaper delivery boat, then heading straight to the church where the migrants were staying.

“Every layer of the onion that peeled off, I became more and more disturbed,” she says. “The families had been paroled and processed, pursuant to our asylum laws, and then they were lied to and convinced to get on these planes.”

As volunteers provided supplies and food, and Self and others worked to piece together what had happened, news of the political stunt was beginning to spread far beyond the island. Nearby, allied lawyers and advocates began to mobilize, and the Martha’s Vineyard community stepped up to offer resources. “Forty-nine people may not seem like a big deal, but for this island, it’s like 24,000 people being dropped in Times Square with no notice,” says Self.

## FIVE THINGS TO KNOW ABOUT ASYLUM

- Seeking asylum from persecution is a human right protected under U.S. law, and has been since 1948.
- Asylum seekers must prove their cases—that they left home because they faced persecution—to be granted permanent protection.
- Many U.S. policies threaten the right to seek asylum, but thousands of people legally seek protection at the U.S. border with Mexico every day.
- Asylum seekers are integral members of U.S. society. A recent study from the Center for Global Development estimated that asylum seekers contribute, on average, more than \$19,000 per year to the U.S. economy.
- The money that Congress spends on border patrol could instead be spent to improve the asylum system: screening people at the border, hiring judges to decide asylum claims, and supporting immigrants in reaching out to work sponsors.

Take Action: Tell the Biden administration to restore asylum at [aclu.org/asylum](https://aclu.org/asylum).

Within four days of the migrants arriving unexpectedly on Martha’s Vineyard, advocates, attorneys, and community members in Massachusetts had provided them with shelter, food, clothing, medical care—and legal aid. “By a week or so later, we had gotten individual pro bono counsel for every person,” says Emily Leung, supervising attorney at the Justice Center of Southeast Massachusetts. “It was an unprecedented offer of pro bono assistance.”

Because the families had been lied to—falsely told they were being taken to Boston, where they would be provided with resources and aid—they were eligible for U visas, which are for crime victims who cooperate with law enforcement or government officials in an investigation. Securing visas required collaboration not only between advocates but also

with law enforcement on the ground in San Antonio, where the migrants were first processed into the U.S.

“The whole thing was predatory, and the fact that government would take it upon themselves to prey upon people finding a better life didn’t sit well with me,” says Bexar County, Texas, Sheriff Javier Salazar, who worked with Self and others to certify the families as eligible for U visas. “But when you’ve got people working from both ends of the issue, we’re going to help people find a better life for themselves.”

**M**ujica and the other families who landed on Martha’s Vineyard may be able to stay in the U.S., but that’s not the experience of most people who cross the southern border in search of asylum. Under policies enacted by the Trump and Biden administrations—policies that are both inhumane and illegal—countless migrants are turned away at the border.

The right to apply for asylum traces back to the aftermath of the Holocaust, when the United Nations ratified the 1948 Universal Declaration of Human Rights. Since then, the ACLU has pushed the U.S. government to honor this commitment: as the Reagan administration denied asylum applications from El Salvador and Guatemala while funding their civil wars; as the Obama administration locked up asylum-seeking mothers and children in Texas and New Mexico; and as the Trump administration attempted to enact a “transit ban,” which restricted the right to asylum if migrants didn’t request it in other countries they traveled through to reach the U.S. Now the ACLU is fighting back again, as the Biden

## HOURS AFTER THE BIDEN ADMINISTRATION ENACTED A NEW ASYLUM BAN, THE ACLU AND ITS PARTNERS FILED A LEGAL CHALLENGE AGAINST IT.

### AT THE SUPREME COURT

Is it a crime for a child to implore her undocumented grandmother to stay in the U.S.? How about for a doctor to advise a patient who lost his work visa that he needs a medical procedure only available in the States? According to a federal law, often referred to as the “encouragement provision,” it is a felony crime to encourage a noncitizen to

enter or reside in the U.S. unlawfully. Across the country, noncitizens, their families, lawyers, immigration rights advocates, and others risk violating the encouragement provision every time they debate U.S. immigration policies or even have a conversation about what resources may be

available for people who are undocumented. In March, Esha Bhandari, deputy director of the ACLU’s Speech, Privacy, and Technology Project, argued at the U.S. Supreme Court that the encouragement provision violates the First Amendment because it criminalizes a wide swath of protected speech. The case, *U.S. v. Hansen*, has

implications outside of immigration, including the ability for the public to advocate against any laws with which they disagree through peaceful civil disobedience. In June, the court issued its ruling, not repealing the law altogether but keeping protections in place for speech it previously criminalized, including advocating for undocumented people.

administration breathes new life into restrictions already found to be unlawful in the Trump era.

