

WE JOINED WE INVESTIGATED

WE PARTNERED

PROTECTED

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ACTION

WE URGED

WE CHALLENGED

WE ORGANIZED FOR FIGHT

Together, for Tennessee

2023 ANNUAL REPORT

ACLU
Tennessee



A WORD FROM THE DIRECTOR

As we reflect on the civil rights and civil liberties victories and challenges in Tennessee over the past year, it is clear that our work at ACLU-TN is more crucial than ever. In these critical times, it is imperative that we fortify our efforts to protect democracy and address the issues that plague Tennesseans across the state. As we face the future with determination to overcome hurdles and champion the principles that define our democracy, I am pleased to share with you the significant developments and initiatives we have undertaken at ACLU-TN.

In recognition of the unique civil rights and civil liberties challenges in the South, the ACLU national office has made a significant multi-year investment in the growth and development of our state affiliate to enhance the impact of the essential support provided by our Tennessee donors. These funds provided by the national office will allow us to expand staffing, further develop infrastructure and policies, and undergo a comprehensive strategic planning initiative. As part of our ongoing commitment to growth and adaptability, we embarked on a restructuring journey aimed at enhancing our organizational efficiency and effectiveness. This process involved the creation of new departments and thoughtful adjustments to staffing to better serve our community and advance our mission.

Recognizing the importance of a healthy and supportive work environment, we welcomed Eric Lee Sirignano into a new position as the administration and human resources director. His role as an employee advocate will ensure that our organization continues to uphold its mission by supporting its most valuable asset — our people.

We appointed Claire Gardner, who has ten years of experience at the affiliate, to serve as our inaugural community engagement director. Claire's role reinforces our dedication to building political, community, and electoral power for civil liberties and civil rights in Tennessee. Her department's wide-ranging responsibilities include coalition building, voter mobilization, volunteer engagement, community organizing, and leadership development. Claire's leadership ensures that we are actively engaging with and empowering communities across our state.

Another pivotal transition within our organization was Lindsay Kee's transition to deputy director of integrated advocacy. Overseeing our communications, community engagement, legal, and policy departments, Lindsay is tasked with coordinating and integrating our advocacy efforts for maximum impact. This position will ensure alignment between our various programs and help us work collaboratively toward common goals and measurable outcomes.

Additionally, we have engaged the expertise of consultant group Third Settlements (www.thirdsettlements.com), to ensure that our policies and procedures align with the highest standards of equity, diversity, inclusion, and belonging. This investment reflects our unwavering commitment to fostering an organizational culture that mirrors the principles we advocate in the broader community.

Finally, we are preparing to develop a comprehensive, long-term strategic plan that will guide us in building out our organization and setting priorities in a manner that will most effectively move us toward a more free, just and equitable Tennessee.

In conclusion, our restructuring and growth are a testament to the collective dedication and passion of our staff, board of directors, supporters and partners. As we embark on the next phase of our journey, we are confident that these strategic investments and structural enhancements will fortify our ability to champion civil liberties and civil rights in Tennessee. Your continued support is indispensable, and we look forward to building a better Tennessee together.

Sincerely,



Kathy Sinback (she/her)
Executive Director



David Taylor (he/him)
Board President

TRANS JUSTICE

Fighting the Gender-Affirming Care Ban

This year, **we fought to block the state's ban on medically necessary gender-affirming care for Tennessee's transgender youth by suing the State of Tennessee** with our partners, the national ACLU, Lambda Legal, and Akin Gump Strauss Hauer & Feld LLP. The ban not only prohibits best-practice medical care for transgender youth up to the age of 18 but also mandates current gender-affirming care must cease by March 31, 2024. The law also gives private individuals the right to sue medical providers who offer medically necessary care to trans youth. In June, a federal judge blocked enforcement of the law while our lawsuit proceeded, acknowledging its dangerous implications and protecting trans youths' access to life-saving healthcare. However, the state appealed, and in July, a panel of the Sixth Circuit Court of Appeals allowed the law to go into effect while litigation continues. In September, the circuit court doubled down on its initial ruling and rejected a request from families and medical providers to block this law that unjustifiably discriminates against trans young people, intrudes upon the fundamental rights of parents, and ultimately prevents families and doctors from making critical health decisions for themselves. Over the past few months, this vicious law has already had a disastrous impact on families and communities across Tennessee, so we, along with our partners, asked the U.S. Supreme Court to review the September 2023 decision by the Sixth Circuit Court of Appeals that allowed Tennessee's ban to remain in effect.

