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A LETTER FROM ACLU OF NORTHERN CALIFORNIA EXECUTIVE DIRECTOR ABDI SOLTANI

As I write this, the San Francisco Bay Area begins its fourth week of an extended shelter-in-place order. At the ACLU, both here in Northern California and nationwide, we are confronting the range of civil liberties issues and challenges posed by this unprecedented crisis.

On behalf of the ACLU of Northern California, I extend my best wishes for your health and safety, and that of your family and community as you navigate this period. I recognize that everyone in Northern California is experiencing this pandemic in a unique way.

Like you, I continue to learn as much as I can about what is happening and what may be next. The ACLU of Northern California will be prepared, both operationally and in our advocacy, for this period to last longer than anticipated. Things will get worse before they get better. I hope we will come out of this experience stronger and more united in our common humanity with respect for every person's dignity and rights.

MONITORING THE CURTAILMENTS ON LIBERTY

The shelter-in-place orders themselves are a significant exercise of government power that curtail our liberty. They establish limits on fundamental freedoms, including freedom of movement and freedom of assembly. They were issued for a legitimate public health purpose, with scientific and medical arguments that are compelling.

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ACLU WINS SETTLEMENT OVER RIGHT TO CRIMINAL DEFENSE

BY TAMMERLIN DRUMMOND

In the 1963 landmark federal case supported by the ACLU, *Gideon v. Wainwright*, the U.S. Supreme Court established that anyone accused of a felony offense should have guaranteed access to defense counsel even if they cannot afford to pay a lawyer. This promise was meant to ensure that people who are poor had access to a rigorous defense. *About 80 percent of criminal defendants cannot afford to hire a lawyer.*

Fifty years after that promise, in 2015, public defenders in Fresno County were so overwhelmed by cases, they had almost no time to meet with clients to discuss their criminal charges. The court-appointed attorneys were often unable to investigate whether evidence

existed that could help prove the innocence of their clients. As a result, many individuals, mostly people of color and immigrants who couldn't afford bail or a private attorney, languished in jail in pre-trial purgatory for months upon months.

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ACLU-NC PRESENTS AT SECOND ANNUAL NIGHT OF IDEAS EVENT

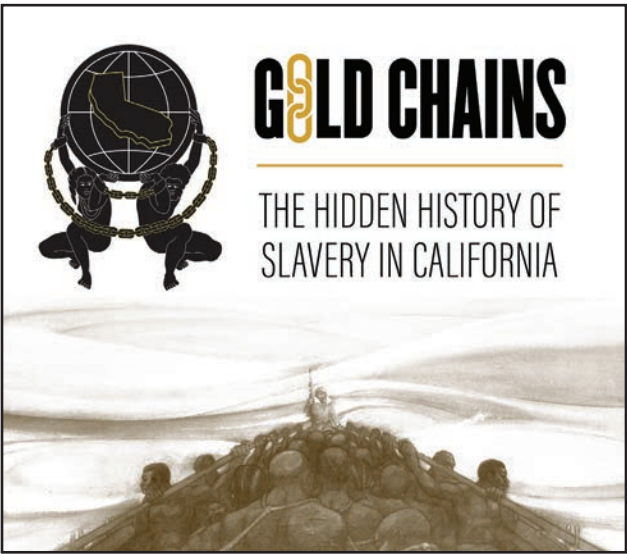
BY CARMEN KING

The ACLU of Northern California was invited to present our multimedia project “Gold Chains: The Hidden History of Slavery” in California at Night of Ideas—a cultural marathon sponsored by KQED and the French Consulate in San Francisco—and celebrated in 150 countries all over the world. Experts from a wide range of disciplines—performers, scholars, activists, and artists—came together at San Francisco’s main library to spark lively dialogue and debate.

This year’s theme, “Living on the Edge,” asked participants to consider the binary tensions that dominate and captivate contemporary society. The ACLU-NC considered the subject of “truth + doubt,” prompted by the question, “with consensus about history and facts increasingly fractured, what—and whose—narratives and stories should we affirm?” In keeping with this theme, we chose to focus our panel presentation on the history of California’s testimony exclusion laws and their toxic legacy on today’s legal system.

As the panel moderator, Tammerlin Drummond, a communications strategist at the ACLU, gave the audience this to chew on:

“There is a story that we tell ourselves about being Californians. Much of it is a lie. According to the historical record that most of us are familiar with, California came into the union as a free state in 1850. The brutal enslavement of black men, women and children was something that happened thousands of miles away in the south. Not here, so we are taught.”



In reality, California had its own version of the cotton plantation; it was the gold mine. In 1848, when the gold rush hit, whites from the south flocked to California with black slaves who were forced to work in the mines.

Following Drummond’s introduction, San Francisco actor and singer/songwriter Martin Luther McCoy gave a riveting performance telling the George Gordon story, one of several in the Gold Chains project. Gordon was a black barber and civil rights activist in San Francisco who was shot to death by a white man in full view of witnesses. However, because the law prevented a black eyewitness from testifying, Gordon’s killer only served two years in prison.

Author Laura Atkins told the inspiring story of Biddy Mason, a formerly enslaved woman, documented in Atkins’s book *Biddy Mason Speaks Up*. Mason was forced by her enslavers to walk 2,000 miles from Mississippi to California. She eventually won her freedom in a landmark court case, preventing her previous enslaver from forcing her and her children to return with him to the South. He claimed in court that Mason wanted to go of her own free will. The law banned Mason from giving testimony in court that contradicted

his account. However, the judge circumvented the law by questioning Mason in his chambers where she said that she did not wish to leave California. After the judge ordered her freed, Mason went on to become one of the richest people in Los Angeles and a celebrated philanthropist. A video of Mason’s story can be viewed on the Gold Chains website, www.goldchainsca.org.

To close out the session, Shauna Marshall, Law Professor at UC Hastings, and Tirien Steinbach, Chief Program Officer at the ACLU-NC, discussed the contemporary context of testimony exclusion laws, making connections between the seeds of white supremacy planted in California’s past and the racial and social injustice that drives much of the ACLU’s civil rights work today.



ACLU-NC Communications Strategist Tammerlin Drummond speaking to a packed room at the San Francisco Library about California’s hidden history of slavery at Night of Ideas.

“Gold Chains: The Hidden History of Slavery in California” is a public education campaign that examines how the laws and courts in California sanctioned race-based violence against black and native people. Our project partners are KQED, the California Historical Society, the Equal Justice Society, and author Laura Atkins. www.goldchainsca.org

ACLU NEWS

The publication of the American Civil Liberties Union of Northern California

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AMERICAN CIVIL LIBERTIES UNION OF NORTHERN CALIFORNIA

THROUGHLINES BETWEEN PAST AND PRESENT: THE ACLU OF NORTHERN CALIFORNIA'S NEWSLETTER ARCHIVES

As the ACLU celebrates its 100th anniversary, the ACLU of Northern California has begun digitizing our own history. The ACLU-NC membership newsletter has been published continuously since 1936. In February, in collaboration with the California Historical Society, we released the first decade of our newsletter archives, from 1936–1945. The remaining decades will follow throughout 2020.

The articles, photographs, editorials, letters of support and outrage from early ACLU members, are an inspiring record of our long commitment to civil rights advocacy in communities across the state. The archives help us see the throughlines between past and present.


