



## DEFENDING DEMOCRACY

### AT THE SPECIAL SESSION

In August, Tennessee lawmakers gathered in Nashville for a special session on public safety in the wake of a school shooting that left six people dead, including three children. After the tragedy, thousands of Tennesseans protested and submitted special session comments to Governor Lee's office to demand commonsense gun safety laws. Despite the very clear call for gun safety laws, the governor's tepid call to bring lawmakers back into session indicated that the bipartisan demand for gun safety regulations would be largely disregarded. As we approached the start of the special session, lawmakers themselves confirmed this, sharing their plans to usurp the impending special session to ram through bills with sweeping, catastrophic consequences for civil liberties.

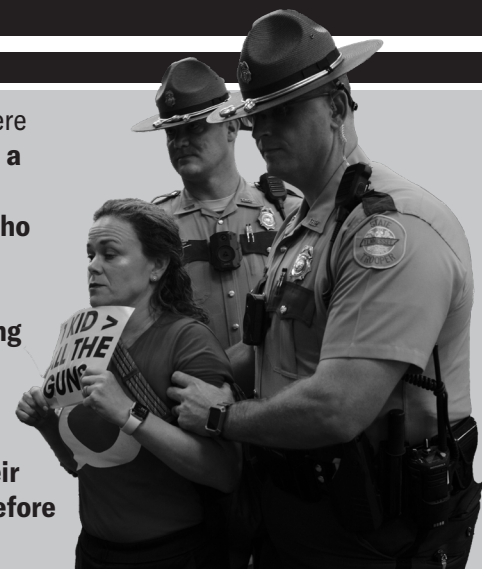
Some of the proposed bills included transferring more youth to adult court, mandating DNA swabs from children and adults after all felony arrests, and requiring notification of law enforcement anytime someone is released from emergency inpatient mental health treatment. Measures like these could have had permanent, devastating effects on people's lives, yet with the condensed nature of the special session, it would have been impossible to thoroughly research and debate them. As a result, **we called for the special session to be used to take up the demands of thousands of Tennesseans to debate substantive gun safety laws, or to be cancelled so that broader issues of criminal justice and mental healthcare could be given due consideration in a regular legislative session.** Read ACLU-TN Executive Director Kathy Sinback's Tennessean op-ed by scanning the QR code.



Unfortunately, the special session went on and the world watched as legislative procedures ensuring adequate public notice were abandoned, floor debate limited, and public participation in committee hearings stifled.

We were ultimately able to successfully lobby during the special session to prevent passage of all of the bills we were most concerned about. However, in addition to introducing dangerous bills, some politicians in the Tennessee House of Representatives also attacked civil liberties and further undermined democracy by implementing rules for the special session that banned signs in the galleries of the House of Representatives.

Soon after the rules were implemented, **we filed a lawsuit on behalf of three Tennesseans who were forced to leave a Tennessee House subcommittee hearing by state troopers for quietly holding 8 1/2 x 11 inch pieces of paper expressing their opinions on issues before the subcommittee.**



**"THIS IS NOT WHAT DEMOCRACY LOOKS LIKE!"**

- Plaintiff Allison Polidor stated as she was escorted out of subcommittee by Tennessee state troopers. Photos by Ray Di Pietro (@raydipietro)

We quickly secured an emergency restraining order preventing enforcement of the ban, ensuring that the plaintiffs' rights would be protected and that they would not suffer irreparable harm as litigation continued. The state then requested an expedited emergency hearing to dismiss the emergency restraining order. The court again ruled that the sign ban could not be enforced, finding that the "sign ban is patently unreasonable" and "so broad that it encompasses behavior that is not disruptive, as is the case here."



Stella Yarbrough, ACLU-TN legal director, talking to the media after the Davidson County Chancery Court hearing, where she argued that the sign ban violated the plaintiff's First Amendment rights.

Democracy depends on people's ability to express their opinions to their elected representatives on issues they care about, and this unreasonable rule stood in the way of people fully participating in the democratic process. The constitutional rights to speak freely, assemble and petition the government under the U.S. and Tennessee Constitutions are critical to a functioning democracy, now more than ever.



