

# ACLU NEWS

DISSENT IS  
PATRIOTIC

THE NEWSLETTER OF THE ACLU  
OF **NORTHERN CALIFORNIA**  
SPRING 2024  
VOLUME LXXXVIII ISSUE 1

## WHAT'S INSIDE

Celebrating and remembering  
activists in the ACLU community  
p. 2



Introducing our new  
Activist Resource Hub  
p. 3

Legal and policy updates:  
The latest in an immigrant detention  
hunger strike, a new report on  
community safety, results of an  
ACLU investigation, and open  
meeting law violations  
p. 4

Legislative updates  
p. 6

Our board election notice  
p. 7

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**ACLU**  
Northern  
California

## ACLU DEMANDS ACCOUNTABILITY FROM CALIFORNIA SHERIFFS

BY TAMMERLIN DRUMMOND

Sheriffs in California wield enormous power. They're in charge of law enforcement in counties and in unincorporated areas. They run the jails and oversee emergency services. But unlike a police chief, who is usually appointed by the mayor, a sheriff is an elected official. They can't be fired unless voters remove them during an election. The magnitude of the sheriff's role and power creates conditions that can lead to a lack of accountability, endangering public safety and civil liberties.

That's why, three years ago, the ACLU and our partners were instrumental in helping draft AB 1185—a bill that created a state law empowering every county to create an official watchdog to hold its local sheriff's department accountable. Counties could choose to create a sheriff's oversight committee, individual inspector general, or some combination of the two. In either model, the agency advises the county board of supervisors, which in turn has oversight over the sheriff and approves their budget.

Most important, the law gave the oversight boards the subpoena power necessary to fully investigate alleged abuses and misconduct.

"Civilian oversight is about giving county residents a voice," said Allyssa Victory, a staff attorney for the criminal justice program at the ACLU of Northern California. "We can help create new policies, new relationships, new partnerships,

and new interventions that can make sure we have constitutional policing, and that we have our civil rights protected."

Victory said a sheriff's department can also benefit from civilian oversight. The civilian boards can assist with handling civilian complaints, providing policy recommendations, and also engage in community outreach.

While AB 1185 set up a process for creating civilian oversight, it left it up to individual counties to decide whether to do so. Ever since the law's passage three years ago, local communities have grappled with the implementation process.

In 2023, the ACLU joined community members and other advocates to form the California Coalition for Sheriff Oversight. Our goal is to help advocates and counties use AB 1185 to establish or improve civilian sheriff oversight in their communities statewide.

CONTINUED ON PAGE 7

The next generation is ready to carry the torch. You can pass it on by remembering the ACLU of Northern California in your will or trust or by beneficiary designation. Help shape justice and equality for the future.

To learn more, please visit  
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GETTY IMAGES

# HONORING SARA MATLIN WITH THE LOLA HANZEL COURAGEOUS ADVOCACY AWARD

The Lola Hanzel Courageous Advocacy Award celebrates extraordinary ACLU volunteers who have demonstrated their commitment to freedom, justice, and equality through their contributions to our work. The ACLU of Northern California is proud to have honored longtime North Peninsula Chapter Co-Chair Sara Matlin with the 2023 Lola Hanzel Award.

Sara has served the ACLU of Northern California for 17 years as a tireless advocate for justice and equality. She has been instrumental to the North Peninsula Chapter's advocacy to bring more accountability and transparency to the criminal legal system. This includes campaigns to stop county collusion with Immigration and Customs Enforcement, urge county investment in rehabilitation programs instead of incarceration, improve local indigent criminal defense, demand county action to end jail overcrowding during the pandemic, reform


the sheriff's use of force policies, and increase funding for unarmed mental health crisis response.

Sara's deep commitment to community change inspired her to become an activist and an attorney. As a lawyer, she coaches nonprofits and funders in understanding their lobbying, election-related, and advocacy funding rights. Sara believes community members who have experienced the impacts of unjust public policies have crucial insight into public policy solutions, especially people who have been historically marginalized from politics and advocacy.

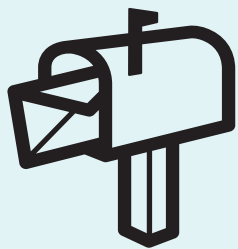
Sara's leadership, tenacity, and generosity helped shape the North Peninsula Chapter into an award-winning, thriving chapter through collaborative coalitions, community



PHOTO BY JESUS MAREZ, THE BLUE CHAIR STUDIO

organizing, and courageous advocacy, and supported the organization in a shift towards a more people-centered model for winning local campaigns. 