As newsletter headlines from the 1930s illustrate, our ambitious membership goals at that time

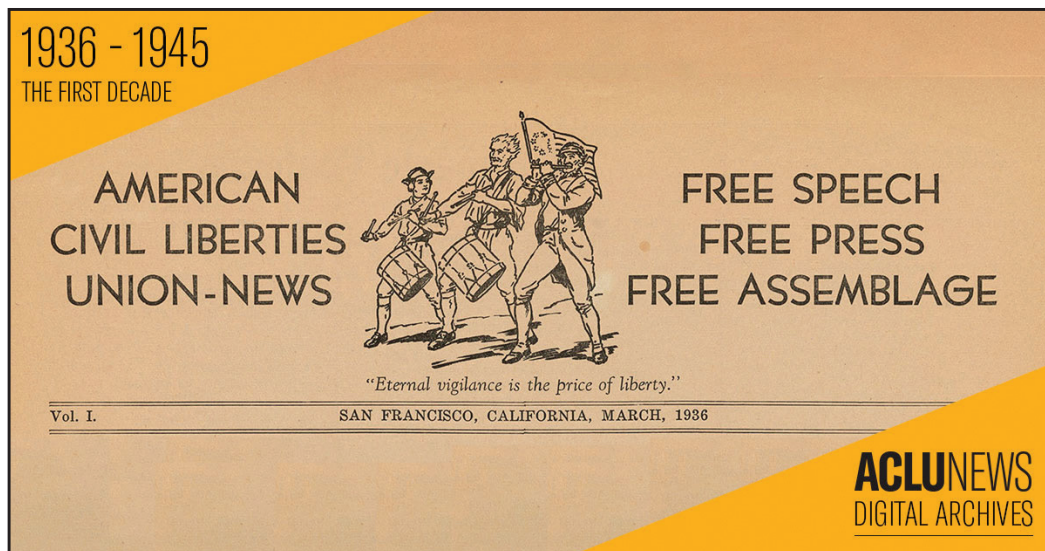
were to reach 4,000 members. We're now well past 100,000 members strong.

"The California Historical Society receives constant requests from academics and writers

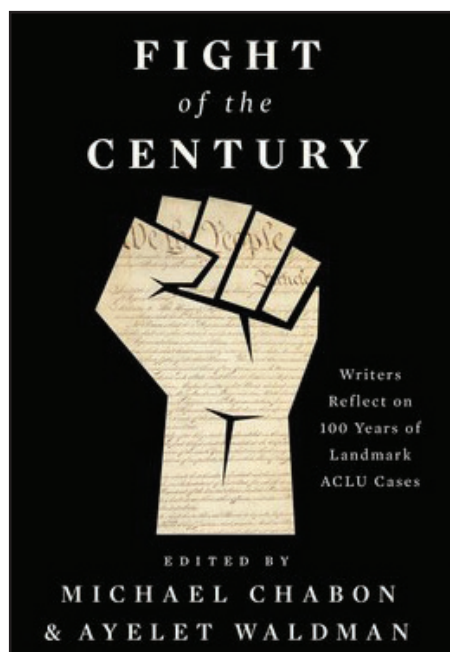
looking into the history of civil rights, gender, race, housing, immigration, criminal justice, student rights, women's rights, censorship, and LGBTQ rights," said Frances Kaplan, reference

and outreach librarian at the California Historical Society.

ACLU-NC Executive Director Abdi Soltani reflected, "The civil liberties issues implicated by the COVID-19 crisis are unprecedented and they are unfolding before us. But this is not the first crisis we have faced. From the Great Depression through World War II and countless times after, our newsletter archives show the ACLU rising to the challenge in times of crisis. It is what we do. That's what we are about." 



VISIT THE ARCHIVES: WWW.ACLUNC.ORG/CHS



NEW BOOK *FIGHT OF THE CENTURY* LOOKS AT 100 YEARS OF LANDMARK ACLU CASES

Jan. 19, 2020 marked the ACLU's 100th birthday. To commemorate the centennial, some of today's most significant writers contributed to a new anthology of essays on landmark ACLU cases. The roster of writers includes Jesmyn Ward, Salman Rushdie, and Dave Eggers, discussing cases like *Brown v. Board of Education*, *Miranda v. Arizona*, and *Roe v. Wade*, just to name just a few. The book was the brainchild of Ayelet Waldman, an accomplished writer and former public defender who co-edited the book along with her husband and fellow writer, Michael Chabon. Emerson Sykes is a staff attorney at the National ACLU, and he interviewed Waldman for the ACLU's "At Liberty" podcast. A few excerpts are below. Also check out Chabon and Waldman being interviewed along with Abdi Soltani on KALW: www.aclunc.org/fight-century-KALW-podcast.

ACLU / EMERSON SYKES: Ayelet, as I understand it, the idea for this book came about after the last presidential election. What were you feeling and what spurred you to action?

AYELET WALDMAN: I, like everyone else in sane America, was horrified and devastated, although I was not surprised because I had been saying all along that Trump was going to win, partly because I'm a pessimist and partly because my father is an immigrant with a deep suspicion of the American psyche. So as soon as it became clear that this was happening, I thought of various organizations that I had supported over the years, and I immediately decided that the ACLU was going to do the most exciting work.

And even at that point, I didn't even know the true extent of the horror and the true extent of the ACLU's commitment to this. But I called up a friend, James Esseks, who is the head of the [ACLU's] Gay and Lesbian Rights Project. And I said, "OK, James, anything you need a couple of literary novelists for, Michael and I are here to do."

ACLU: The book is called *Fight of the Century*.

So there's a fist on the cover. It's about resistance. What did you think was that compelling about bringing fiction writers into this fight?

WALDMAN: I've always believed in the power of fiction to both illuminate and change contemporary society and history. I think the greatest feat of fiction is empathy. It's really the only medium in which you can actually live in the point of view of someone completely different from yourself.


We just hoped and imagined that the essays that we received would shine a light and allow the lay person, not lawyers, to really understand why what the ACLU is doing is so necessary and how this fight for civil and human rights is the most patriotic thing that an American can do and that any American has ever done.

ACLU: One of the themes of the book we talked about [was] resistance, and in some ways the ACLU has had a long history of taking controversial cases, defending folks that we don't agree with and really trying to broaden the political dialogue as wide as we can. And I know that this also resonates a lot with a lot of writers because [of] censorship, banned

books, I wonder if as a writer, the First Amendment cases and particularly banned books hold a special resonance?

WALDMAN: Absolutely. Every writer that I talk to and every writer I know is now very, on some level really worried about the First Amendment perils of what we all do... It's hard for people to believe that we are at a dangerous time in terms of the First Amendment, because we take for granted our right to say whatever we want in America.

ACLU: Our rights are only as strong as we're willing to protect them.

WALDMAN: And what's interesting to me right now in terms of the moment that we find ourselves in, is that organizations like the ACLU who are devoted to those freedoms can find themselves under attack both from the right and the left. And it's something that I admire most about the ACLU. 

READ OR LISTEN TO THE FULL INTERVIEW:
WWW.ACLUNC.ORG/AYELET-PODCAST

LEGAL UPDATES



BY BRADY HIRSCH AND CARMEN KING

CROSS V. CITY OF SAN FRANCISCO

RACIALLY BIASED POLICING

In February of 2020, the City of San Francisco agreed to settle a case brought on behalf of seven black people who were targeted for arrest because of their race. As a result, the San Francisco Police Department will be required to include a new category for “racial bias” on police citizen complaint forms, and the plaintiffs will receive \$225,000 as restitution.

The lawsuit began in 2018, when the ACLU Foundation of Northern California, ACLU National, and the law firm Durie Tangri LLP sued the City of San Francisco for a 2013 joint operation between the San Francisco Police Department and the federal Drug Enforcement Administration. These agencies teamed up to arrest people selling small amounts of drugs in San Francisco’s Tenderloin District. While it was well known to the police that people of many different races sell drugs in this neighborhood, of the 37 arrested and prosecuted in federal court, 100 percent were black.