In March 2020, at the start of the COVID-19 pandemic, the Trump administration enacted Title 42, an immigration policy that enables border patrol officers to send asylum seekers back to their home country without granting them a hearing. Instead of ending the inhumane policy, the Biden administration extended it again and again in attempts to control migration into the U.S. Title 42 has had devastating consequences: In the past three years, as a direct result of the policy, more than 2 million asylum seekers—people fleeing life-threatening persecution—have been turned away at the U.S. border.

“We, as the United States, promised after World War II that we wouldn’t send people back to danger without providing them with a hearing, but for the past three years, the United States has not had an asylum system in place,” says Lee Gelernt, deputy director of the ACLU’s Immigrants’ Rights Project. “That’s a shocking situation and should trouble everyone who believes that the United States, along with the rest of the world, should provide a safe space for people fleeing danger.”

Since the Trump administration invoked Title 42 in 2020, the ACLU has fought against the policy through multiple lawsuits and legal challenges. In August 2021, the ACLU and its partners sued the U.S. government on behalf of families facing expulsion. In December 2022, the case made its way to the Supreme Court, but after the Biden administration announced the public health emergency would end in May—and Title 42 along with it—the court took the case off the argument calendar.



In the meantime, the Biden administration expanded the policy in January 2023, sending Cubans, Haitians, Nicaraguans, and Venezuelans back without a right to asylum. “Title 42 was always a pretext for the Trump administration to close the borders to people seeking safe haven, and the Biden administration should not have kept it,” says Gelernt. “It’s a flat-out anti-immigrant, anti-asylum policy.”

On the same day Title 42 expired in May, the Biden administration unveiled a new asylum ban, which mimics two Trump administration policies, both of which were challenged by the ACLU and blocked by the courts. The Biden administration’s new policy prohibits asylum for almost everyone who traveled through another country on their way to the United States, effectively preventing those originally from countries other than Mexico from seeking asylum.

Hours after the Biden administration enacted a new asylum ban, the ACLU and its partners filed a legal challenge against it.

“The Biden administration’s new ban places vulnerable asylum seekers in grave danger and violates U.S. asylum laws. We’ve been down this road before with Trump,” says Katrina Eiland, managing attorney with the ACLU’s Immigrants’ Rights Project. “The asylum bans were cruel and illegal then, and nothing has changed now.”

“These are vulnerable human beings who deserve to be treated properly under U.S. and international law,” adds Gelernt. “They are entitled to a fair hearing. What the ACLU and our partners are trying to do is to bring the human dimension of this situation to the American public.”

**T**he families who were flown to Martha’s Vineyard were directly lied to with false promises of housing and aid by government operatives, which is unusual. But the inhumanity they experienced isn’t out of the ordinary for those seeking asylum. “Every day at the border there are cruel things happening because of the U.S. government to people seeking refuge,” says Gelernt. “The Martha’s Vineyard case drew attention and put a spotlight on these particular migrants because it was so crude and cruel. I’m not sure that outrage translated into larger outrage that we don’t have a humane asylum system.”

Over the past few months, Mujica and her family have been able to start building a life in the U.S. They now live in Atlanta, where Mujica’s daughter is learning English and attending a local elementary school. “We’re starting to familiarize ourselves with everything, and emotionally, we feel better,” she says. “After everything that happened, our lives are now improving a little.”

But the process isn’t over yet. The ACLU of Massachusetts is working with nine client families alongside law firm WilmerHale, and the team, including Lafaille, is in the midst of working on the clients’ U visa cases. Self keeps in touch with many of the families, hosting some at her house for Thanksgiving and Easter. Leung, whose team advocates for immigrants arriving in Southeastern Massachusetts every day, sees the far-reaching impact of Mujica’s story.