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Union of Northern California

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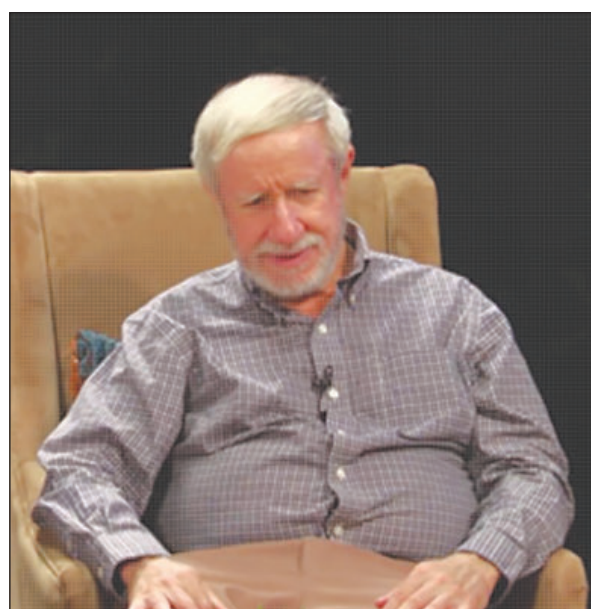
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## MIKE LEVINSON IN MEMORIAM

The ACLU of Northern California lost a champion and a friend on February 28, 2024. Mike Levinson was a steadfast leader in the North Peninsula Chapter for more than 20 years, giving his time to support efforts to better the lives of all San Mateo County residents.

Mike moved to California from New York and lived in San Mateo County for the last 40 years. He became blind as a young man, and was involved in many groups supporting people who have disabilities, including the Center for Independence of Individuals with Disabilities and the Voter Accessibility Advisory Commission. We have all benefited from Mike's generosity in sharing guidance about creating programs, trainings, and events that are accessible to all.


Mike engaged in advocacy supporting voting rights, immigrants' rights, racial equity, and



criminal justice, and he was particularly proud of efforts to stop law enforcement collusion with federal immigration authorities in San Mateo County.

Mike was passionate in his efforts to hold elected leaders accountable. In countless situations, we were all astonished by his impeccable memory. We depended on his incredible ability to recall information, and he always had just the right detail to offer in meetings

with decision-makers.

We will miss Mike's wise counsel and sense of humor, and will carry on his work to make good trouble in the pursuit of equity and justice. 

Printed on Summit offset recycled paper.

Illustration credits in this issue: Line art by Mykhailo Hnatiuk, Shutterstock.

# YOU SPOKE, WE LISTENED: THANK YOU FOR YOUR FEEDBACK ON THE NEWSLETTER

Dear readers,

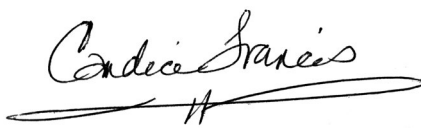
Last fall we sent out a survey to learn if this publication met your expectations. Many of you filled it out and what we learned was encouraging. A significant majority of respondents said that you're satisfied or very satisfied with *ACLU News* content, and appreciate our in-depth stories and features. We learned that you keep issues so you can savor them over a longer period of time. You reported that the design of *ACLU News* with a larger font size and colors provide for easier reading. We were especially pleased to learn that most of you read our publication regularly despite the many other sources of information competing for your attention.

Your feedback has also inspired us to make some changes. For example, this issue is printed on a paper with more recycled content than ever before. Starting with the next issue, we'll take you behind-the-scenes with stories about how the ACLU's work gets done. We also heard your suggestion to share more diverse voices that offer nuanced perspectives. This is something we strive

to do but will prioritize more.

We leave you with a call-to-action to help broaden our base of readers. Before recycling, please share your issue of the *ACLU News* with a young person or someone outside your demographic group interested in our issues. Our readers are our greatest ambassadors, and we want to keep the information circulating throughout our region.

As always, we welcome additional feedback, as this is truly your *ACLU News*, a member benefit we strive to keep both relevant for today and as a historical record through our digital archive that spans nearly ninety years. Please feel free to contact me at [editor@aclunc.org](mailto:editor@aclunc.org).