## A WORD FROM THE EXECUTIVE DIRECTOR

**Kathy Sinback (she/her)**

In Tennessee, we are inundated with continual attacks against Tennesseans' civil liberties and civil rights. Our right to reproductive freedom has been decimated with the passage of draconian anti-abortion laws that lack reasonable exceptions. Our legislature has passed laws banning vital, life-saving healthcare for trans youth and their families (read more on pg. 4), attempted to censor free expression through threats of enforcing anti-drag laws in cities across the state, and undermined Tennesseans' First Amendment right to express their opinions on issues that affect them and their families (read more on pg. 1).

These attacks at the hands of Tennessee's legislators and public officials, many of whom continually work against the will of Tennesseans, points to a troubling effort to rewrite our nation's history and erase the lived experiences of people of color, low-income communities, the LGBTQ+ community and other marginalized groups. This trend suppresses Tennesseans' individual liberties and obstructs their full and equal participation in our democracy.

While this work is often disheartening, we at the ACLU of Tennessee are committed to a radical hope rooted in action. A radical hope that encourages solidarity with our partners, innovation in our approaches, and a commitment to envisioning a multiracial, inclusive, and intergenerational democracy. To counter these strategic and deliberate attacks on democracy and the civil liberties of Tennesseans, we are in the process of developing of a long-term strategic plan for ACLU-TN that will examine the historical and current status of civil rights and civil liberties in our state and help us determine how we move Tennessee toward a more just future for everyone. This will allow us to further develop effective priorities and strategies that will have the biggest impact on changing the trajectory of our state.

This crisis of democracy is not business or politics as usual, and our response must mirror the urgency of this moment. We appreciate those who join us as we fight to continue protecting and advancing the civil liberties of Tennesseans. With your continued support, we will succeed.

Onward,

## BOARD UPDATES

In June, Paula Williams stepped down as president of the ACLU-TN Board of Directors. She served on the board for 22 years and as president for 3 years.

We thank Paula for her passion and devotion to leading the ACLU-TN board. While Paula will no longer serve as ACLU-TN board president, she continues to be an advocate for civil liberties and racial justice with her Racial Healing Workshops. The workshops are weekly online conversations that explore our history, our culture, the things that divide us, and our possibilities for building true community. All are welcome. Learn more by emailing Paula at [pwillia8@utk.edu](mailto:pwillia8@utk.edu).

Amidst this transition, the board selected David Taylor to serve as interim president. David previously served as the board's treasurer and is the owner of PLAY and Tribe Nashville. Over the years we have worked with David to advocate for a range of civil liberties, including LGBTQ+ rights. Most recently you may have seen David testifying at the state Capitol against the anti-drag bills during the 2023 legislative session. He has served on the ACLU-TN board for 10 years, and we are looking forward to his leadership as he steps into his role as interim president.

We will also be holding a special meeting on **Thursday, December 7 from 5:30 to 7 p.m. in Nashville** for active members to vote on the proposed charter and bylaws and to vote to reelect our current board members. Detailed information and the registration form can be viewed on our website at: <https://www.aclu-tn.org/special-meeting-board-bylaws/>. Members can participate in the meeting and vote in-person or virtually. Please RSVP for the meeting to receive additional logistical information. To register for the meeting, you will need your membership number, which can be found adjacent to your name and address on the outside of this newsletter. You can also contact our office at 615-320-7142 or [aclutn@aclu-tn.org](mailto:aclutn@aclu-tn.org) to verify your membership number or request a paper copy of the proposed bylaws and charter.

Hope to see you there!

# ACLU-TN STAFF UPDATES

## INVESTING IN OUR GROWTH

The ACLU national office continues to invest in our state affiliate's growth by providing grants that allow us to expand and restructure our staffing, further develop our infrastructure and policies, and embark on a robust strategic planning initiative. Recently, we also hired a consultant, Third Settlements, to assist us in ensuring that our policies and procedures are in line with equity, diversity, inclusion, and belonging best practices. We've also begun the process of restructuring to create new departments and adjust our staffing.