“There was a big outpouring from the community on all sides—not just the legal community, but the faith community and other individuals—and it was incredible to see,” says Leung. “But from my perspective, how do we take that energy and extend it to other folks who are in need?”

The cruelty that Mujica and the other migrants experienced wasn’t new, but the community response was noteworthy. What began as a political stunt resulted in a model of how asylum can work—if we let it.

“I believe what happened on Martha’s Vineyard is a micro example of how to solve what’s going on at a macro scale in our country,” says Self. “Look at how capable we were and what we accomplished, and you can see what a potential fix might be.” ■

Zoraima Pelaez in Brooklyn, New York. Pelaez is a legal fellow at the ACLU.



# Future Forward

BY HOUREIDJA TALL

PHOTOGRAPHS BY KHOLOOD EID

**With hope and grit,  
a new generation  
of advocates is carving  
a path toward progress.**

**Protecting our rights** from those who wish to turn back the clock on progress requires a strong defense. And there is hope on the horizon: Scores of young people are reinventing what it means to be an advocate to secure civil liberties and civil rights for decades to come—and institutions are supporting them.

For its part, the ACLU is redoubling its efforts to embolden a new generation of activists and attorneys to advance the issues we hold dear. From legal fellows to early-career organizers, *ACLU Magazine* spoke with four advocates to understand how their paths led to the ACLU and their hopes for the future of social justice.

# Zoraima Pelaez

PRONOUNS: SHE/HER

ROLE: EQUAL JUSTICE WORKS

FELLOW, ACLU REPRODUCTIVE

FREEDOM PROJECT

In 2013, Zoraima Pelaez attended a protest at the Texas State Capitol to support then-state Senator Wendy Davis' 11-hour filibuster of SB5, a sweeping state abortion ban at 20 weeks of pregnancy. "That was the first time I saw activism in action," says Pelaez. "There was a community of people who were fighting for everyone's right to bodily autonomy and to choose the futures that they wanted." The "people's filibuster," as it became known, inspired Pelaez to pursue organizing work and, eventually, a law degree to fight for abortion rights and reproductive freedom in Texas.

Impact litigation and organizing are a second career for Pelaez, who is now an Equal Justice Works fellow at the ACLU's Reproductive Freedom Project. The fellowship is a two-year program for public interest lawyers to gain experience working with legal services organizations on pressing issues. Prior to attending law school at the University of Texas, the Austin native worked as a hairstylist and makeup artist. The daughter of immigrants from Mexico and Colombia, she became the first person in her family to attend college. "During [college], I learned that I was pregnant," she says. "Both of my sisters had been young mothers, and I knew the challenges they faced in parenting their children in safe, sustainable environments. So, I made the right decision for me to get an abortion."

As an organizer, Pelaez shared her personal story to break down the stigma and shame of abortion that's

common in the communities in which she grew up, she says. "I shared...to let people know that they're not alone, that there is a community out there who can support you through these decisions, not just the decision to have an abortion, but the decision to parent."

Pelaez joined the ACLU as a legal fellow just a few months after the U.S. Supreme Court overturned *Roe v. Wade*, eliminating a federal constitutional right to abortion. More than 20 million people of reproductive age are now living in states with near-total abortion bans in effect. The ACLU is pushing back by combining litigation, legislative advocacy, and criminal defense coordination.

"I think coming from an organizing background to the legal background,

you have to understand what role you play in this broader sphere of social change," says Pelaez. "It's not just legal work [that we do at the ACLU]. There's policy work, there's organizing work, there's affiliates on the ground....That helps me realize that I'm a small part of a bigger picture."

She adds: "The goal of some of these extreme anti-abortion advocates and legislators is to have us lose hope, and so the very practice of hope is the thing that becomes a radical act."

For Pelaez, progress for abortion rights and bodily autonomy will come from the people. "The courts won't save us. We save us," she says. "What I do is for my community and to ensure that people have all the options that they can to build a good life for themselves and their families."

**"The goal of anti-abortion advocates and legislators is to have us lose hope, and so the very practice of hope is the thing that becomes a radical act."**

Kamilah Kenyatta at her alma mater, the University of Alabama at Birmingham.