Those statistics were not the result of chance. Video footage of the arrests revealed officers making racially offensive comments about black people. One undercover informant even flat out refused to buy drugs from an Asian woman so that he could wait to buy drugs from a black woman instead. The 37 people targeted were then prosecuted under federal drug laws, which carry harsher penalties than state statutes. As a result, our clients suffered egregious harm, including jail time.

Racially motivated policing is unconstitutional, but sadly, the San Francisco Police Department has a long history of racially disparate law enforcement, documented in reports going back to at least 2002. Despite being repeatedly notified of the alarming racial disparities in traffic stops and searches, arrest rates, and use of force, the SFPD did not adopt recommendations made over many years by the ACLU of Northern California, the Hayward Burns Institute, and the U.S. Department of Justice, among others. Even after a series of racist text messages between SFPD officers became public between 2012 and 2016, the SFPD still failed to meaningfully respond.

The new “racial bias” category on police citizen complaint forms will address these concerns by making it easier for victims to seek redress, and helping the city more effectively monitor racial profiling. The settlement also sends an unequivocal message that the SFPD will be held accountable when it engages in blatant civil rights violations against people of color.

Racially motivated policing is unconstitutional, but sadly, the San Francisco Police Department has a long history of racially disparate law enforcement. The settlement sends an unequivocal message that the SFPD will be held accountable.

SANCHEZ V. CALIFORNIA DEPARTMENT OF TRANSPORTATION

CALTRANS AGREES TO PAY \$2 MILLION FOR DESTROYING PROPERTY OF UNHOUSED PEOPLE IN “SWEEPS” OF ENCAMPMENTS

In a settlement agreement reached in February 2020, the California Department of Transportation (Caltrans) agreed to establish a \$1.3 million fund to compensate people living on Caltrans rights-of-way whose property was illegally destroyed by Caltrans during encampment cleanups or “sweeps.” Under the terms of the settlement agreement, Caltrans must adopt and adhere to statewide policies that will prevent the unlawful destruction of personal property in future sweeps. In a pilot project covering the cities of Berkeley, Oakland, and Emeryville, Caltrans has agreed to adhere to even stricter guidelines.

Under the agreement, Caltrans will also pay \$700,000 to establish a staff position at the Homeless Action Center to assist people in recovering items taken in sweeps, and to connect unsheltered people with needed services.


The settlement is a result of a lawsuit filed in December of 2016 on behalf of unhoused Californians who lost cherished and necessary personal items—including family heirlooms, irreplaceable photographs of loved ones, tents and sleeping bags, warm weather clothing, mechanics’ tools, food, camp stoves, bicycles, medication, and documents during Caltrans sweeps.

On multiple occasions, Caltrans failed to give adequate notice before they raided encampments, and when they arrived, refused to give plaintiffs enough time to relocate their belongings. The plaintiffs alleged that these practices violated the Fourth Amendment’s protections against unreasonable seizure of property, and the 14th

Amendment’s protections against the deprivation of property without due process of law.

The plaintiffs were represented by the American Civil Liberties Union Foundation of Northern California, the Lawyers’ Committee for Civil Rights of the San Francisco Bay Area, East Bay Community Law Center, and the law firm of WilmerHale.

Under the terms of the settlement, Caltrans is now required to give prior notices at encampments that specify the dates and times that sweeps will occur, to keep certain items taken during a sweep for 60 days, and to provide detailed information concerning how to reclaim those possessions. Caltrans previously posted notices at camps that gave five-day windows for sweeps, which meant that residents faced difficult decisions about whether to stay in the camps with their belongings for the whole five days or risk losing everything when leaving to attend to things like medical appointments, court appearances, jobs or job interviews.


The settlement provides relief and support to people across the state of California who are at risk of losing critical and often irreplaceable personal property simply because they do not have homes. 

Brady Hirsch and Carmen King are Associate Communications Strategists at the ACLU of Northern California.

NATIONAL LEGAL NEWS: TRUMP EXPANDS MUSLIM BAN TO SIX MORE COUNTRIES

Three years after imposing what was supposed to be a temporary travel ban, the Trump administration has expanded its discriminatory policy to include six more countries.

This time, most of the individuals potentially impacted are from four African countries with sizable Muslim populations. The new restrictions went into effect at the end of February. They ban citizens of Nigeria and Eritrea from applying for visas to live and work in the U.S. Meanwhile, people from Sudan and Tanzania have been blocked from the diversity visa lottery, which grants green cards to those from countries with historically low rates of migration to the United States. Citizens of Myanmar in Southeast Asia and Kyrgyzstan in Central Asia, the only non-African countries specified, are also prohibited from applying for visas to live and work in the U.S.

The previous ban, still in effect, targets citizens of Libya, Syria, Yemen, Somalia, Venezuela, and North Korea. The American Civil Liberties Union will continue to fight these blatantly discriminatory presidential orders. 

SPECIAL INSERT

ACLU of California 2019 State Legislative Scorecard

Methodology

This legislative scorecard is designed to let you know where your state legislators stand on a variety of civil rights and civil liberties issues, ranging from criminal justice to voting rights. We encourage you to review the separate scores for each issue area to see whether your legislators support your values. We hope you'll use this scorecard to give your legislators feedback on their votes in 2019. Direct communication with your legislators is a valuable way to encourage them to stand up for our rights and freedoms.

What to Expect in the Scorecard

The ACLU of California analyzes and monitors hundreds of legislative proposals each year across a wide variety of issues. We evaluate the impact on civil liberties and civil rights, and alert members of the legislature in advance when we support or oppose a bill, both in writing and by providing testimony in committee hearings.

This scorecard reflects whether legislators voted with us or against us on eight key issue areas in 2019, using only the final floor vote in each house of the legislature so that members of each house are evaluated on the same votes. There were 101 bills scored in the Assembly, and 96 scored in the Senate. The numbers vary because some bills that were voted on in one house did not receive a vote in the other house and some bills were counted in more than one issue area.* A failure to vote on a bill attributable to an absence, as verified by the official record, is not counted against a member. Abstentions are counted because they represent an intentional decision not to vote on a bill, which effectively counts as a vote against the bill because passage of legislation requires a majority of "yes" votes.

We are nonpartisan. We do not endorse or oppose candidates for elected office, nor do we make financial contributions to candidates. We urge voters to go to the polls, informed about their choices.

* For the Assembly, the number of scored bills in each issue area is as follows: Criminal Justice: 29; Economic Justice: 14; Education Equity: 10; Immigrants' Rights: 9; LGBTQ: 12; Reproductive Justice & Gender Equity: 6; Privacy & Technology: 11; Voting Rights: 12.
* For the Senate, the number of scored bills in each issue area is as follows: Criminal Justice: 32; Economic Justice: 17; Education Equity: 13; Immigrants' Rights: 5; LGBTQ: 15; Reproductive Justice & Gender Equity: 8; Privacy & Technology: 4; Voting Rights: 11.

How Scores Are Calculated

In addition to reporting scores on eight separate issue areas, we also report an overall score that takes account our position on all bills we support or oppose, adjusted by some key additional variables.

