

Voter Suppression in the Trump Era, Voting Rights Discussed at Annual Meeting

ACLU-TN had a full house at our annual meeting, “Voter Suppression in the Trump Era,” held at Casa Azafrán in Nashville this October.

Dale Ho, national ACLU Voting Rights Project director, led a captivating discussion on voter suppression from statehouses nationwide all the way to the White House. In a time when election irregularities have been exaggerated, ACLU is committed to taking the offensive with voting rights and leading a nationwide campaign to protect our right to vote in the Trump era and beyond.

Cont. on p. 4

ACLU-TN Sues to Defend Refugee Resettlement

ACLU and ACLU-TN have filed a lawsuit defending the Tennessee Immigrant and Refugee Rights Coalition, Bridge Refugee Services Inc., and the Nashville International Center for Empowerment from the Tennessee state legislature’s efforts to block refugee resettlement.

State lawmakers who opposed refugee resettlement sued the federal government in March, contending that the federal refugee resettlement program improperly imposed on state sovereignty. However, at its core, the legislature’s lawsuit was really a cruel attempt, fueled by discrimination and animus towards Muslims, to halt the resettlement of all refugees in Tennessee.

We will continue to fight malicious attacks on Muslim communities in our state as we await the judge’s decision.

Taking on Tennessee’s Money Bail System

Though Shelby County resident Delchon Weatherspoon was not found to be dangerous or at risk of fleeing before his trial, he still found himself stuck in jail – his bail amount set at a price that he simply could not afford to pay. Even though no judge had considered all of the required factors for a constitutionally valid order of pretrial detention in his case, Mr. Weatherspoon was still detained while he awaited trial. Mr. Weatherspoon is one of thousands of Tennesseans unfairly targeted by our state’s discriminatory money bail system.



ACLU-TN, along with Civil Rights Corp, filed a friend of the court brief at the Tennessee Supreme Court on his behalf, arguing that this was a violation of Mr. Weatherspoon’s Fourteenth Amendment rights, and that the money bail system unconstitutionally discriminates against those living in poverty, particularly people of color.

The brief is part of ACLU-TN’s Campaign for Smart Justice and our fight to reform the money bail system statewide, including implementing fair and effective alternatives to pretrial detention.

On any given night in the United States, nearly 450,000 people who are legally presumed innocent sit in jail only because they cannot afford to pay a monetary bail *Cont. on p. 6*

You are invited to join us on Nov. 30 for...

The Constitution Uncorked!

Make your reservation today! Info on page 3.

From the Executive Director...

Hedy Weinberg

The “precious right to vote,” as described by Justice Ruth Bader Ginsburg, is under growing attack in our country. Since 2008, many states, including Tennessee, have passed measures that make it more difficult for people of color, seniors, students and people with disabilities to vote.

Of the 50 states and D.C., Tennessee ranked fiftieth in voter turnout and fortieth in voter registration in 2014, according to a Pew study. Tennessee’s dismal voter participation is due in part to its implementation of a range of voter suppression measures, including photo ID requirements, reduced early voting periods, and the purging of hundreds of thousands of Tennesseans from the voting rolls.

Tell Us Your Story!

ACLU-TN is getting ready to celebrate its fiftieth anniversary in 2018!

As part of our celebration, we’d like to showcase some of the many people who make this organization a powerful force for justice and equality in Tennessee, including our clients, members, supporters, volunteers, cooperating attorneys, interns, allies, partners, board members and more.

Please take a few moments to share why you are part of ACLU-TN at bit.ly/facesoffreedom (case sensitive).

At our annual meeting on October 7, ACLU-TN officially launched our “No Barriers to the Ballot Box” campaign. The goal of our campaign is to eliminate obstacles to voting in Tennessee and expand political participation through awareness, legislative and litigation initiatives.