Candice Francis  
Communications Director and  
*ACLU News* Editor-in-Chief



PHOTO BY LEWIS WATTS

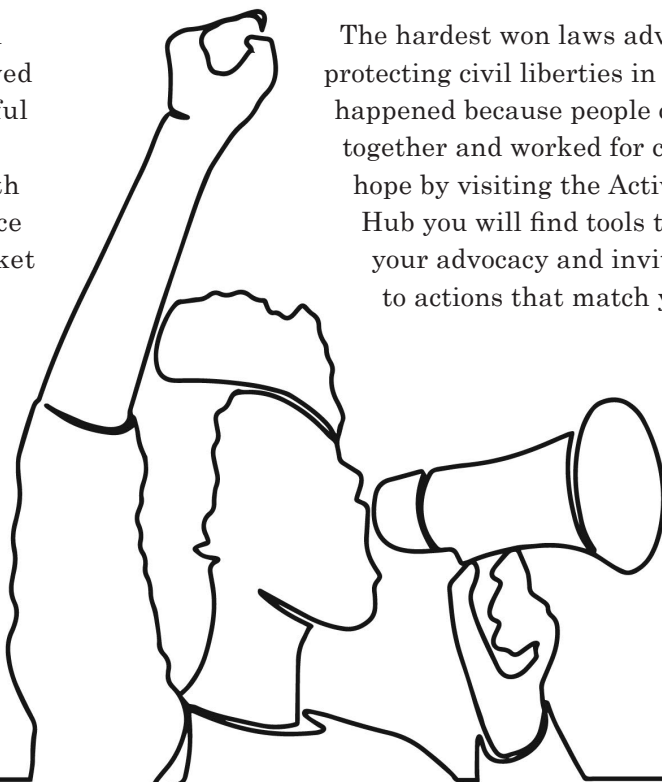
ACLU of Northern California  
Communications Director  
Candice Francis

## BOOKMARK THIS WEBSITE: ANNOUNCING THE ACLU OF NORTHERN CALIFORNIA ACTIVIST RESOURCE HUB


BY CYERA BOONE

Have you ever noticed a problem in your community and wondered if people just came together, could we solve this? That is what community organizing is all about: bringing people together based on a common value and working step-by-step towards change. To support community advocacy, the ACLU of Northern California is excited to launch the online Activist Resource Hub. This new digital tool will include toolkits, templates for advocates, pledges, petitions, and community education tools to support ACLU volunteers and everyday people to take action. You can visit the resource hub now at [www.aclunc.org/take-action](http://www.aclunc.org/take-action).

In addition to resources, you will also find opportunities to get involved (virtually or in-person) in meaningful actions hosted by ACLU NorCal organizers, local chapters, and youth leaders. This is also the perfect place to locate our annual legislative docket and join lobby days, text or phone banks, and learn how you can get involved in ballot measures we are working on.



The hardest won laws advancing and protecting civil liberties in California happened because people came together and worked for change. We hope by visiting the Activist Resource Hub you will find tools that power your advocacy and invitations to actions that match your

interests. No action is too big or too small! California has progressed because of the many small actions and tireless hours of dedication by volunteers and community activists like you! 

*Cyera Boone is a data associate at the ACLU of Northern California.*

Visit [www.aclunc.org/take-action](http://www.aclunc.org/take-action) to learn about ACLU NorCal's new Activist Resource Hub!

# LEGAL AND ADVOCACY UPDATES

## IMMIGRANT DETENTION HUNGER STRIKER FILES FEDERAL ADMINISTRATIVE COMPLAINT AGAINST ICE


In February 2023, Jose Ruben Hernandez Gomez and dozens of others at the Mesa Verde and Golden State Annex immigrant detention centers launched a 35-day hunger strike to protest inhumane labor and living conditions. ICE officers and the GEO Group—the for-profit prison corporation that owns and runs both facilities—forces incarcerated people to perform sanitation and cleaning services at \$1-a-day pay. Once the strike began, ICE and GEO engaged in unconstitutional and violent tactics to break it.

As a leader of the peaceful protest, Mr. Hernandez Gomez was assaulted, shackled, isolated, forcibly transferred hundreds of miles to El Paso Service Processing Center, and subjected to medical malpractice so severe that it could have been fatal.

Ten months later, Mr. Hernandez Gomez, with the help of the ACLU of Northern California and the Asian Law Caucus, filed a federal administrative complaint to seek accountability for the physical and mental trauma he suffered.

After starting the strike as a healthy 33-year-old, Mr. Hernandez Gomez now must walk

with a cane and is in recovery for neurological problems, anxiety, and depression. Through the administrative complaint, he is seeking compensation for medical harms and monetary damages to deter future misconduct.

While ICE must be held accountable and provide Mr. Hernandez Gomez the resources he needs to heal, these problems will persist as long our government relies on a profit-driven detention system. ICE and GEO have demonstrated that they cannot be trusted to care for those inside their facilities. 

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## REIMAGINING COMMUNITY SAFETY

The ACLU of Northern California and our partner Catalyst California released “Reimagining Community Safety: Sacramento County,” which exposed how sheriff’s deputies disproportionately stop Black people for traffic violations. It’s a disturbing finding given the number of high-profile, tragic police killings of Black people during traffic stops.

“In addition to racially profiling Black drivers, Sacramento sheriff’s deputies make communities less safe by wasting significant patrol time pulling people over for minor violations that pose little risk to traffic safety,” said Marshal Arnwine, an advocate with the ACLU of Northern California’s Criminal Justice Program.