To better reflect the extent of alignment, we adjust the overall score slightly upwards or downwards if the legislator:

- ⬆ Voted with us on all the bills we sponsored
- ⬆ Voted with us on all the bills we supported
- ⬆ Voted with us on bills we opposed
- ⬆ Voted with us on controversial bills where the vote is close to 50%
- ⬆ Authored or co-authored a bill we sponsored
- ⬇ Authored or co-authored a bill we opposed
- ⬇ Urged others to vote against a bill we sponsored on the final vote



CRIMINAL JUSTICE

The ACLU of California is committed to helping re-envision the criminal justice system so that it is fair and free of racial bias, keeps communities safe, and respects the dignity and rights of all who come into contact with it. We advocate for a criminal justice system that fosters public safety by reducing over-criminalization, mass incarceration and recidivism. We challenge broken death penalty systems, confront illegal police practices, advocate for sensible drug policy reform, and work to remove barriers to reentry, increase government transparency and accountability, and achieve effective community-based solutions and opportunities.

EDUCATION EQUITY

All students have a legal right to an equal education. The ACLU of California supports and defends equal rights and opportunities for all California students. We fight for clean schools, safe learning environments, adequate instructional materials, and qualified teachers.

ECONOMIC JUSTICE

Economic justice is a civil right. The ACLU of California works to defend economically disadvantaged people and fights income-based discrimination by public agencies and in housing and employment. We fight to protect some of society's most vulnerable residents, including low-income students, people experiencing homelessness, and low-paid workers seeking equitable working conditions and living wages.

IMMIGRANTS' RIGHTS

All the rights and liberties guaranteed by our constitution apply to all immigrants, regardless of immigration status. We challenge the serious civil rights violations faced by immigrant communities. We work to ensure that no one can be imprisoned in an immigration jail without an opportunity for a hearing; that the conditions in which immigrants are detained are humane, and that no one can be deported without a fair hearing and access to legal assistance. We seek to protect against unconstitutional searches and arrests by federal immigration agents, to guarantee that non-citizens have equal access to naturalization and other important immigration benefits, and that state officials will not be complicit in unjust federal policies.

Issue Areas

LGBTQ Rights

The ACLU of California works to eradicate discrimination based on sexual orientation, gender identity and gender expression. The struggle for legal equality for LGBTQ people rests on fundamental constitutional principles: including Equal Protection and freedom of speech and association. We work to protect their right to speak out, to form social and political organizations, to socialize, and to produce works of art with LGBTQ themes.

REPRODUCTIVE JUSTICE & GENDER EQUITY

We work to create a California that is free of discrimination based on gender and sexual orientation and that respects, values, and supports all Californians' decisions about intimate relationships and reproduction. We strive to ensure equal access to comprehensive, quality, affordable, and confidential reproductive health care—including abortion, affordable birth control, and prenatal care—and that personal decisions about sexual activity and child-bearing are informed, respected, supported, and attainable. Our goals include educating adults and teens about confidential health care rights and enforcing them; reducing incarceration and improving reproductive and sexual health care for incarcerated people; safeguarding the right to choose; and ensuring that schools teach accurate and unbiased sex education.

PRIVACY & TECHNOLOGY

Privacy is a fundamental American value and an longstanding constitutional right. The ACLU of California safeguards civil liberties in the digital world. As technology advances, we seek to ensure that protections for privacy and free speech aren't left behind. We push back on digital censorship and government surveillance; we work to expand the right to privacy, to increase the control individuals have over their personal information, and ensure civil liberties are enhanced rather than compromised by technological innovation. The people—not the government or corporations—should determine how and when others can access our personal information.

VOTING RIGHTS

The right to vote is the foundation of our democracy. The ACLU of California advances the democratic process by reducing barriers to registration, enforcing the Voting Rights Act, and building an educated, participatory grassroots. We work to advance democratic participation by reducing barriers to voter registration and participation through statewide election reform; ensuring that every voter is given an equal opportunity to participate in our elections; and building an educated, participatory grassroots, especially among youth, the formerly incarcerated, and communities of color.

ACLU of California 2019 State Legislative Scorecard ASSEMBLY



ASSEMBLYMEMBER Member Last Name	Overall Score*	Criminal Justice	Economic Justice	Education Equity	Immigrant Rights	LGBTQI	Repro Justice & Gender Equity	Privacy & Tech	Voting Rights
Aguilar-Curry (D)	84%	62%	86%	100%	89%	100%	100%	46%	92%
Arambula (D)	76%	67%	91%	89%	100%	100%	100%	25%	82%
Bauer-Kahan (D)	78%	66%	79%	100%	100%	100%	100%	18%	92%
Berman (D)	82%	66%	86%	100%	100%	100%	100%	18%	92%
Bigelow (R)	26%	17%	43%	40%	11%	33%	17%	18%	23%
Bloom (D)	86%	66%	86%	100%	100%	100%	100%	36%	100%
Boerner Horvath (D)	59%	21%	50%	80%	78%	92%	100%	18%	83%
Bonta (D) ⚡	97%	76%	93%	100%	100%	100%	100%	55%	100%
Brough (R)	26%	18%	39%	30%	13%	30%	17%	20%	23%
Burke (D)	86%	68%	92%	100%	100%	100%	100%	30%	100%
Calderon (D)	77%	59%	86%	90%	100%	100%	100%	18%	100%
Carrillo (D) ⚡	95%	66%	86%	100%	100%	100%	100%	27%	100%
Cervantes (D)	58%	24%	54%	90%	100%	83%	100%	18%	83%
Chau (D)	74%	62%	86%	100%	100%	92%	100%	46%	100%
Chen (R)	31%	19%	50%	60%	13%	58%	33%	11%	33%
Chiu (D)	89%	66%	86%	100%	100%	100%	100%	18%	100%
Choi (R)	20%	14%	57%	40%	11%	33%	17%	18%	25%
Chu (D)	89%	66%	86%	100%	100%	100%	100%	36%	100%
Cooley (D)	63%	65%	50%	100%	80%	100%	67%	25%	63%
Cooper (D)	43%	14%	50%	80%	100%	67%	50%	18%	85%






ASSEMBLYMEMBER Member Last Name	Overall Score*	Criminal Justice	Economic Justice	Education Equity	Immigrant Rights	LGBTQI	Repro Justice & Gender Equity	Privacy & Tech	Voting Rights
Cunningham (R)	39%	31%	64%	60%	44%	91%	33%	27%	27%
Daly (D)	58%	55%	79%	80%	89%	83%	50%	18%	92%
Diep (R)	43%	28%	57%	50%	22%	67%	67%	18%	42%
Eggman (D)	78%	72%	71%	80%	100%	100%	100%	46%	92%
Flora (R)	25%	17%	50%	40%	11%	33%	17%	9%	33%
Fong (R)	24%	17%	50%	40%	11%	33%	17%	18%	25%
Frazier (D)	50%	30%	62%	80%	78%	80%	50%	10%	75%
Friedman (D)	88%	69%	86%	100%	100%	100%	100%	46%	100%
Gabriel (D)	73%	55%	86%	100%	100%	100%	100%	18%	83%
Gallagher (R)	18%	14%	43%	30%	11%	33%	17%	27%	23%
Garcia, C. (D)	81%	69%	79%	100%	89%	91%	83%	36%	92%
Garcia, E. (D)	75%	60%	67%	100%	100%	89%	33%	50%	86%
Gipson (D) ⚡	91%	62%	86%	100%	100%	100%	83%	36%	100%
Gloria (D)	87%	69%	79%	100%	89%	100%	100%	64%	100%
Gonzalez, Lorena (D) ⚡	92%	66%	86%	100%	100%	100%	100%	46%	100%
Gray (D)	54%	38%	58%	75%	100%	91%	83%	44%	83%
Grayson (D)	52%	55%	86%	90%	100%	75%	50%	18%	83%
Holden (D)	87%	66%	86%	100%	100%	100%	100%	27%	100%
Irwin (D)	58%	34%	57%	80%	89%	92%	100%	9%	83%
Jones-Sawyer (D)	87%	69%	86%	100%	100%	100%	83%	36%	100%

