



A SPECIAL NOTE FROM OUR EXECUTIVE DIRECTOR

When the COVID-19 pandemic reached our state in March, the ACLU of Connecticut had to adjust. Our office became fully remote. The legislative session shut down. Like millions of others, our staff began juggling work and family care. Yet we knew defending civil rights and civil liberties is most critical during these times of emergency, when our marginalized neighbors are at risk of being left behind and the systemic racism in Connecticut and across our country is particularly endangering Black people. As a result, we've given this year our all.



On March 10, when Connecticut had only two confirmed COVID-19 cases and before Governor Lamont had even made an emergency declaration, we had already written to him demanding any government response be based in health and science and calling for the state to specifically protect people who were incarcerated. We continued that call for the Governor to protect incarcerated people from COVID-19 and joined more than 50 organizations in calling on him to protect the rights of people with disabilities, immigrants, frontline workers, low-income workers, pregnant people, uninsured people, people who are homeless, and many others. With our partners, we sounded the alarm about the need for people to be able to vote by mail, and for the state to cancel rent and evictions. When Westport considered giving police drones to track people and their health without consent, we decried it and put a stop to the program. And as it became clear that Connecticut's "re"opening ran the risk of continuing to leave Black and Latinx people behind, we activated more than 700 of you to tell your legislators to hold a special session for equity.

While pushing to ensure the state's COVID-19 response was constitutional and equitable, we continued the fight for trans student athletes' rights, facing down the Trump administration's bullying tactics as it attempted to use its Department of Education against Connecticut schools that rightfully do not discriminate against trans kids, and defending against discrimination in the courts in *Soule v CIAC*. Smart Justice began the groundwork for Clean Slate legislation. In the first-ever public hearings about State's Attorneys' reappointments, made public because of Smart Justice's work to pass a transparency law last year, we testified about the need for prosecutors to be held accountable for mismanagement and disregard of police misconduct. Representing housing advocates, we sued to challenge the Trump administration's attempt to roll back anti-discrimination protections in federal housing laws. And as you'll see in the rest of this newsletter, your support for the ACLU of Connecticut also made progress possible on voting rights, police accountability, criminal legal reform, and more.

As I write, voters have just selected the next U.S. President and a new Connecticut legislature. Led by Black organizers, voters have shown that ending racism must be a priority of every incoming elected official in Connecticut. Nationally, the ACLU will hold the Biden/Harris administration and Congress accountable for making bold racial justice changes, not just to undo harms of the Trump administration but to push forward. And what happens at the state and local levels is even more critical. Whatever lies ahead, we are ready to roll up our sleeves and work harder than ever for racial justice.

This year has not been easy. Fighting the systems that have made this year worse than it needed to be is going to take long-term work. Through it all, we have been grateful for you, whose support makes it possible for all of us to keep advocating for the Connecticut we want to live in.

With gratitude,

David McGuire
ACLU of Connecticut executive director

LAWSUIT AND ADVOCACY EXPAND VOTING RIGHTS DURING COVID-19

For many people, one of the safest ways to vote during COVID-19 is to vote absentee. Unfortunately, Connecticut is one of only 16 states that does not allow no-excuse absentee voting.

Faced with the prospect of voters being forced to choose between protecting their health or exercising their right to vote, in July, the ACLU of Connecticut and ACLU Voting Rights Project together filed a federal lawsuit against the state of Connecticut on behalf of our clients, the Connecticut State Conference of NAACP Branches, the League of Women Voters of Connecticut, and an individual Connecticut resident whose age places her at high risk of severe illness from COVID-19.

A few weeks later, during the special legislative session, our advocacy team pushed legislators to make absentee voting an option for all eligible voters during the pandemic.

Together, our lawsuit and advocacy convinced the legislature to pass a law to allow every eligible voter to vote absentee because of COVID-19 for the November 3, 2020 election. Through this law, every registered voter was to receive an absentee ballot application from the state, every town was required to have at least one absentee ballot drop box, and voters could also submit their absentee ballots by mail. We immediately fast-tracked new, special edition Know Your Rights guides to educate voters about their rights to vote absentee in the November 3, 2020 election, and we called every town clerk in the state to create a guide for voters to be able to find their towns' absentee ballot drop boxes.

The ACLU of Connecticut's victory in securing this law was one of 27 ACLU wins in 20 states and Puerto Rico designed to safeguard the voting rights of millions of U.S. voters this November. Together, the locales where the ACLU made progress for voting rights are home to more than 154 million people and wield 247 Electoral College votes.