Here are some of the report’s key highlights based on 2019 data collected under California’s Racial and Identity Profiling Act, a law that the ACLU championed and helped pass:


The Sacramento County Sheriff’s Office (SCSO) stopped Black people for vehicle equipment violations (e.g., defective brake lights) at a rate nearly 5.5 times higher than for white people. They stopped Black people for non-moving violations (e.g., invalid registration) at a rate nearly 5 times higher than for white people.

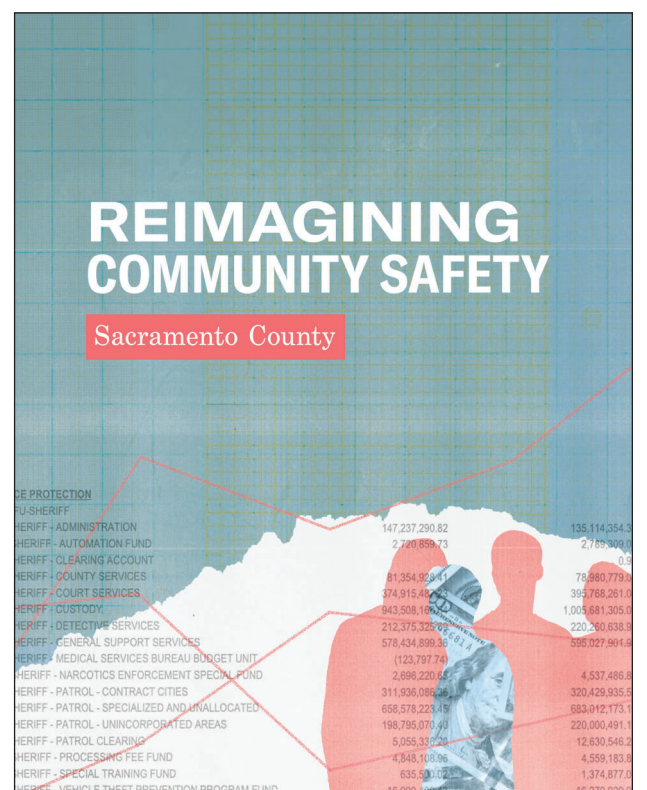
More than two-thirds (68%) of the total hours SCSO deputies logged enforcing traffic violations in 2019 were spent on vehicle equipment and non-moving violations, a waste of tax dollars that does not improve community safety.

SCSO deputies spend a considerable amount of time on officer-initiated traffic stops that result in a warning or no action, indicating that they used minor infractions as an excuse for making

More than two-thirds (68%) of the total hours SCSO deputies logged enforcing traffic violations in 2019 were spent on vehicle equipment and non-moving violations, a waste of tax dollars that does not improve community safety.

the stop. In 2019, nearly 3 of every 4 hours spent enforcing officer-initiated traffic violations did not lead to a ticket or an arrest for a crime. The full report is available at [www.aclunc.org/sacramento-safety-report](http://www.aclunc.org/sacramento-safety-report).

As Arnwine summed up, “We and our partners will use this report to advocate for SCSO to change their policing practices to reduce racial profiling and for the Board of Supervisors to improve community safety by investing in community based solutions.” 



ACLU NorCal and Catalyst California's "Reimagining Community Safety: Sacramento County" is being used to advocate for change.

# ACLU INVESTIGATES THOUSANDS OF GEOFENCES WARRANTS ISSUED IN SAN FRANCISCO

BY JACOB SNOW

In December of 2023, Google made an announcement signaling a potential end to a practice that enables police to conduct dragnet surveillance operations across entire communities. It was a welcome announcement, following years of advocacy by ACLU affiliates nationwide and many other organizations. This practice involves the use of “geofence warrants” or “reverse location search warrants,” which allow police to tap into Google’s store of location data to demand information on devices that were in a geographical region at a particular time.

Reverse-location searches are at odds with the longstanding principle that government agents cannot conduct “general searches” that allow the government to rummage through people’s belongings looking for evidence of wrongdoing. Unlike traditional warrants, which require police to describe what is to be searched for and seized, a geofence warrant targets an area and then allows police to identify suspects by sifting through an enormous repository of people’s location information.

Historically, police use of such warrants has been shrouded in secrecy. This lack of transparency has raised serious privacy and civil liberties concerns, as these warrants can potentially sweep up data on countless individuals simply because they live, work, or commute through an area targeted by one of these warrants.


Working with a team of UC Berkeley law students, we reviewed thousands of warrants issued by police in San Francisco from January 2018 to August 2021. Our analysis revealed that reverse-location search warrants reached hundreds of homes, apartment buildings, sites of medical care, busy thoroughfares, bars and restaurants, hotels and conference centers, and places of worship. One warrant

we analyzed was mere blocks away from two healthcare clinics that have long provided reproductive care to people in San Francisco. Another warrant in San Francisco’s Bret Harte neighborhood captured four places of worship, including Cornerstone Missionary Baptist and Evergreen Baptist Church.