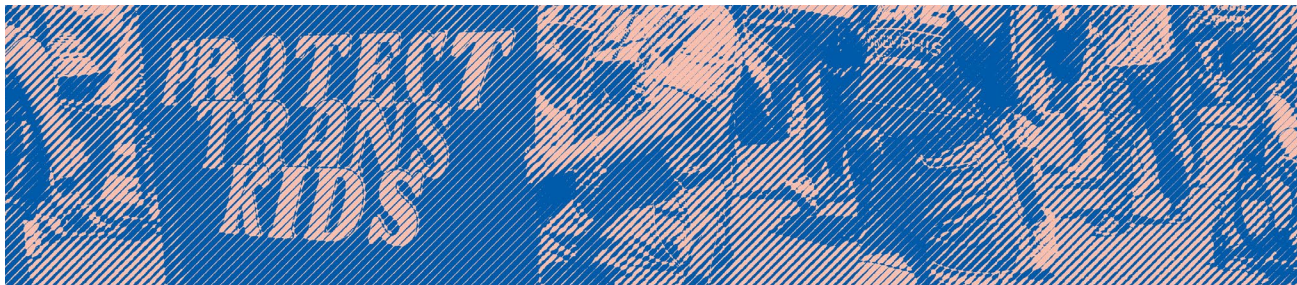


Photo by Sarah Rushakoff

Hosting Statewide Federal ID Legal Clinics

In collaboration with our partners, OUTMemphis, the Tennessee Equality Project (TEP), and Bass, Berry, and Sims, **we organized legal clinics across the state to assist individuals in obtaining federal IDs.** The initiative aimed to address the challenges faced by trans Tennesseans due to a recent policy change by the Tennessee Department of Safety. The policy prevented the updating of gender markers on driver's licenses to reflect the gender of trans people accurately. Access to accurate identification is crucial for various aspects of daily life, enabling Tennesseans to open bank accounts, enroll in school, secure new employment, exercise their voting rights, and travel. Not having accurate identity documents exposes trans people to harassment, discrimination, violence, and adverse mental health outcomes. The legal clinics sought to support and guide individuals affected by this policy, assisting them in navigating the challenges of obtaining federal IDs that accurately reflect who they are.

Webinars & Speaking Engagements

We delved into the fundamentals of trans healthcare in Tennessee in our “The Reality of Trans Healthcare in Tennessee: A Conversation with Trans Advocates” webinar. We explored the legal landscape surrounding trans healthcare and equipped attendees with actionable steps leading up to the 2023 legislative session. This session was trans-created, centered, run, and designed to be laid-back yet informative, serving as a safe and inclusive space for trans individuals and their allies. During a **second virtual webinar, “Trans Justice Legislative Lunch & Learn,” we covered existing anti-trans legislation, previewed upcoming bills, and highlighted available resources.** Most importantly, we discussed various ways community members can actively engage and take meaningful action to support trans rights.

Protecting Medically Necessary Care at Methodist Le Bonheur

We took action by sending a letter to Methodist Le Bonheur Healthcare, urging the hospital to put an end to its then new discriminatory policy that denied essential medical care to transgender and nonbinary patients. We sent the letter on behalf of 19-year-old Chris Evans, who, just days before a medically necessary surgery, received the distressing news that Methodist Le Bonheur Healthcare was canceling their procedure due to the hospital's then recently implemented policy, which denied healthcare to transgender and nonbinary patients. Our letter asserted that this new policy, along with the cancellation of surgeries specifically for transgender and nonbinary patients, constitutes discrimination based on sex and ability. We argued that such actions violate federal non-discrimination laws. Fortunately, due to the letter, Chris was eventually able to have surgery in December, and we did not need to file a complaint.