The campaign is initially focused on reforming Tennessee’s onerous and discriminatory voter restoration law. The law prohibits individuals with felony convictions from voting unless they have completed their prison sentence, parole and/or probation and paid all financial obligations —making Tennessee’s restoration process one of the most arduous in the country. Tennessee is also the only state that requires that individuals be current on child support payments

before their voting rights can be restored, essentially imposing a modern-day poll tax. A person’s financial status should not determine his or her right to vote.

As a result of Tennessee’s disenfranchisement law, over 420,000 Tennesseans are prohibited from voting, three-quarters of whom have completed their prison sentences yet are still unable to vote due to the burdensome restoration process. Among Blacks, the picture is shocking – 21 percent of Black people in Tennessee – more than one in five – are disenfranchised.

We are working to reform Tennessee’s disenfranchisement law through awareness, legislation, coalition work and local initiatives. In addition to voter restoration, our campaign is also supporting education and legislative efforts to modernize Tennessee’s voter registration system, including automatic registration and same-day registration.

To learn more about what you can do to protect and expand access to the ballot box, and to find tools to support your efforts, visit <http://www.aclu-tn.org/no-barriers-ballot-box/>. Thank you for joining with us to protect the “precious right to vote.”



ACLU Defends Abortion Rights in Tennessee

This summer, Planned Parenthood of Middle and East Tennessee, Planned Parenthood Greater Memphis Region, and ACLU and ACLU-TN, representing the Knoxville Center for Reproductive Health, joined a federal lawsuit challenging a law that forces women to delay abortion by at least 48 hours — even in cases of rape, incest or medical emergency. We asked the court to strike down the delay as an undue burden on a woman’s constitutionally protected right to have an abortion.

The law requires a woman to receive information orally and in person from a physician prior to the 48-hour waiting period. The law not only creates logistical and financial burdens as many women must travel to one of the four cities in Tennessee that currently offer abortion care, but also threatens doctors with criminal charges and loss of licensure if they do not comply. ACLU-TN also argued that this law disproportionately impacts communities of color and low-income women who already face systemic barriers to accessing quality healthcare.

The case is currently pending in the U.S. District Court for the Middle District of Tennessee.



The Constitution Uncorked

Thursday, November 30, 2017 • 6 p.m. - 8 p.m.
The Noah Liff Opera Center • 3622 Redmon Street, Nashville

Join us for a night of celebration as we honor
Dwight Lewis, Lifetime Achievement Award Honoree

and present

Cesar Baustista, Jazmin Ramirez and Zacnite Vargis
with the **Benjamin S. Pressnell Bill of Rights Award**

Featuring a special performance by
Kim Richey, Grammy-Nominated Songwriter and Singer

I/we want to support ACLU-TN's Constitution Uncorked on Thursday, Nov. 30, 2017!

Sponsorship & Reservation Levels

___ **Pillar of Justice** (\$5,000): Sponsorship includes reserved seating for 8, recognition in event materials, an invitation to special donor events during the year and two official ACLU blue lapel ribbons.

___ **Guardian of Liberty** (\$2,500): Sponsorship includes reserved seating for 4, recognition in event materials, an invitation to a special donor event during the year and two official ACLU blue lapel ribbons.

___ **Constitutional Champion** (\$1,000): Sponsorship includes a reservation for 2, recognition in event materials and two official ACLU blue lapel ribbons.

___ **Friend of Freedom** (\$500): Sponsorship includes a reservation for 1, recognition in event materials and an official ACLU blue lapel ribbon.

___ **Individual Reservation** (\$150 per reservation, \$175 after Nov. 26)

Name(s): _____

Please list me/us in event materials: ___ as written ___ as anonymous

Address: _____

Phone: _____

Email: _____

_____ My check, payable to ACLU Foundation of Tennessee, is enclosed.

_____ Please charge credit card #: _____

Exp: _____ Security Code: _____

I cannot attend; please accept my tax-deductible gift of \$ _____

To become a sponsor or join us, please **RSVP** by sending this card to **ACLU-TN, P.O. Box 120160, Nashville, TN 37212** or respond online at: <http://bit.ly/UNCORK2017> (case sensitive) by **Friday, November 24, 2017.**



A Farewell Note to ACLU-TN and Our Supporters

by Henry Seaton, ACLU-TN LGBTQ Organizer

I've been beyond honored to be able to do what I love with people who care so deeply for liberty, equality and each other. The skills and experience I gained while working at the ACLU of Tennessee are something I'll cherish for a lifetime. As I continue on my journey and head to Denver for college, I want to reflect on what I've done, learned, and seen during my time here.