.....  
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.....

Geofence warrants are not error-proof. During our investigation, we discovered one warrant that contained an alarming error. The error resulted in a warrant stretching nearly two miles across San Francisco.

Our analysis also revealed that certain neighborhoods were targeted more frequently than others. For example, a significant percentage of the warrants issued were in or around Portola, an immigrant-heavy neighborhood with a household income nearly \$30,000 lower in comparison to the entirety of San Francisco. This is another example of how law enforcement disproportionately targets marginalized communities with surveillance, causing harm to people who are low-income and/or people of color.

Google’s news may be a positive step, but we must remain vigilant. We must continue to scrutinize the use of technology by law enforcement to ensure it aligns with our values of privacy, equity, and justice. Technology should be put to work to help people, not track their every move. And, when surveillance technology is used, it must be subject to public oversight. 

*Jacob Snow is a senior staff attorney at the ACLU of Northern California.*

## FRESNO VIOLATES STATE OPEN MEETINGS LAW

BY LISA P. WHITE

In November, ACLU NorCal and the First Amendment Coalition sued the city of Fresno and the Fresno City Council for repeatedly discussing the annual budget behind closed doors in violation of the Ralph M. Brown Act, California’s open meetings law.

Under the Brown Act, legislative bodies—including city councils and boards of supervisors—must post agendas, hold public meetings, and provide opportunities for public comment. The lawsuit asks the court to order Fresno to comply with the law.

“The rights of the people to instruct their representatives and petition the government for redress of grievances depend heavily on opportunities to attend public meetings, observe and speak at such meetings, and access information pertaining to how local government conducts the public’s business,” the plaintiffs

wrote in the filing. “Without such opportunities, these rights are significantly impaired.”

Since its formation in 2018, the city’s Budget Committee, which includes three of the seven councilmembers, has met to resolve differences between the mayor’s proposed budget and the council’s funding priorities. While negotiating the fiscal year 2024 budget, the committee made at least 75 changes and amendments to the mayor’s proposal, which totaled nearly \$30 million. “A lot of sausage was being made in the backroom,” Mayor Jerry Dyer said of this secretive budget process.


By failing to post an agenda for the Budget Committee and convene meetings the public can attend, as required by state law, Fresno has deprived residents of the opportunity to weigh in on how the city allocates their tax dollars.

In its response, Fresno denied the lawsuit’s

allegations, including that the Budget Committee made changes to or amended the current budget.

“Respondents deny that any Budget Committee has discussed and deliberated on budgetary matters, as this committee was only advisory and it was the city council that approved all of the budgets,” the city wrote.

However, ACLU NorCal and the First Amendment Coalition contend that the committee is advisory in name only since the council typically approves the committee’s proposed budget without making any changes.

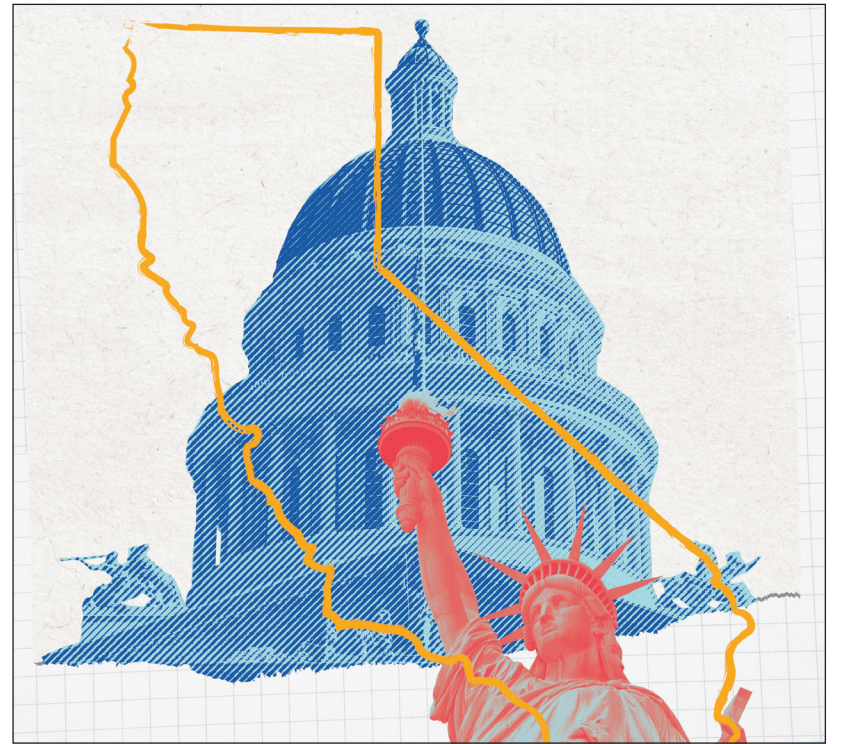
We await the city’s complete response to our December request for documents related to the Budget Committee including agendas, meeting minutes, recordings, and notes. 