⚡ Civil Liberties Advocate (Scored 90-99%)

⚡ Civil Liberties Advocate (Scored 90-99%)

To find your assemblymember, enter your address at findyourrep.legislature.ca.gov

ASSEMBLYMEMBER Member Last Name	Overall Score*	Criminal Justice	Economic Justice	Education Equity	Immigrant Rights	LGBTQI	Repro Justice & Gender Equity	Privacy & Tech	Voting Rights
Kalra (D) 	100⁺%	86%	100%	100%	100%	100%	100%	55%	100%
Kamlager (D) 	100⁺%	90%	100%	100%	100%	100%	83%	55%	92%
Kiley (R)	21%	21%	36%	30%	0%	33%	17%	9%	17%
Lackey (R)	30%	24%	50%	60%	11%	83%	67%	18%	39%
Levine (D)	86%	66%	86%	100%	100%	100%	100%	46%	92%
Limón (D)	80%	66%	79%	100%	100%	100%	100%	36%	100%
Low (D)	68%	59%	79%	90%	100%	92%	83%	9%	100%
Maieschein (D)	61%	31%	57%	80%	78%	83%	100%	18%	92%
Mathis (R)	19%	17%	57%	40%	0%	33%	33%	9%	15%
Mayes (R)	44%	31%	57%	60%	11%	67%	33%	27%	50%
McCarty (D)	82%	69%	93%	100%	100%	100%	83%	27%	100%
Medina (D)	80%	66%	79%	100%	100%	100%	100%	18%	100%
Melendez (R)	18%	14%	43%	40%	0%	42%	33%	0%	8%
Mullin (D)	79%	66%	79%	100%	100%	100%	100%	27%	100%
Muratsuchi (D)	60%	38%	69%	80%	78%	83%	83%	36%	92%
Nazarian (D)	75%	59%	86%	100%	100%	100%	100%	36%	92%
Obernolte (R)	25%	17%	50%	60%	11%	42%	0%	18%	33%
O'Donnell (D)	64%	48%	71%	80%	100%	100%	83%	27%	92%
Patterson (R)	13%	14%	46%	40%	11%	33%	33%	9%	25%
Petrie-Norris (D)	56%	28%	57%	90%	78%	92%	100%	9%	83%

ASSEMBLYMEMBER Member Last Name	Overall Score*	Criminal Justice	Economic Justice	Education Equity	Immigrant Rights	LGBTQI	Repro Justice & Gender Equity	Privacy & Tech	Voting Rights
Quirk (D) 	93%	72%	86%	100%	100%	100%	100%	36%	91%
Quirk-Silva (D)	59%	41%	71%	100%	89%	83%	67%	18%	92%
Ramos (D)	51%	17%	57%	70%	89%	83%	100%	27%	67%
Rendon (D)	87%	66%	86%	100%	100%	100%	100%	27%	100%
Reyes (D)	85%	72%	86%	100%	100%	100%	100%	46%	100%
Rivas, L. (D)	79%	69%	79%	100%	100%	100%	100%	20%	100%
Rivas, R. (D)	80%	66%	86%	100%	100%	100%	100%	27%	100%
Rodriguez (D)	51%	24%	57%	80%	100%	83%	83%	9%	100%
Rubio, B. (D)	62%	55%	79%	90%	89%	100%	83%	9%	92%
Salas (D)	52%	26%	62%	80%	88%	92%	67%	18%	69%
Santiago (D)	85%	69%	93%	100%	100%	100%	100%	27%	100%
Smith (D)	56%	45%	64%	90%	44%	92%	67%	9%	75%
Stone, M. (D) 	100⁺%	69%	86%	100%	100%	100%	100%	55%	100%
Ting (D) 	94%	72%	92%	100%	100%	100%	100%	56%	100%
Voepel (R)	30%	21%	64%	40%	11%	33%	17%	27%	33%
Waldron (R)	35%	24%	50%	40%	22%	42%	67%	18%	17%
Weber (D) 	100⁺%	76%	100%	100%	100%	100%	100%	46%	100%
Wicks (D) 	100⁺%	75%	100%	100%	100%	100%	100%	82%	100%
Wood (D)	84%	69%	86%	100%	100%	100%	100%	46%	100%

 Civil Liberties Champion
 Civil Liberties Advocate (Scored 90-99%)

+ Indicates exemplary score greater than 100.

+ Indicates exemplary score greater than 100.

To find your assemblymember, enter your address at findyourrep.legislature.ca.gov

ACLU of California 2019 State Legislative Scorecard **SENATE**

STATE SENATOR Member Last Name	Overall Score*	Criminal Justice	Economic Justice	Education Equity	Immigrant Rights	LGBTQ	Repro Justice & Gender Equity	Privacy & Tech	Voting Rights
Allen (D) 🗳️	91%	75%	82%	100%	100%	100%	100%	25%	100%
Archuleta (D)	75%	72%	81%	92%	100%	100%	88%	33%	100%
Atkins (D) 🗳️	99%	75%	82%	100%	100%	100%	100%	50%	100%
Bates (R)	31%	34%	40%	39%	20%	40%	38%	0%	27%
Beall (D)	87%	75%	84%	100%	100%	100%	100%	0%	100%
Borgeas (R)	27%	38%	47%	39%	0%	33%	50%	0%	18%
Bradford (D) 🗳️	100%	75%	85%	100%	100%	100%	100%	25%	100%
Caballero (D)	71%	63%	77%	100%	100%	100%	100%	0%	100%
Chang (R)	52%	44%	53%	83%	40%	57%	63%	0%	64%
Dahle (R)	51%	52%	63%	42%	25%	67%	75%	0%	44%
Dodd (D)	83%	72%	78%	100%	80%	100%	100%	25%	100%
Durazo (D) 🗳️	96%	75%	83%	100%	100%	100%	100%	25%	100%
Galgiani (D)	70%	56%	78%	92%	100%	93%	88%	0%	100%
Glazer (D)	73%	72%	78%	92%	80%	100%	88%	0%	100%
Gonzalez, Lena (D) 🗳️	97%	82%	77%	100%	100%	100%	100%	50%	100%
Grove (R)	35%	38%	59%	39%	0%	33%	50%	0%	36%
Hertzberg (D) 🗳️	99%	78%	88%	100%	100%	100%	100%	25%	100%
Hill (D) 🗳️	94%	75%	84%	100%	100%	100%	100%	25%	100%
Hueso (D)	88%	75%	82%	100%	100%	100%	100%	75%	100%
Hurtado (D)	74%	53%	67%	100%	100%	93%	88%	0%	100%