# Kamilah Kenyatta

PRONOUNS: SHE/THEY

ROLE: GENDER JUSTICE

AND ORGANIZING FELLOW,

ACLU OF ALABAMA

When California native Kamilah Kenyatta moved to Alabama eight years ago, she experienced culture shock. "Going to school in Birmingham," she says, "I was introduced almost immediately to amazing activists and organizers in the community," she says. "The way they mobilized was unlike anything I had ever seen."

Kenyatta is a gender justice and organizing fellow at the ACLU of Alabama, where she works on Black Trans Futures, a storytelling project in collaboration with the Knights and Orchids Society, one of the only Black trans-led health care organizations in the country. Black Trans Futures seeks to lift up stories of joy and resilience about trans Alabamians even in the face of record attacks against transgender people in state legislatures this year. Less than halfway through the year, state lawmakers have introduced nearly 500 bills targeting LGBTQ rights.

Kenyatta was at the Alabama Legislature this spring when lawmakers passed HB261, a ban on transgender athletes, and introduced HB7, a censorship bill that chills discourse on race and gender in the classroom. These bills "directly affect students, trans



students, Black students," she says. "It's hard to see that this is the work we're doing every day [to defend people's rights], and it's not having the desired effect." But the local community's response, especially among young people, was heartening with high school students pouring into the capitol building to protest. That local mobilization keeps Kenyatta going: "There's a push to stand up for yourself and say, 'You're not going to achieve this. You're not going to take this away from me.'"

In 2021, while a student at the University of Alabama at Birmingham, Kenyatta participated in the ACLU National Advocacy Institute in Washington, D.C., a weeklong summer program for high school and college students to

learn directly from activists, lawyers, and organizers defending civil rights and civil liberties. She made socially engaged friends, and her commitment to social justice deepened because of it. Subsequently, she served as a 2022 fellow of the ACLU of Alabama's Smart Justice Organizing School, an advocacy program for Alabamians interested in transforming the state's criminal justice system.

"There's something special here in Alabama," she says. "That's what drew me back to the Alabama affiliate. Social justice comes from lived experience. The ACLU has given me a platform and the resources to see that I do have a voice, and I can use this to make change."



Legal fellow  
Emahunn Campbell  
in Fredericksburg,  
Virginia, his home state.

# Emahunn Raheem Ali Campbell

PRONOUNS: HE/HIM

ROLE: MARVIN M. KARPATKIN

FELLOW, ACLU RACIAL

JUSTICE PROGRAM

**Scholar-turned-attorney** Emahunn Raheem Ali Campbell has been fascinated with the idea and experience of race in American society going back to his childhood. “Since my brother was incarcerated when I was 14 years old, I’ve been deeply interested in questions of race,” he says, “and the ways in which race emerges sometimes in ways that we don’t perceive.”

A Virginia native, Campbell is currently the Karpatkin fellow at the ACLU’s Racial Justice Program, where he works on litigation to combat classroom censorship and algorithmic bias, including the ways technology discriminates against people of color and people with disabilities. The fellowship

is a two-year program established in memory of Marvin M. Karpatkin, a former general counsel at the ACLU and prominent civil rights advocate in the ’60s and ’70s. Campbell is part of the ACLU team successfully challenging Florida’s HB7, also known as the Stop WOKE Act, a censorship law that severely restricts educators and students from discussing race and gender in higher education classrooms. In March, an appeals court left in place a preliminary injunction blocking the law from going into effect.

Before pursuing a law degree at Rutgers University in New Jersey, Campbell received his PhD at the University of Massachusetts Amherst, where he taught and studied Black culture in American literature, including the representation of protest in securing civil rights. But ever since he was a child, he wanted to practice law. “Being an attorney gives me the opportunity to enact some of those visions that I’ve had when it comes to my scholarship and actually address some of those issues,” he says. “With my legal work, it’s not only about getting justice, but it’s about exposing injustice.”