*Lisa P. White is a communications strategist at the ACLU of Northern California.*

# LEGISLATIVE UPDATES: IN 2024, ACLU CALIFORNIA ACTION FIGHTS TO END MODERN-DAY SLAVERY AND CURB DEPORTATIONS

BY CAL ACTION STAFF MEMBERS ANITA NARAYANA, CARMEN-NICOLE COX, AND CYNTHIA VALENCIA

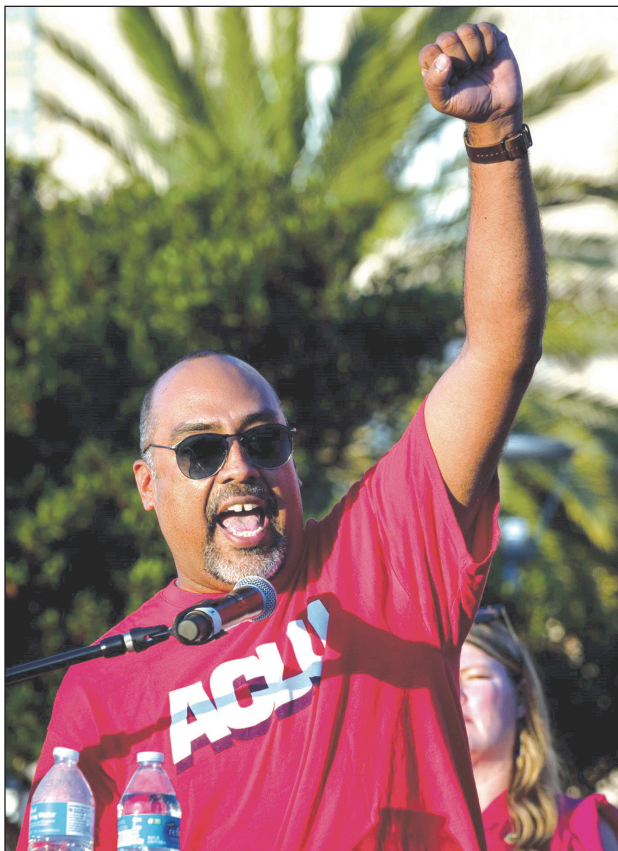
The second year of the two-year legislative session began with big news: California faces a deficit of more than \$30 billion. As you read this newsletter, ACLU California Action has launched a bold budget advocacy campaign to protect investments in housing, public education, indigent defense, and California's motor voter program. Among the hundreds of bills we have analyzed, we have defeated dozens and continue to monitor or oppose others, and continue to move our eight sponsored bills and many other bills we support closer to the goal line. The following three bills exemplify our efforts.



**ACA 8** is a bill that will refer a constitutional amendment to voters to repeal Article 1, Section 6 of California's constitution which currently reads: "Involuntary servitude is prohibited except to punish crime." This provision of the state constitution, which mirrors the same flaw in the 13th Amendment of the U.S. Constitution, means that corrections officials can exploit the human labor, talent, and skill of incarcerated people. This practice, which is tantamount to modern-day slavery, benefits the state, not the incarcerated worker and does not provide public safety. If the worker chooses not to work so they may grieve the death of a loved one, focus on education, or even to recover from illness, they are subject to punishment, parole denial, and privilege revocation.

**AB 2441** continues our years' long fight to reduce students' traumatic interactions with police by granting educators discretion over when to report certain student behaviors to law enforcement. We are redoubling our efforts to ensure that AB 2441 reaches the Governor's desk this summer.

We will need grassroots advocacy support on behalf of **AB 1034**, which protects against secret, mass surveillance through facial recognition that leads to wrongful arrests. Together we can prevent police from using facial recognition on body cameras for the next three years.



ACLU Cal Action's new Executive Director, David Trujillo

## DAVID TRUJILLO NAMED EXECUTIVE DIRECTOR OF ACLU CAL ACTION

We are excited to welcome David Trujillo as the new ACLU California Action executive director! David joins us with an extensive record in progressive advocacy work including most recently at ACLU-San Diego-Imperial Counties where he served as the Chief Program and Strategy Officer.

Born in Tijuana, Mexico, David grew up on both sides of the Tijuana-San Diego border. Because of his lived experience as an immigrant, English learner, and first-generation college student from an impoverished community, David is fiercely determined to eradicate barriers to social justice. 