STATE SENATOR Member Last Name	Overall Score*	Criminal Justice	Economic Justice	Education Equity	Immigrant Rights	LGBTQ	Repro Justice & Gender Equity	Privacy & Tech	Voting Rights
Jackson (D) 🗳️	92%	75%	75%	100%	100%	100%	100%	75%	100%
Jones (R)	30%	34%	42%	31%	0%	40%	38%	25%	20%
Leyva (D) 🗳️	96%	74%	82%	100%	100%	100%	100%	25%	100%
McGuire (D) 🗳️	94%	75%	84%	100%	100%	100%	100%	25%	100%
Mitchell (D) 🗳️	100+%	78%	84%	100%	100%	100%	100%	50%	100%
Monning (D) 🗳️	96%	81%	82%	100%	100%	100%	100%	50%	100%
Moorlach (R)	39%	38%	50%	31%	0%	47%	38%	0%	27%
Morrell (R)	25%	22%	37%	31%	0%	40%	38%	0%	30%
Nielsen (R)	15%	31%	41%	54%	20%	47%	50%	0%	36%
Pan (D) 🗳️	90%	75%	84%	100%	100%	100%	100%	25%	100%
Portantino (D)	83%	75%	89%	100%	100%	100%	100%	50%	100%
Roth (D)	83%	75%	83%	92%	100%	100%	100%	0%	100%
Rubio, S. (D)	82%	69%	83%	100%	100%	93%	100%	25%	100%
Skinner (D) 🗳️	100+%	75%	83%	100%	100%	100%	100%	25%	100%
Stern (D)	84%	75%	77%	100%	80%	100%	100%	0%	100%
Stone, J. (R)	24%	25%	37%	31%	0%	40%	38%	0%	27%
Umberg (D)	85%	66%	67%	100%	80%	100%	100%	0%	100%
Wieckowski (D) 🗳️	96%	81%	90%	100%	100%	100%	100%	50%	100%
Wiener (D) 🗳️	100+%	75%	84%	100%	100%	100%	100%	25%	100%
Wilk (R)	52%	41%	56%	92%	40%	73%	75%	25%	55%

 Civil Liberties Champion
 Civil Liberties Advocate (Scored 90-99%)

 Civil Liberties Champion
 Civil Liberties Advocate (Scored 90-99%)

+ Indicates exemplary score greater than 100.

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ACLU OF CALIFORNIA 2020 SPONSORED BILLS

In addition to supporting and opposing hundreds of bills, the ACLU of California each year sponsors legislation that we believe is especially important to promote and protect civil liberties—typically in collaboration with community-based organizations and other advocates representing impacted groups. Sponsorship means that we take a leading role in seeking passage of the bill, starting with drafting the language of the proposal and providing significant resources for advocacy, as well as providing communications and organizing support. The legislative calendar is uncertain this year due to the COVID-19 crisis. We will advocate for the following bills which are our priorities introduced before the COVID-19 crisis, as well as press for state policy changes to respond to COVID-19. We encourage ACLU supporters to get involved in the legislative process.

CRIMINAL JUSTICE

SB 144 (MITCHELL): CRIMINAL JUSTICE FEES

Eliminates burdensome fees counties add to the already-high charges imposed on Californians coming into contact with the criminal justice system.

AB 3348 (BONTA): DA TRANSPARENCY

Requires collection and publication of prosecution data, disaggregated by race, and promotion of office policies on various aspects of prosecution—e.g., immigration, charging, plea deal, parole, etc. to reveal the central role prosecutors have in mass incarceration.

DISABILITY RIGHTS

SB 1016 (WIECKOWSKI): CONSERVATORSHIP REFORM FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES

Increases independent decision-making for people in limited conservatorships.

EDUCATION EQUITY

AB 901 (GIPSON): END INFORMAL PROBATION FOR NON-CRIMINAL BEHAVIOR

Ends the practice of placing young people on probation for non-criminal behavior, such as having trouble at school or at home. Ensures that young people are instead referred to community programs to provide them with the tools, resources, and support they need to succeed. Eliminates truancy as a status offense so that young people receive the services they need to address their attendance issues rather than being forced into the justice system.

AB 2543 (JONES-SAWYER): JUVENILE JUSTICE PROGRAM FUNDING

Implements pending state audit of Juvenile Justice Crime Prevention Act (JJCPA) spending to assess whether programs are effective in reducing juvenile crime and interaction with the justice system; seeks to increase non-law enforcement, community representation on the county Juvenile Justice Coordinating Councils and requires some percentage of JJCPA funds to go to community-based organizations rather than probation or other law enforcement.

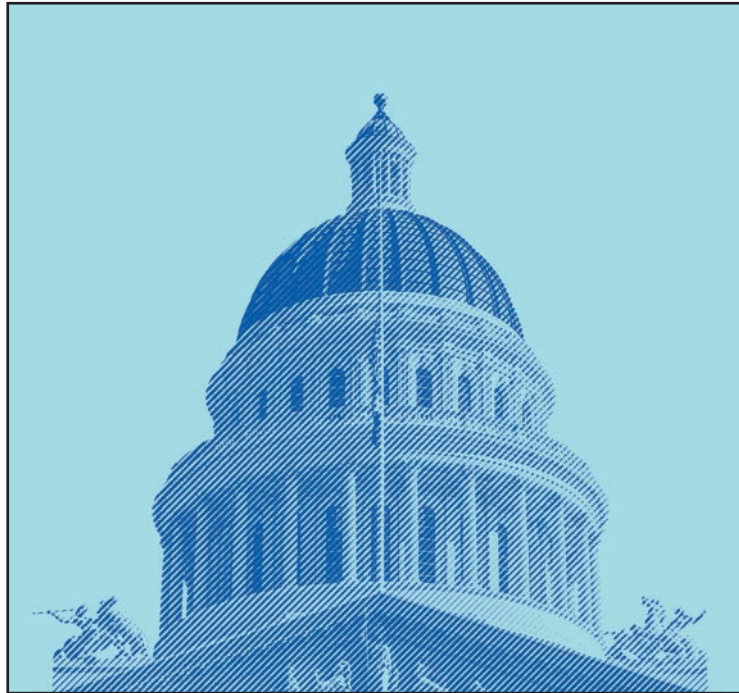
AB 2472 (JONES-SAWYER): LOCAL CONTROL FUNDING FORMULA REPORTING

Implements state auditor recommendations to require districts to identify certain unspent funds to ensure funds are used for low-income and English-learner students; requires that unexpended funds be carried over for the same purpose; and requires better tracking of these funds.

IMMIGRANTS' RIGHTS

SB 1364 (GONZALEZ): RESTRICT STATE/LOCAL COOPERATION WITH ICE

Strengthens the 2017 TRUTH Act to increase transparency and government oversight into how local law enforcement cooperates and partners with federal immigration enforcement agencies.



LGBTQ

SB 132 (WIENER): GENDER IDENTITY RECOGNITION FOR PEOPLE IN CUSTODY

Requires the California Department of Corrections and Rehabilitation to classify and house transgender people in its custody based on their gender identity, unless an incarcerated transgender person's evaluation of their own safety is that another housing placement is safer.

POLICE

AB 2054 (KAMLAGER): CREATES A PILOT GRANT PROGRAM PROMOTING COMMUNITY-BASED RESPONSES TO EMERGENCY SITUATIONS

Accompanying budget advocacy will request at least \$10 million to fund 10 grant programs. The goal of this effort is to have community-centered emergency responses led by people specially trained in key areas and remove

untrained or inadequately trained and provocative law enforcement officers from being first responders if there is no public safety concern. The California Office of Emergency Services will develop rules to operationalize the grant program following the appointment of an 11-member advisory committee.

SB 1392 (BRADFORD): CRIMINAL COPS

Addresses recent high-profile reports of peace officers employed with criminal records as revealed by our successful enactment of SB 1421 to increase access to records of police misconduct. This proposal would revoke a peace officer's certification, thereby removing their ability to continue as a peace officer for specified wrongdoing. California is one of only five states that do not have some mechanism to decertify peace officers.

REPRODUCTIVE AND GENDER JUSTICE

AB 732 (BONTA): INCREASE PROTECTIONS FOR PREGNANT INCARCERATED PEOPLE

Improves reproductive healthcare for people who are incarcerated in California by strengthening prenatal care, postpartum care, menstrual care, and abortion care as well as accommodations for pregnant people.