Campbell imagines a future where social justice advocacy will become increasingly technological but doesn’t replace people protesting in the streets. “People need to be out there and engaged,” he says. He also recognizes the current urgency for activism to defend public education. “Education is the civil rights landscape of this century,” he says. “There was *Brown [v. Board of Education]* and desegregation, but what’s happening right now is very different. Going after curricula, going after targeted communities. There’s a push to silence those outside traditional boxes.”

The work can be difficult, Campbell notes, but he also believes hope is a discipline—and he is encouraged by young activists creating a future to look forward to. “I think [hope is] something that you have to cultivate and constantly believe in,” he says. “I was a teacher prior to all this, and it was my students who gave me hope.”

“I think [hope is] something that you have to cultivate and constantly believe in. I was a teacher prior to all this, and it was my students who gave me hope.”

Fernanda Alcantara in  
Queens, New York.

**“By encouraging and paving  
a path for this upcoming generation,  
we’re setting ourselves up  
for success. They are the future.”**

# Fernanda Alcantara

**PRONOUNS: SHE/HER**

**ROLE: ACLU PAULI MURRAY FELLOW**



For **Fernanda Alcantara**, working at the ACLU is a manifestation of the American dream. Born in Mexico City and raised in Northwest Arkansas, Alcantara is part of the inaugural cohort of ACLU Pauli Murray fellows, where she works in the national development department. The Pauli Murray Fellowship provides Black and other historically underrepresented college

graduates with professional access and training opportunities as part of the ACLU’s Systemic Equality campaign to root out systemic racism.

Alcantara was a DACA recipient—or Dreamer—who last year became the first person in her family to graduate from college. Established by President Obama in 2012, DACA, or Deferred Action for Childhood Arrivals,

protects undocumented immigrants who arrive in the U.S. as children from deportation.

“The struggle and identity with being a DACA recipient were essential circumstances for me that have motivated me in the work I do now,” she says. “When President Obama announced the DREAM Act, I remember sitting in the living room with my

mom. We were holding hands and crying: ‘This is it. This is an opportunity for us.’”

Alcantara is interested in identifying new pathways for immigrants to achieve their version of the American dream, whether that includes citizenship or education, and developing skills that she can bring to her future pursuit of a doctorate in Latine politics. “[The

ACLU] is on the front lines of protecting rights for people that look like me,” she says. “For the kid that was undocumented, a Dreamer, and a green card holder, it’s informative and inspiring.”

When it comes to organizing for social justice, Alcantara is deliberate about trusting young people and finds inspiration in her three younger siblings. “I look at my siblings, and they give me

hope,” she says. “They give me hope for a future where they’re not defined by their color, their gender, their religion, in a world where the American dream is more accessible.”

She adds: “By educating and motivating, by encouraging and paving a path for this upcoming generation, we’re setting ourselves up for success. They are the future.” ■





# VOICES

## THE VOTERS' MURAL

### Our Future, Our Vote

With a new mural, the ACLU of Texas is empowering voters in Houston.

Four figures representing Houston's historically Black neighborhood, Third Ward, grace a towering mural in the community. Alongside them, a voter-rights hotline number is displayed.

Voter suppression tactics are notorious in Texas, disenfranchising communities of color like Third Ward. Hence the mural: A collaboration between the ACLU of Texas and artist Mathieu Jean Baptiste, it aims to "reach people who might not otherwise be looking for information on voting," says Erik Martínez Resly, ACLU of Texas communications director.

It's already shown the convening power of art. Hundreds in the community attended the unveiling last fall, meeting local politicians and calling the hotline. "The mural was used exactly for the mission we intended," says Baptiste. And it will remain in Third Ward for the 2024 elections and beyond. —WILLY BLACKMORE

Artist Mathieu Jean Baptiste (left) celebrates with community members at the unveiling of the ACLU of Texas' voting rights mural in Houston's Third Ward.

RIGHT TIME SOLUTIONS



Sasha Colby, the most recent winner of *RuPaul's Drag Race*, poses on the red carpet at the season 15 finale.

## The Drag Defense Fund

A new ACLU fund rallies supporters against escalating anti-LGBTQ legislation.