*Anita Narayana is the director of strategic communications at ACLU Cal Action, Carmen Nicole Cox is the director of government affairs at ACLU Cal Action, and Cynthia Valencia is a legislative advocate at ACLU Cal Action.*

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# ACLU DEMANDS ACCOUNTABILITY FROM CALIFORNIA SHERIFFS

CONTINUED FROM PAGE 1

## WHY CIVILIAN OVERSIGHT IS CRITICAL IN ALAMEDA COUNTY

When there is no accountability at the sheriff's department, deputies who patrol communities or who work inside correctional facilities, face no consequences for violating people's rights or for other misconduct. When someone dies in custody, there is no transparency around the circumstances. This leads to an erosion of community trust and results in costly lawsuits that taxpayers end up paying for.

A good deal of the ACLU's work around sheriff's oversight has been centered on the Alameda County sheriff's department. Between 2015 and 2020, the agency led the Bay Area for payouts resulting from wrongful deaths and excessive force claims.

Community members and civil rights advocates have long been concerned by the high number of in-custody deaths at Santa Rita Jail in Dublin, which is run by the Alameda County Sheriff's Department. More than 60 incarcerated people have died at the jail since 2014. Meanwhile, the U.S. Department of Justice found that Santa Rita provides inadequate mental health care. In 2022, a federal judge put the jail under court supervision, resulting from a 2018 lawsuit filed by detainees.

## A DEMAND FOR ACCOUNTABILITY

In Alameda County, despite continuing concerns about the sheriff's department, county supervisors have yet to take the first step of passing a local ordinance to create a sheriff's oversight committee or office of inspector general. Other Northern

California counties, such as Marin and Santa Clara, have done so.

The Alameda County Board of Supervisors Public Protection Committee has held meetings for three years now, done public surveys and discussed what civilian oversight might look like. In June 2023, the committee members suggested establishing an office of inspector general with an oversight board and executive director.

But little has happened beyond that, prompting the ACLU and other advocates to press the Board of Supervisors to finally take concrete action.

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"Civilian oversight is about giving county residents a voice. We can help create new policies, new relationships, new partnerships, and new interventions that can make sure we have constitutional policing, and that we have our civil rights protected."  
.....

—ACLU NorCal staff attorney  
Allyssa Victory  
.....

In January 2024, the ACLU of Northern California, the Alameda County League of Women Voters, Faith in Action East Bay, Livermore Indivisible, Oakland Coalition for Police Accountability, and the Tri-Valley Democrats sponsored a town hall in Hayward to highlight the need for public oversight of the Alameda County Sheriff's Department. More than 100 people attended online and in person.

The current Alameda County Sheriff, Yesenia Sanchez, who campaigned pledging reforms in 2022, said that she supported county oversight to hold the sheriff's office accountable during her race against longtime sheriff Greg Ahern.

Yet as Norma Nelson of the League of Women Voters noted at the town hall, "Sanchez was in charge of Santa Rita Jail before she was elected. [and] there continues to be custody jail deaths on her watch."

The ACLU and our partners will continue to work with communities to demand civilian oversight of sheriff's departments, which in the end makes all of us safer.

Learn more about how to advocate for civilian oversight in your community at [www.aclunc.org/why-civilian-oversight](http://www.aclunc.org/why-civilian-oversight). 

*Tammerlin Drummond is a senior communications strategist at the ACLU of Northern California.*

## BOARD ELECTION NOTICE

We're always looking for committed members to join the Board. The nominating committee is now seeking suggestions from the membership to fill positions on the Board.

Candidates and ballots will appear in the Fall issue of the *ACLU News*. Elected Board members will begin their three-year term in January.

Pursuant to Article VI, Section 4 of the American Civil Liberties Union of Northern California's bylaws, there are two ways for members to participate in the Board nominating process:

1. Send suggestions for the nominating committee's consideration by July 1, 2024. Address suggestions to: Nominating Committee, ACLU-NC, 39 Drumm Street, San Francisco, CA 94111. Include your nominee's qualifications and how the nominee may be reached.
2. Submit a petition of nomination with the signatures of 15 current ACLU-NC members. Petitions of nomination, which should also include the nominee's qualifications, must be submitted to the Board by July 1, 2024.

Current ACLU members are those who have renewed their membership during the last 12 months. Only current members are eligible to submit nominations, sign petitions of nomination, and vote. No member may sign more than one such petition. ACLU members will select Board members from the slate of candidates nominated by petition and by the nominating committee. The ballot will appear in the Fall issue of the *ACLU News*.