Photo by Sarah Rushakoff

FREE SPEECH & LGBTQ+ EQUALITY

Fighting Anti-LGBTQ+ Ordinances in Murfreesboro

To protect the freedom of speech and expression of LGBTQ+ community members and drag performers, we partnered with ACLU, Ballard Spahr, and Burr & Forman to file a federal lawsuit against the city of Murfreesboro. A yearlong, coordinated anti-LGBTQ+ campaign by the Murfreesboro mayor and city manager prompted the legal action. This anti-LGBTQ+ campaign aimed to suppress the protected speech and expression of the Tennessee Equality Project (TEP) and Murfreesboro residents. The culmination of these efforts saw the city establishing an official ordinance designed to censor LGBTQ+ speech and conduct within Murfreesboro. The officials' effort also led to a city policy prohibiting the issuance of permits to TEP, leading to the discriminatory and unconstitutional denial of TEP's permit request for the 2023 BoroPride event. This ordinance has already been used to ban several LGBTQ+ books from public libraries in Murfreesboro. Our lawsuit challenged these restrictive measures and sought to uphold the constitutional rights of free speech and expression for the LGBTQ+ community and their allies in Murfreesboro. Fortunately, by November, Murfreesboro officials quietly amended part of the challenged ordinance in response to our lawsuit being filed, which was a small but necessary step towards bringing Murfreesboro's harmful ordinance into compliance with the constitutional guarantees of free speech and equal protection.

Safeguarding Free Speech Rights for Blount County Pride & Drag Performers

In August, alongside attorneys Brice Timmons, Melissa Stewart, Daniel Horwitz, Melissa Dix, and Justin Gilbert, we **filed a lawsuit on behalf of Blount Pride and Christian artist and drag performer Flamy Grant to protect the free speech rights of drag performers.** The legal action was in response to a letter sent by 5th Judicial District Attorney General Ryan K. Desmond to Blount Pride organizers and local officials, where he expressed his intention to enforce the anti-drag law passed by the state legislature. Notably, in 2023, a federal court declared the law “an unconstitutional restriction on the freedom of speech” in a lawsuit brought by LGBTQ+ theatre company Friends of George’s. Supported by our legal team, we stepped in to protect the rights of drag performers and challenge the enforcement of this law, emphasizing the importance of upholding freedom of speech. Ultimately, the lawsuit proved successful in protecting our clients’ rights during Pride, as a federal judge granted a temporary restraining order, preventing enforcement of the unconstitutional anti-drag law against Blount Pride. Our lawsuit is ongoing.

Webinars & Events

We hosted several events this year, including partnering to host town halls for community discussion around the recent drag bans and the passing of the new classroom censorship laws. **Our webinar with the Tennessee Coalition for Truth in Our Classrooms event encompassed a comprehensive briefing and discussion on the recent censorship laws enacted by the Tennessee General Assembly in 2023.** It delved into the impact educators, students, and community members felt, and shed light on their experiences as a result of the new classroom censorship laws. Our legal director, Stella Yarbrough, provided valuable guidance, offering insights into the content and legal ramifications of the censorship bills. We also **hosted an in-person “Tennessee’s a Drag” public education event at PLAY in Nashville and virtually to educate drag performers on their rights in light of the anti-drag legislation.** Additionally, we developed FAQ one-pagers to increase understanding of the implications and impact of both issues. From performers and business owners to parents and their children, people across Tennessee must understand how censorship will affect their future and the future of our state in order to maintain a vibrant

NEW HIRE

Policy Director Hired

Bryan Davidson joined ACLU-TN as our policy director this year, leading our legislative and policy advocacy program at both the local and state levels.