TECHNOLOGY AND CIVIL LIBERTIES

SB 1010 (JACKSON): RESTRICT USE OF FACE SURVEILLANCE TECHNOLOGY BY LAW ENFORCEMENT

Places a moratorium on the use of facial recognition technology by law enforcement and prohibits the use of government photographs for facial recognition and the acquisition of commercial databases by law enforcement, such as those produced by the Clearview AI company from social media and other internet sites as revealed by a recent New York Times report.

VOTING RIGHTS

ACA 6 (MCCARTY): SUBMITS A CONSTITUTIONAL AMENDMENT TO THE 2020 BALLOT THAT ASKS VOTERS TO RE-ENFRANCHISE CALIFORNIANS ON PAROLE

THE RIGHT TO CRIMINAL DEFENSE CONTINUED FROM PAGE 1

In response to this miscarriage of justice, the ACLU of Northern California, in partnership with ACLU National's Criminal Law Reform Project and the law firms Paul Hastings LLP and Morgan, Lewis & Bockius LLP, filed a civil rights lawsuit against the state of California, then-Gov. Jerry Brown and Fresno County. In *Phillips v. State of California*, we argued that the state had violated the Sixth Amendment rights of indigent defendants by failing to provide them with adequate legal representation. The ACLU and our partners called for an overhaul of Fresno County's failing public defense system.

After a nearly five-year legal battle, we won a settlement in the case.

In January, Gov. Gavin Newsom announced that he would propose \$14 million in additional funds to bolster funds to public defender offices statewide, effectively settling our lawsuit. State lawmakers are expected to vote on the governor's 2020-2021 budget in June.

"The ACLU of Northern California case focuses specifically on the problems in Fresno County, but can have a wide impact on addressing systematic issues at a national level," said Abdi Soltani, executive director of the ACLU of Northern California. "The ability to get a fair trial should not depend upon how much money you have."

California had been one of a few states that does not provide oversight or funding to counties for trial-level public defender services. That left local jurisdictions to pay for and monitor these constitutionally required services on their own. Because of that, there are huge disparities in public defender services between wealthy counties like San Francisco and under-resourced ones like Fresno.

"The governor's proposal is a noteworthy and encouraging step toward moving California off this disreputable list towards a system of public defense that is more equitable across the state," said Kathleen Guneratne, senior staff attorney with the ACLU of Northern California. "Hopefully this represents the start of a paradigm shift in California for how indigent defendants are represented."

The ACLU settlement agreement also imposes rigorous reporting requirements that require Fresno County to set aside a minimum of \$23.5 million to the Public Defender's Office next year and at least \$24 million for the following three years. Guneratne said this increase of \$10 million over the previous year's budget will help Fresno maintain improvements the office has implemented since we filed our lawsuit.

GROUND ZERO

In 2015, Fresno County public defenders handled caseloads as high as four times the national professional standards—an average of 700 cases per attorney. Indigent clients were routinely subjected to wrongful convictions, prolonged or unnecessary pre-trial detention, were pressured to plead guilty to inappropriate charges without adequate knowledge of the consequences, received

After a nearly five-year legal battle, we won a settlement to overhaul Fresno County's failing public defense system.



harsher sentences than their cases warranted and waived their right of appeal and other post-conviction rights.

Immigrants—who make up 22 percent of the county's population—were encouraged to plead guilty without being told how that could impact their immigration status, even though the U.S. Supreme Court ruled in 2010 that the practice was illegal.

The situation was so dire that in September 2013, the union for the Fresno County Public Defender's Office warned that excessive caseloads and the assignment of cases beyond attorneys' skill and training "are jeopardizing our clients constitutional rights on a daily basis."

Peter Yepez, one of our clients, was one of many ensnared in this assembly line of injustice. In 2013, Yepez was charged with burglary and possession of stolen property, both felonies. Yepez had to wait almost a year to get a public defender assigned to him, an ominous sign of things to come. He spent more than a year being shuffled between nine different public defenders, some of whom told him they did not have enough time to work on his case. He missed his daughter's graduation, his young son's memorial service, and fell into a depression. While he was in jail, prosecutors filed an amended complaint claiming that there had been an occupant in the residence Yepez allegedly burglarized, which contradicted the police report.

Under pressure from his court-appointed attorneys, Yepez said he pled guilty to the enhanced charge, although he was innocent. As a result, he spent months longer in prison than he should have.

During the ACLU's investigation of the case, we discovered that not only was Yepez innocent of residential burglary and the violent felony enhancement, but the Fresno Police Department also had this exculpatory evidence. The complaining witness made uncontested exculpatory statements to the police while Yepez's criminal case was pending. And the police violated their constitutional duty to disclose this exculpatory evidence to Yepez.

"If the Fresno County Public Defender's Office

were adequately staffed, Yepez's innocence and the prosecution's violation of his due process right to disclosure of exculpatory evidence could have been raised in his criminal case," said Novella Coleman, former staff attorney at the ACLU of Northern California.


Yepez's case, sadly, is not an aberration. The ACLU has filed lawsuits across the country on behalf of indigent clients. Our intent has been to compel states like Missouri, Idaho, Utah, Pennsylvania, and Washington to pay more than lip service to people's Sixth Amendment rights.

"The crisis in California that led to this lawsuit is not an anomaly," said Emma Andersson, senior staff attorney with the ACLU's Criminal Law Reform Project. "Too many public defenders nationwide have to juggle hundreds of cases at once, forcing them to cut corners in the investigation, case preparation, and legal research necessary to ensure that every client benefits from the presumption of innocence and the right to counsel."

DEFENDING THE SIXTH AMENDMENT

In 1963's *Gideon v. Wainwright*, the Supreme Court ruled that the Sixth Amendment guarantees access to defense counsel even if people cannot afford it.

The public defender systems on which poor people rely are grossly underfunded and staffed by committed, but overworked, lawyers. That means individuals charged with crimes plead guilty in hearings that often last only minutes, sometimes after just having met their court-appointed attorneys. The flawed process further exacerbates racial inequities in the criminal justice system.

Through our litigation and advocacy, we at the ACLU will continue to work in California and across the country to ensure that states invest in public defense systems that provide constitutionally effective representation to low-income defendants. 

Tammerlin Drummond is a Communications Strategist at the ACLU of Northern California.

NEW ACLU CHAPTERS IN THE CENTRAL VALLEY

BY TESSA D'ARCANGELEW AMPERSAND AND LUIS OJEDA

The work of the ACLU of Northern California has been strengthened for more than half a century by the local organizing and relationship-building of our volunteer chapters. Chapters serve as the conduit to deeper grassroots relationships in their community by showing up for local organizational partners, identifying and speaking out on civil liberties issues, and making the ACLU visible and accessible to people all across Northern California.



Leading up to the 2018 midterm elections, the ACLU-NC invested in a voter engagement campaign throughout the Central Valley, focusing on Congressional Districts where the needs and values of constituents were not being reflected in the votes of their representatives. Through local organizing, we strengthened community outreach and built relationships that led to the formation of two new chapters in the Central Valley—a region of the state where the need to build power, educate and mobilize voters, and hold elected leaders accountable to their constituents remains strong.

A SERIES OF FIRSTS IN KINGS COUNTY

The work to build a chapter in Kings County began at the ACLU of California's Conference and Lobby Day in spring 2018 with Klara East, an activist who was commuting half an hour to attend Tulare County chapter meetings. She saw the potential for tremendous impact that a chapter in her own Kings County could have. Over the next several months East brought together community members to talk about issues impacting Kings County and the role that an ACLU chapter could play in addressing them. Their activism shows what a small group of committed activists can do when they come together to achieve a common goal.