### BYLAWS OF THE AMERICAN CIVIL LIBERTIES UNION OF NORTHERN CALIFORNIA

#### ARTICLE VI, SECTION 4B NOMINATIONS BY MEMBER PETITION

Any 15 or more members of this corporation in good standing may themselves submit a nomination of a member in good standing of this corporation to be included among those voted upon by the general membership by submitting a written petition to the Board not later than 20 days after the adoption by the Board of the slate of Board nominees. No member of this corporation may sign more than one such petition and each such nomination shall be accompanied by a summary of qualifications and the written consent of the nominee. This provision of these bylaws shall be printed in an issue of the *ACLU News* or other document mailed to this corporation's members before each election, together with an article advising members of their rights in the nominating process.

# A LETTER FROM ACLU OF NORTHERN CALIFORNIA EXECUTIVE DIRECTOR ABDI SOLTANI

Every four years, media and pundits talk about each presidential election being the most important of our lifetimes. I decided some time ago to stop saying that, so I won't start now! What I do know is that we are in uncharted territory, and there are serious threats and risks to fundamental rights and democracy as we go into this election and prepare for its potential outcomes. This election is also our opportunity to participate, engage, and mobilize for those rights and for our vision of an inclusive, multi-racial democracy.

## VOTING RIGHTS ACROSS THE NATION

All of us at the ACLU are working hard to safeguard the right to vote and to respond to all attempts at voter suppression in the 2024 election. The scope and scale of the ACLU's voting rights work is breathtaking and encompasses every state. The inspiring commitment of ACLU members in Northern California made it possible for our board to seed \$3 million to create the Battleground States Initiative, with the National ACLU investing in ACLU affiliates in key states for the most robust voter protection programs in our organization's history. That is only possible because of your generous support as members and donors here in Northern California and your vision and commitment to democracy nationwide.

As a result of our recent victory in the US Supreme Court decision on racial gerrymandering, voters in Alabama will be voting in newly redrawn Congressional maps that will provide fairer representation. Meanwhile, based on that decision, we are now able to continue litigation in several other states to challenge racial gerrymandering, with the goal of creating fair maps in subsequent elections.

.....

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In the 2024 election, ACLU is also supporting statewide ballot measures in several states to protect abortion rights, building on the success of every voter initiative on abortion rights since the Supreme Court Dobbs decision.

## CLOSER TO HOME IN CALIFORNIA

In this national landscape, California plays an important role as a state that can often lead on civil liberties and civil rights, but is also facing its own significant challenges—and a serious backlash to recent progress.

**We continue to make significant progress on voting rights in California.** Just a few years ago, California lagged most states on nearly every indicator of accessible elections. In recent years, we have successfully advocated for major expansions to voting eligibility, such as for citizens at the end of their prison term; to voter registration, such as automatic voter registration with the DMV and a range of state and local agencies; and to access to voting options, such as universal no-excuse voting at home. The ACLU is continuing that arc, by advocating for new agencies, such as Covered California and the state parole agency, to be designated as voter registration agencies.

**We are safeguarding rights by repealing Proposition 8 from the California constitution.** In 2008, California voters passed Proposition 8, defining marriage as between a man and a woman. The ACLU and our partners worked with state legislators to craft a state constitutional amendment that will be voted on in the November ballot. Although Proposition 8 was invalidated by federal courts, we are taking this step to safeguard marriage equality if the Supreme Court were to reverse its precedents. This new state Constitutional amendment will delete the definition of marriage created by Proposition 8 and affirm marriage as a fundamental right.

**We are deepening our focus on the California Supreme Court.** We have created a new attorney position to focus on the ACLU's legal advocacy at the California Supreme Court. Through this program we will proactively review all cases pending before the California Supreme Court to weigh in on critical civil liberties and civil rights issues. We will file briefs in cases the Court has already accepted for review, as well as encourage the Court to take up cases that raise significant issues. Cumulatively, we will use these opportunities to apply the Constitution and statutes on the side of freedom, equality, and justice.

**Finally, we are working to safeguard rights in the face of a significant backlash against civil liberties in California.** In the face of the fentanyl epidemic and retail theft, as well as the public's concern with personal safety, politicians and interest groups are exploiting these fears to dramatically expand criminal penalties. In 2014, California voters overwhelmingly passed Proposition 47, which reduced the penalty for simple drug possession and theft below \$950 to misdemeanors. Now, a coalition of prosecutors, with major funding from national corporations like Walmart and Target, are sponsoring a ballot measure that



PHOTO BY BETHANIE HINES

ACLU of Northern California  
Executive Director Abdi Soltani

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dramatically expands criminal penalties for these low-level offenses. The measure also raids the community safety funding programs that Proposition 47 had created, eviscerating the very solutions the public demands for treatment and diversion.

These challenges and our advocacy are only possible because of your support of the ACLU and your deep commitment to the safeguarding the rights of all. Please contact us at [editor@aclunc.org](mailto:editor@aclunc.org) to get involved or with any questions about the work your support makes possible.

Abdi Soltani, Executive Director  
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