## OUR TEAM



**Bryan Davidson**

Policy Director  
(he/him)



**Breana Staten**

Associate Director of Communications  
(she/her)



**Stella Yarbrough**

Legal Director  
(she/her)



**Lauren Davis**

Legal Program Coordinator  
(she/her)



**Jeff Preptit**

Staff Attorney  
(he/him)



**Lucas Cameron-Vaughn**

Staff Attorney  
(he/him)

Our former administrative and technology manager, Eric Lee Sirignano, rejoined ACLU-TN in November 2022 as the new administration and human resources director.

A native of New Hampshire with a passion for community service and social justice, Eric relocated to Memphis after volunteering throughout the south as a Corps Member with AmeriCorps NCCC.

He graduated from the University of Memphis with a bachelor's degree in geography and a minor in nonprofit management.



Eric has spent the past several years working with businesses on leveraging technology to improve people operations and coaching leadership on effective ways to pursue business goals while ensuring their employees' health and safety during the pandemic. In his new role, he serves as an employee advocate. He takes pride in working with the affiliate to ensure it continues to prioritize the people who help realize the mission of the ACLU in Tennessee.

**Eric Sirignano (he/him)** | Administration & HR Director

Lindsay Kee, former director of strategic communications, is moving into the role of deputy director of integrated advocacy. In this position, Lindsay will oversee the communications, community engagement, legal and policy departments, working with the directors of each program to ensure that their work is coordinated and integrated for maximum impact. Prior to joining the ACLU-TN team 16 years ago, Lindsay served as assistant director of the Women's Social Policy & Research Center at Vanderbilt University, administrative director and affiliate case manager at Magdalene, and community organizer with Stand for Children. She has a Master of Social Work from Washington University in St. Louis, where she focused on community organizing, lobbying and policy, and a Master of Professional Writing from the University of Southern California, where she was an assistant lecturer, and drafted her first novel. Lindsay is also a published poet.

As we continue our restructuring, our current associate director of communications, Breana Staten, will transition into the communications director position.

**Lindsay Kee (she/her)** | Deputy Director of Integrated Advocacy



As ACLU-TN's first community engagement director, Claire's department will work to build long-term political, community and electoral power for civil liberties and civil rights in our state. She will work collaboratively with partners – on coalition building, voter mobilization, volunteer engagement, community organizing, leadership development and more – to create widespread support for people-led change movements in Tennessee.

Claire first joined ACLU-TN in 2012 as an intern and in her ten years at ACLU-TN, her advocacy work has included organizing a Know Your Rights workshops series at HBCUs across Middle Tennessee on interacting with police; creating ACLU-TN's Stand Up/Speak Up youth activism manual, which teaches young Tennesseans how to organize in their schools and communities; designing a statewide public education campaign on the abusive practices of private prison giant CoreCivic; working with Black rural voters in West Tennessee to overcome barriers to the ballot box during the 2020 election, and helping a multi-media story collection project highlighting the voices of rural Tennesseans impacted by the money bail system.



**Claire Gardner (she/her)** | Community Engagement Director





Tennessee

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## Sixth Circuit Allows Tennessee's Ban on Care for Transgender Youth to Take Effect

In April, we and our partners filed a lawsuit challenging the ban on gender-affirming care for trans youth on behalf of Samantha and Brian Williams and their daughter, L.W., as well as two other anonymous families and Dr. Susan N. Lacy.

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 the 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.

We are assessing our next steps and will take further action in defense of our clients and the constitutional rights of transgender people in Tennessee and across the country.

## Protecting Drag in Blount County

In late August, we joined with partners to file a lawsuit to protect the free speech of drag performers on behalf of Blount Pride and Christian artist and drag performer Flamy Grant.

The lawsuit was filed after District Attorney Ryan K. Desmond sent a letter to Blount Pride organizers and local officials asserting his intent to enforce the state's new anti-drag law, despite a federal court finding the law is unconstitutional earlier this year in a lawsuit filed by LGBTQ theatre company Friends of George's.

In Blount County, the court initially granted a temporary restraining order preventing enforcement of the anti-drag law, acknowledging that it was likely to adopt similar reasoning to the court in the Friends of George's case, and that we had a strong likelihood of success on the merits of our case. Defendants in that case then agreed to a preliminary injunction enjoining them from enforcing the anti-drag law during the pendency of the entire litigation.

The plaintiffs now seek to join the Friend's of George case in the Sixth Circuit. The lawsuit is ongoing.