In the fall of 2018, Bryan Osorio and Ruth Sanchez joined the ACLU of Northern California staff as Field Fellows focused on expanding our presence and outreach in Kings County. At the end of their fellowships, Osorio and Sanchez turned their attention to outreach and recruitment for the chapter. Sanchez led efforts in Avenal to speak with community members to find out why civil liberties and civil rights were important to them. She also educated and recruited local residents to advocate for police reform locally and in Sacramento.

The sustainability of the ACLU's power comes from people. People like those who started the Kings County and Stanislaus County Chapters. Organizing is driven by the people who show up, who share their stories, who empower others through education, and who invest in relationships.

During statewide shelter-in-place, chapters are continuing to convene virtually and work within their communities to identify civil liberties issues and opportunities for community support. These are the people changing lives.

Get involved:
www.aclunc.org/action


Osorio focused on bringing youth to the chapter by establishing a connection with students at Lemoore Middle College High School. They both also led Know Your Rights workshops in Avenal and Corcoran, where community members were informed about their rights and learned how to get involved in the chapter.

All of the work that has taken place has been a series of firsts. The ACLU's presence in Kings County is a culmination of the collective effort of the aforementioned individuals. Countless other activists and community members tabled, made phone calls, knocked on doors and signed up volunteers.

BIG COMMUNITY RESULTS IN STANISLAUS COUNTY

In early 2018, unbeknownst to each other, two individuals named Tom—Tom Helme and Tom Craine—approached staff at the ACLU of Northern California wanting to organize a local chapter in their community. They and many other volunteers made the chapter a reality, launching the Stanislaus County Chapter this past October with an exciting community partnership in Modesto. Working with over 20 local organizations including Mi Familia Vota, youth organizing academy TOLA, and the local science museum, the Stanislaus County Chapter created the Modesto Social Justice Block Party.

To a backdrop of traditional Latino music, blues, and hip hop, families and individuals from throughout the county browsed booths where they connected with local educational and health service-providers, supported local artists, and learned how to engage in change-making in their community.

The block party brought the community together, and it let Stanislaus County know the ACLU is here. Already, the chapter has been deeply involved in advocating for civil liberties in their community. After the ACLU-NC published a report revealing that the Stanislaus Sheriff had been sharing Automated License Plate Reader (ALPR) data with Immigration & Customs Enforcement (ICE), the Sheriff stopped all sharing of data with ICE, yet provided no guarantees about future entanglement with ICE. So the Stanislaus County Chapter helped organize an immigration TRUTH Act forum (which provides basic rights for immigrants held in jail) for the county's board of supervisors. For two straight hours, members of the community shared their story and demanded the Sheriff change his current policy and stop voluntary cooperation with ICE. 

Tessa D'Arcangelew Ampersand is the Leadership Development Manager and Luis Ojeda is the Regional Organizing and Program Manager at the ACLU of Northern California.



New ACLU-NC chapters in the Central Valley are empowering volunteers in Stanislaus County and Kings County (highlighted on the map above).

ACLU-NC RESPONDS TO COVID-19 CRISIS CONTINUED FROM PAGE 1

A LETTER FROM ACLU OF NORTHERN CALIFORNIA EXECUTIVE DIRECTOR ABDI SOLTANI

Nonetheless, we are monitoring their implementation to ensure that the enforcement is neither discriminatory nor excessive. We will also be evaluating current and future government actions responding to COVID-19, from surveillance to police presence, both for their current implementation and for what they may mean in the future.

ADVOCACY ON CALIFORNIA JAILS AND PRISONS

While most of us can engage in social distancing, there are tens of thousands of people confined in jails and prisons in California who cannot. They, alongside the staff in these facilities, are extremely vulnerable to outbreaks of COVID -19. They are confined in tight quarters, with inadequate medical care under unsanitary conditions. The ACLU has called on our governor, county sheriffs, district attorneys and others to take immediate steps to reduce incarceration.

This includes limiting new arrests, releasing pretrial detainees, and releasing elderly or medically vulnerable prisoners. The strategy for jails and prisons also includes urgent implementation of health and safety measures within the facilities. Because of delays in legal proceedings in court due to COVID-19, people's access to speedy trials and hearings is being curtailed. For that reason, it is even more imperative that the criminal justice system take steps to reduce incarceration both for public health and for due process.

SPOTLIGHT ON IMMIGRANT DETENTION

Thirty-seven thousand immigrants are held in immigration jails nationally, while they await court proceedings or hearings. Last year, the family separation crisis put a nationwide spotlight on the conditions in some of these facilities. The ACLU of Northern California, along with our partners, has just filed a lawsuit *Bahena Ortuno v. Jennings* calling on ICE to release 13 immigrants with significant health risks from immigrant detention.

Evidence gathered for this case indicates that ICE is failing to fulfill its constitutional obligation to protect the health and safety of individuals in its custody, and we are demanding that they

.....
The ACLU of Northern California, along with our partners, has just filed a lawsuit calling on ICE to release 13 immigrants with significant health risks from immigrant detention.
.....

.....
From the exclusion of undocumented immigrants from basic assistance, to children without access to internet for distance learning, to Native American tribes in rural regions without access to healthcare and food, to the poor and marginalized without resources, we see this pandemic exposing the racial and economic inequalities that exist and persist right here in Northern California.
.....

exercise their discretion to release people with serious medical conditions from detention for humanitarian reasons. Numerous public health experts have warned that ICE's failure to reduce the number of people detained endangers the lives of all detainees, staff, and the broader community.

ELECTION PROTECTION

A major priority of the ACLU is protecting the right to vote in the remaining primaries and the November 2020 election. A critical component of this strategy is to expand voting by mail in as many states as possible, while providing automatic voter registration and early voting. The ACLU is pressing governors, secretaries of state, county election officials—and even Congress—to expand absentee voting and pass other safeguards for the November election.

INEQUALITIES LAID BARE

The COVID-19 pandemic demonstrates our shared humanity and global interdependence on one another. In my lifetime, I have not witnessed a moment such as this one where our shared vulnerability requires that the world unites. We are all in this together. But the COVID-19 crisis also exposes deep inequalities globally and locally. From the exclusion of undocumented immigrants from basic assistance, to children without access to internet for distance learning, to Native American tribes in rural regions without access to healthcare and food, to the poor and marginalized without resources, we see this pandemic exposing the racial and economic inequalities that exist and persist right here in Northern California. In addition, for the elderly, and people with disabilities, the risks of the virus are amplified even further.



PHOTO BY BETHANIE HINES

ACLU of Northern California Executive Director Abdi Soltani

.....
A major priority of the ACLU is protecting the right to vote in the remaining primaries and the November 2020 election.
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NO BETTER TIME TO SPEAK UP AND ASSEMBLE... EVEN IF VIRTUALLY

The COVID-19 crisis has forced us all to shift how we live our private lives. There is no better time to also shift how we engage in our public lives. While this is a time to be socially distant, it is a critical time to be politically engaged. Don't detach. Instead, connect.

While you shelter-in-place, you can speak up and let your voice be heard. There is no better time to innovate and improvise your use of the First Amendment. Over the course of the coming weeks and months, please stay connected with us for these opportunities.

GRATITUDE FOR PEOPLE COMING TOGETHER

In that context, I am grateful to the frontline health care workers, public health specialists, and all the other workers—from farmworkers to grocery workers—who are doing their part for our collective well-being. I am also grateful to my colleagues at the ACLU, who shifted our operations and stepped up our advocacy. And I am grateful to you, our members and supporters, for your steadfast dedication to civil liberties and civil rights. Please stay safe. And please stay engaged.

A handwritten signature of Abdi Soltani in black ink.

Abdi Soltani