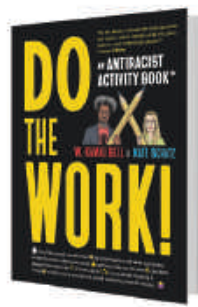
The season 15 finale of *RuPaul's Drag Race* featured sensational lip-sync performances, the crowning of Sasha Colby, and a call to support the ACLU's Drag Defense Fund. A joint effort with MTV, *Drag Race*, and production company World of Wonder, the fund was launched to defend the constitutional rights and creative expression of LGBTQ people. In 2023, state legislatures have introduced more than 470 anti-LGBTQ bills, some of which restrict drag shows.

"It's sort of a catchall that allows them to attack a word or an idea—drag—when really what they're talking about is transgender folks," ACLU Ambassador for Transgender Justice and former *Drag Race* contestant Peppermint said on the ACLU's podcast, *At Liberty*. "Anything having to do with gender and sexuality, they're trying to dismantle that."

The ACLU is committed to drag as a First Amendment right and form of artistic expression. The fund—which has received support from advocates such as Kevin Bacon and Kyra Sedgwick—fuels the ACLU's expansive LGBTQ work, including challenging bans on essential health care for transgender people and LGBTQ censorship in classrooms.

### Support the Drag Defense Fund

Help protect the constitutional rights of drag performers and LGBTQ people across the country at [aclu.org/dragdefense](https://aclu.org/dragdefense).



## Active Antiracism

W. Kamau Bell and Kate Schatz's *Do the Work! An Antiracist Activity Book* takes a fun, interactive approach to the serious issue of dismantling systemic racism by making activism hands-on. Bell, an Emmy Award-winning TV host, comedian, and ACLU Artist Ambassador for racial justice, and Schatz, an author and queer activist, use puzzles, games, comics, and color-by-numbers to educate readers about Indigenous land acknowledgments, redlining, intersectionality, white supremacy, racial privilege, and other issues key to combating racial injustice. Exclusively featuring the work of BIPOC-identifying artists and designers, *Do the Work!* encourages readers to see antiracism work as tangible actions they can take while introducing them to ideas, resources, and opportunities for how to make effective change in their lives and in the world.

—JAY A. FERNANDEZ

## No More Stolen Sisters

Illustration and text by Lucinda "La Morena" Hinojos

This image is a tribute to Missing and Murdered Indigenous Women (MMIW), a movement across North America that advocates for an end to the epidemic of racist and gender-based violence against Indigenous women. As thousands of MMIW cases remain unsolved and under-investigated, the image evokes a sense of urgency: The chalk begins to dissipate as the sun sets, ancestors are called in, and sacred smoke is released to protect her.



CHELSEA GUGLIEMINO/WIREIMAGE

# Promoting Reform, Finding Recovery

With his community, Marq Mitchell is changing—and healing from—the criminal legal system.

**NAME:** Marq Mitchell

**LOCATION:** Fort Lauderdale, FL

**FOCUS:** Criminal Law Reform

**ACTIVIST:** Since 2019

After spending seven years incarcerated in juvenile and adult facilities, Marq Mitchell began working with his Fort Lauderdale community to support others coming home after time in prison or jail. He connected people with job opportunities or apartments to rent, but in 2019, he realized that focusing on re-entry wasn't enough.

“People were continuing to cycle in and out of the system and, on top of that, there was often no recourse for the injustices that people were facing after trying to transition out and rebuild their lives,” says Mitchell. “Or, while in jail, folks were being beaten by officers.”

That's when Mitchell founded Chainless Change. Working throughout South Florida, the nonprofit offers resources to those with a history of addiction, mental health conditions, or trauma to help them recover

from contact with the criminal legal system, while also challenging the inequities of the system itself through advocacy and action.

Aided by a microgrant and collaboration from the ACLU of Florida, Chainless Change is pushing for an end to policing and punishment as a first response to community issues, including situations that require mental health expertise. It launched a campaign that helped to both reduce the proposed budget for the local 911 system, which was failing its staff and community, and create an independent group that's exploring alternatives. “Why can't we utilize the different folks in our community who are trained in specialized care to respond to things that aren't related to life-threatening issues?” says Mitchell.