When I began testifying against the "bathroom bill" in 2016, I found a nascent passion for activism that I never realized I had before. I found true love for legislative work, and couldn't imagine myself doing anything else. So, when the opportunity to become the LGBTQ organizer for the ACLU of Tennessee crossed my path, I took it immediately. I began this job having no clue what was in store for me, and will leave this job with invaluable experience and memories that will enhance my life, both in college and beyond.

As the legislative session began, I never expected the LGBTQ+ community to be targeted as much as it was. From blatant hatred, like the "bathroom bill" and "Natural Marriage Defense Act," to cunning, discreet discriminatory measures, like the LGBT Erasure Bill, it's safe to say that negating the legitimacy of LGBTQ+ Tennesseans was a top priority for many legislators this year. However, this community's resilience was stronger than any legislator's attempt to undermine it. LGBTQ+ people across the state fought relentlessly, and never let the Tennessee General Assembly take away their dignity. Seeing this bravery and passion as an ACLU staff member was a true gift that not everyone gets to experience. It's something I'll always keep in mind as I continue on my path of activism.

I learned a variety of important lessons as LGBTQ organizer, like how to manage multiple responsibilities and organize coalitions. But perhaps the most important lesson I've learned in my time at the ACLU is that respect and dignity are not partisan issues. I never expected that conservative legislators would come to understand the need to protect LGBTQ+ individuals, and was hesitant to work with them. However, the empathy and understanding I've seen from multiple conservative legislators still inspires me, and seeing traditionally conservative legislators strongly advocate for trans students warmed my heart. Through my time here, I've seen that ignorance cannot outlive experience, and the vulnerability of LGBTQ+ individuals across the state makes all the difference when combatting anti-LGBTQ+ legislation.

I want to thank the staff, interns, volunteers and clerks of the ACLU of Tennessee for helping make my experience here one of the most magical things I could ever do. You're all absolute rock stars that I admire daily. I also want to thank the lobbyists, activists and grassroots organizers fighting on the ground every week for LGBTQ rights in this state, because I truly cannot do what I do without you.

Lastly, I want to thank all those who support the ACLU of Tennessee. Thank you for being here and standing up for justice and civil liberties; we need you now more than ever. Much love to all of you.

*"Voting" cont.
from p.1*

Ho discussed how Tennessee is ranked fiftieth in overall voter turnout, emphasizing the impact of policies like Tennessee's photo ID requirement and reductions in early voting periods. Such policies disproportionately impact senior citizens, minority populations, students, low-income communities and individuals with disabilities.

Ho also spoke about Tennessee's suppression of voters who have had a felony conviction, who, even after completing their sentences, remain disenfranchised until becoming current on child support. Tennessee is the only state to require child support to be paid in full before voting rights are restored, a nearly impossible requirement for many.

The meeting also marked the launch of ACLU-TN's No Barriers to the Ballot Box campaign (see page 2 for more). The presentation will be available to view soon at <http://bit.ly/2gxxgstM> (case sensitive).

Fighting for DACA

On September 5, the Trump administration threw the lives and futures of 800,000 Dreamers and their families across America — including over 8,300 in Tennessee — into disarray, injecting chaos and uncertainty into thousands of workplaces and communities, when it announced that it was rescinding the Deferred Action for Childhood Arrivals (DACA) program.

The decision came two months after officials from ten states, including Tennessee, demanded that Attorney General Jeff Sessions end the DACA program and threatened to amend an existing Texas lawsuit to challenge the lawfulness of the program. ACLU-TN, national ACLU and affiliates in nine other states filed open records requests to determine if the Trump administration and



state governments were coordinating their attempts to shut down the program when the Department of Justice announced its decision.