REPRODUCTIVE JUSTICE

Supporting Abortion Access Restoration

A recent Vanderbilt University poll reveals that a majority of Tennesseans endorse accessible abortion care. The sentiment is grounded in the belief that when individuals choose to undergo an abortion, it should be a safe, affordable, and judgment-free process. So this year, **we urged legislators to champion the well-being, safety, and prospects of the families they represent by supporting SB 762/HB 829, which would fully restore access to abortion in Tennessee,** ensuring that individuals have access to necessary health care and support when making decisions about abortion in Tennessee. While this bill faced many challenges, it was a rallying point in our fight for the restoration of abortion access. We are committed to the long haul to securing comprehensive reproductive justice for all families who call Tennessee home.

Tennessee Repro Strategy Summit Meeting

To create a ten-year strategic plan for Tennessee’s abortion justice movement, **we partnered with other organizations to plan a statewide convening of reproductive justice and abortion access organizations, community groups, and stakeholders.** Healthy and Free Tennessee led the summit, which included developing clear and strategic legislative, organizing, legal, and cultural change goals to help us build the future we envision. In addition to helping plan the summit, we contributed by participating, co-leading breakout rooms, and financially contributing to its mission and success.

Legal Team Takes Action to Protect Access to Mt. Juliet Clinic Prior to Tennessee’s Ban on Abortion

This past summer, after the *Dobbs* decision overturning *Roe*, but before Tennessee’s abortion ban went into effect, **our legal team investigated an incident at a Mt. Juliet abortion clinic when protestors blocked the entrance, falsely claimed that the clinic workers were violating Tennessee’s abortion law,** and urged their arrest. Given protestors’ misrepresentation of the situation, we released a statement clarifying the true nature of Tennessee’s abortion laws, which, at the time, allowed abortion until six weeks. Though protest is permitted under the First Amendment, physically blocking the doors to a clinic building is not protected, nor is threatening and harassing clinic workers or other patrons.



DEMOCRACY & VOTING

Protecting Civil Liberties at the Special Session

Gov. Bill Lee called a special session in August of this year in the name of addressing gun safety, but many of the bills approved for discussion had little to do with guns but would have devastated communities across the state. These initiatives had the potential for lasting and severe impacts on people's lives. Due to the limited timeframe of the special session, we called on the governor to use the special session to address the call voiced by thousands of Tennesseans to deliberate substantive gun safety laws or to cancel the session altogether to enable a more extensive examination of broader criminal justice and mental healthcare issues during a regular legislative session.

During the special session, three Tennesseans were forced to leave a House subcommittee meeting escorted by state troopers for silently holding up 8.5 x 11-inch sheets of paper expressing their opinions on the issues being addressed, under a new House rule banning signs during the special session. **We filed a lawsuit on the individuals' behalf to protect their constitutional right to free speech**, securing a temporary restraining order, blocking the enforcement of the sign rule while the lawsuit proceeded. This case underscores the ongoing tension between the right to free expression and the establishment of rules and regulations within government spaces, and the court's decision to issue an injunction suggests a recognition of the House's potential infringement on the constitutional rights of Tennesseans.

CRIMINAL LEGAL REFORM

Combatting Discriminatory Legislation Targeting Tennessee Youth

Children are a vulnerable population and deserve the opportunity for treatment, rehabilitation, and positive reinforcement. Yet, legislators proposed and passed multiple bills that negatively impacted Tennessee youth by increasing the number of children in adult court and allowing the use of mechanical restraints on students with disabilities in "emergency situations." **To combat these discriminatory bills, we mobilized over 1,000 Tennesseans to email legislators, which helped stop the bills.**

Fighting Negligence in Tennessee's Lethal Injection Operations

Last winter, an independent investigation found several glaring issues in Tennessee's lethal injection operations, such as a failure to abide by the state's own new lethal injection protocol in a number of cases, including problems with handling and testing of drugs before lethal injections. As a result, **we called for complete transparency regarding the state's execution practices, urged the governor to impose a moratorium on the use of the death penalty while he comprehensively reviewed this broken system, and encouraged him to identify other, more effective ways to protect public safety.** Despite these unconstitutional failures, legislators passed a bill expediting executions to occur within thirty days of a jury determination, putting Tennessee at risk of executing innocent people.