For Mitchell, Chainless Change has become the very organization he once needed. “I remember not having a voice, not being heard, not having support as I navigated through the criminal legal system,” he says. “We created Chainless Change to be a place where people could build community together, really lean into advocacy, but also work collectively toward healing and recovery.” —WILLY BLACKMORE

Based in Fort Lauderdale, Marq Mitchell (left) organizes for criminal law reform across South Florida.

### Learn More About Chainless Change

See the nonprofit's efforts to reform the criminal legal system and help people recover from contact with it at [ccifl.org](http://ccifl.org).



PHOTOGRAPH BY ALFONSO DURAN



Nicki Nichols Gamble, pictured in her home, has advocated for reproductive freedom in the Greater Boston Area for decades.

## A Lifelong Fight for Abortion Rights

By Nicki Nichols Gamble

At 80 years old, I have lived through several great inflection points for women in the United States. Our options exploded as I left college—and so did our rage, as we recognized the full array of obstacles we faced in our workplaces, our communities, and our lives. Nevertheless, being able to decide when, whether, and under what circumstances to have children gave many of us the freedom to follow our passions and strive to make a difference. Including my current role as chair emerita of the ACLU Foundation of Massachusetts board, I have given my professional life to the cause of making sexual and reproductive health care legal and accessible.

In 1974, I became president and CEO of the Planned Parenthood League of Massachusetts—a position I held for 25 years. It was tumultuous right from the beginning. Within days of starting my new role, parental consent legislation was approved by the state legislature. The following year, Dr. Kenneth

Edelin was indicted and convicted of manslaughter for a legal abortion he performed at Boston Medical Center (he was subsequently acquitted). A long campaign of anti-abortion violence would culminate in the maiming and killing of abortion providers and staff at two Brookline clinics in 1994, including my staff member Shannon Lowney.

That spree of violence shook our community to the core. Following Shannon's murder, I participated in a facilitated dialogue between leaders of the pro-choice and anti-abortion movements. Our goal was to reduce the amount of hate, fear, and chaos surrounding and embedded in Boston's cultural, religious, and political environment. This proved to be a seminal event in my life. I am now eager to listen respectfully to deep differences of opinion, perspective, and experience, and to welcome differences as a means of learning, growing, and expanding my horizons. Sadly, those opportunities are rarer than ever.

Of course, in June of last year, we lost federal protection for abortion rights, leaving us no choice but to fight in our own states and in Congress to preserve and secure our bodily autonomy. We should feel devastated. But the fact that we are still fighting reveals the backbones of steel that were forged in us by our long march to victory in 1973. After all this time, I still firmly believe that we will prevail because we are on the right side of justice, equity, and human freedom.

PHOTOGRAPH BY TONY LUONG



## Tinker v. Des Moines

February 24, 1969

In December 1965, 13-year-old Mary Beth Tinker, her brother John, and a group of their fellow classmates decided to wear black armbands to school to protest the Vietnam War. When the school board got wind of their protest, it passed a preemptive ban. But the students weren't deterred. They wore their armbands to school—and were then suspended. The ACLU represented them in a years-long court battle that ended in a landmark decision: The Supreme Court ruled 7-2 that students don't "shed their constitutional rights to freedom of speech or expression at the schoolhouse gate." Today, as state legislatures attempt to censor speech in classrooms across the country, the ACLU continues to fight for the First Amendment rights of students and educators alike. —TOM VELLNER

# LEAVE A LEGACY THAT ENDURES



The ACLU champions free speech—online, in schools and libraries, and at protests. With you, we'll be there to defend these rights, today and tomorrow.

Act now to ensure these freedoms endure beyond your lifetime by leaving a gift to the ACLU in your will or beneficiary designation.

Start today. Return the enclosed reply envelope or visit [aclu.org/mylegacy](https://aclu.org/mylegacy).



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A young girl with curly hair is lying on a man's back on a lawn. The man is lying on his back, and the girl is resting her head on his chest. They are both looking up at the sky. The background is a blurred green lawn and trees.

# LEAVE A LEGACY THAT INSPIRES

You can support the next generation's fight for justice and equality.

Act now to ensure these values endure beyond your lifetime by leaving a gift to the ACLU in your will or beneficiary designation.

Start today. Return the enclosed reply envelope or visit [aclu.org/mylegacy](https://www.aclu.org/mylegacy).

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