ACLU continues to fight for the rights of DACA recipients despite this setback. We are currently pushing Congress to pass a clean and bipartisan Dream Act without further militarizing border communities to protect these young people and their families. Please join with us to fight on behalf of their futures by urging your Congressional representatives to support the Dream Act at 1-844-889-DACA.

ACLU-TN Welcomes Staff Attorney

ACLU-TN is excited to welcome Mandy Strickland Floyd as the organization's new staff attorney, where she will develop and litigate cases at the trial and appellate level in state and federal courts. Floyd brings passion, a keen legal mind, a commitment to advocacy, and fierce determination to the work to protect and advance civil liberties and civil rights for all Tennesseans.



Prior to joining ACLU-TN, Floyd earned a degree in History and Economics from Vanderbilt University before attending the University of Memphis Cecil C. Humphreys School of Law. In her work as the co-chair of LAW's Diversity Committee, she coordinated a presentation comparing Metro Nashville and Robertson County Schools' historical and modern struggles to desegregate. During the 2016 election, she worked to respond in real time to efforts of voter suppression on Election Day. She previously was a member of Nashville's Bone McAllester Norton PLLC. She hopes to expand on these experiences in her work for ACLU-TN.

A certified chocolatier, Floyd owned and operated a chocolate business before attending law school.

White County's Unconstitutional Inmate Sterilization Program

This May, White County Judge Sam Benningfield made headlines across the globe when he created a standing order granting an additional 30 days off the sentence of any male inmate who underwent a vasectomy and any female inmate who had the birth-control implant Nexplanon inserted in her arm.

The order amounted to the government coercing people not to procreate, undermining the Constitution's protection of the right to choose whether and when to procreate. Though the program was technically "voluntary," spending even a few days in jail can lead to the loss of jobs, child custody, housing and vehicles. To the individual faced with these collateral consequences of time spent behind bars, a choice between sterilization or contraception and a reduced jail sentence is not much of a choice at all.

After worldwide outrage, fueled by public pressure from ACLU-TN, the judge rescinded his standing order. We are pleased with this decision and will continue to guard against government coercion or intimidation regarding reproductive healthcare.



Tennessee

American Civil Liberties Union of Tennessee
P.O. Box 120160
Nashville, TN 37212

NON-PROFIT ORG
U.S. POSTAGE
PAID
NASHVILLE, TN
PERMIT NO. 3169

SAVE THE DATES

Fall 2017

Jackson Freedom Forum

Thursday, November 16, 6 - 7:15 PM

Jackson State Community College

More at bit.ly/2017FreedomForum

(case sensitive)

The Constitution Uncorked

Thursday, November 30, 6 - 8 PM

The Noah Liff Opera Center, Nashville

See page 3 for details

Visit www.aclu-tn.org/category/events
to stay up-to-date with our calendar!

Bail reform, from p.1 amount. In Davidson County, Tennessee in 2016, nearly 60 percent of misdemeanor defendants remained in jail for the duration of their trial. In comparison, less than 10 percent of misdemeanor detainees in Washington, D.C. or New York City are jailed prior to trial — because other, non-financial alternatives to ensuring people appear in court exist, and are actually more effective.

In an op-ed printed in *The Tennessean*, ACLU-TN Executive Director Hedy Weinberg and Civil Rights Corps Executive Director Alec Karakatsanis called for an end to the discriminatory practice in Davidson County, writing: “By making pretrial freedom dependent on access to cash, [a] secured money bail system creates a two-tiered system of justice, incarcerating the most impoverished while wealthier arrestees are freed... It causes lives to unravel because people lose their jobs, cars, housing and child custody when they are removed from their communities and put in jail cells before they have even been tried or convicted.”

To learn more about ACLU-TN’s fight for money bail reform, visit our website at www.aclu-tn.org/bail-reform/.