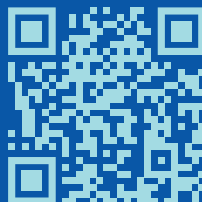
Lobbying Against Removal of Judicial Discretion in the Sentencing of Children

During the special session, we joined with partners to lobby against and defeat blended sentencing and juvenile transfer legislation. This bill would have automatically sentenced minors who committed certain offenses to jail until their nineteenth birthday, taking away a judge's ability to assess children individually and evaluate their personal history and rehabilitation.

Demanding Change for the Memphis Police Department

After the brutal public beating and death of Tyre Nichols, we followed the lead of Decarcerate Memphis, Official Black Lives Matter Chapter, the Justice Safety Alliance, and many of our other partners to **support local Memphis ordinances that would end certain pretextual stops, increase police data transparency, begin to strengthen community oversight of police actions, end the use of unmarked vehicles for traffic stops, establish review processes for police training, and create an independent review process for use of force incidents**, all of which eventually passed. We also signed on to a letter to the Department of Justice to solicit a comprehensive review of the Memphis Police Department's patterns and practices, and we continue to collaboratively advocate for community-based public safety solutions.

DONATE



Please join us at the front lines to advance equality and justice for all. Defending civil rights and civil liberties day after day takes a lot of hard

work – and financial support. Please remember to give generously when you can – either online at aclu-tn.org or by mailing a contribution to: ACLU FOUNDATION OF TENNESSEE, P.O. BOX 120160, NASHVILLE, TN 37212 ACLU-TN. ACLU-TN also accepts gifts of stock, IRA and other retirement assets, and mutual fund shares—and offers methods to give via your will, trust or life insurance policy. For more information, please contact Director of Philanthropy, George G. Tolbert II, at gtolbert@aclu-tn.org or 615-320-7142 for assistance. Thank you for your partnership!

Gifts can also be made online with this QR code or at bit.ly/DonateACLUTN

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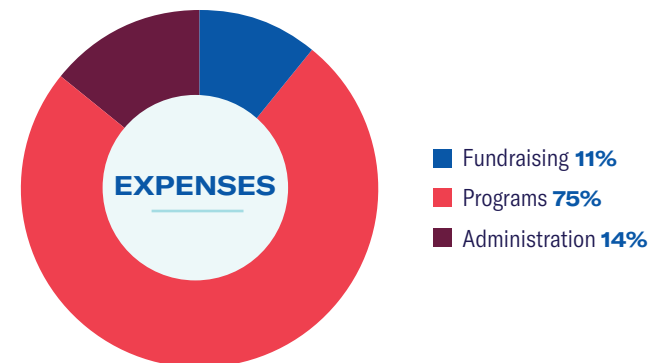
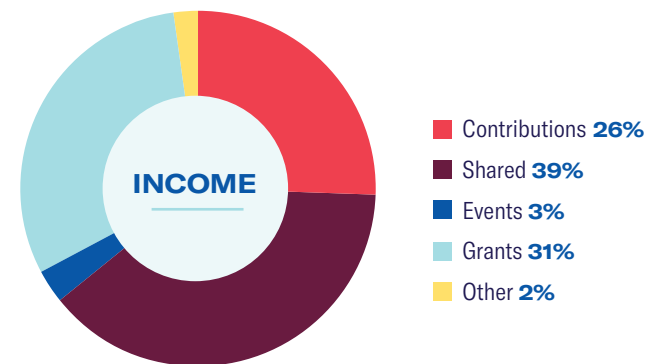
Melody Shekari

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FINANCIALS



Consolidated unaudited statement of activities for the ACLU of Tennessee and the ACLU Foundation of Tennessee and statistics from Fiscal Year 2022 - 2023 (April 1, 2022 to March 31, 2023).