The steps that Connecticut made this year are not a permanent fix, however, as the special absentee voting law only applies to statewide elections held in 2020 during the COVID-19 pandemic. No-excuse absentee voting can and should be standard for all elections in



Photo credit: Rafael Rosario, ACLU of Connecticut

Connecticut, just as it is in many other states. Connecticut also remains one of only six states that does not allow some form of early voting (this puts our state in company with Kentucky, Mississippi, Missouri, New Hampshire, and South Carolina). By making it easier and more convenient for more people to vote, absentee voting and early voting options for all eligible voters expand access to the ballot box and strengthens our democracy in the process.

The ACLU of Connecticut will continue working diligently to bring Connecticut into the 21st century by changing our election laws to include universal voter registration, early voting, and expanded voting absentee voting.

FIGHT CONTINUES TO PROTECT INCARCERATED PEOPLE FROM COVID-19



From the beginning of the COVID-19 pandemic, it was clear that the conditions of incarceration – close quarters, poor sanitation and cleaning in prisons and jails, closed buildings with poor ventilation, and inadequate medical care even during normal times – placed people who are incarcerated at risk of a serious COVID-19 outbreak. This, combined with the fact that a significant portion of people whom Connecticut has chosen to incarcerate have pre-existing medical conditions or ages that place them at high risk of serious illness from COVID-19, meant that Connecticut had to take swift action to protect incarcerated people during the pandemic. Even before Governor Lamont declared a state of emergency, we were already urging him, the Department of Correction (DOC), Board of Pardons and Paroles, and other criminal legal system actors to release people from prisons and jails to get them out of harm’s way, to stop incarcerating new people, and to take serious measures to protect anyone who remained inside. Smart Justice leaders recorded videos, joined and organized physically distanced and car-based protests with family members of incarcerated people, held a briefing with medical experts for policymakers, and activated nearly 700 ACLU of Connecticut supporters to try to tell Governor Lamont to take action. Even as national news outlets covered the dire situation in Connecticut, where the state began sending incarcerated people who were sick to the notorious

Photo credit: Rafael Rosario, ACLU of Connecticut



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Northern Correctional Institution – a supermax with conditions that had been condemned by the U.N. Special Rapporteur on Torture – the Governor and DOC continued to refuse to create a plan to release people to protect them from COVID-19 and continued to fail to use even basic tactics to protect health inside. When family members of people incarcerated by the state protested Lamont’s inaction, he told them to call him, and turned off his phone line.

In April, the ACLU of Connecticut filed two emergency lawsuits – one in federal court, and one in state court – seeking to force Governor Lamont and DOC to protect people who were incarcerated from COVID-19. In July, the state court approved a settlement agreement in the state lawsuit, *McPherson v Lamont*, a class action suit on behalf of all people incarcerated by the Connecticut Department of Correction. Most of the

terms of the settlement seem like small requirements for human dignity and health, because they are. It is a sad commentary on the state of prison law that it took a lawsuit just to require the basic elements of showers with running water, soap, cleaning supplies for common areas and cells, masks for all incarcerated people, opt-in COVID-19 testing, and requiring all staff to wear masks. Under the settlement agreement, the DOC is required to follow these terms and others through December 31, 2020. We still firmly believe that the best way to protect incarcerated people from COVID-19 is to release people safely to their loved ones. Prisons are not healthy or safe places at any time, especially during a pandemic. As we continue to advocate for people to be released to make physical distancing possible and to move them out of harm’s way, we will also be holding the DOC accountable to the court-mandated requirements of the settlement agreement.



Photo credit: Meghan Holden, ACLU of Connecticut

In September, we joined others in Hartford to remember Justice Ruth Bader Ginsburg. Above, a message of thanks for her stances on trans people’s rights.

THANK YOU, JUSTICE RUTH BADER GINSBURG

On September 19, the ACLU-CT joined a Hartford vigil in honor of U.S. Supreme Court Justice Ruth Bader Ginsburg, who passed away at the age of 87. The following is an excerpt of our remarks.

She was a titan.

Ruth Bader Ginsburg first rose to national prominence as an ACLU lawyer, where she founded the Women’s Rights Project. At the ACLU, she played a role in 34 Supreme Court cases, and argued 6 cases before the Supreme Court. She won 5 of the 6.

RBG was a trailblazer AND herself was standing on the shoulders of giants – of Pauli Murray, Sarah Grimke, others we know and some we don’t. She carried that legacy with her, even as she forged her own, new path.

As a U.S. Supreme Court justice, the Notorious RBG continued to fight for gender justice, women’s rights, and reproductive freedom. Her majority opinion that ended the Virginia Military Academy’s male-only admittance policy and established a new standard for sex discrimination cases. Her 2013 dissent, when, after the court gutted the Voting Rights Act of 1965, she reminded her colleagues, loudly and clearly, that racial discrimination in voting still exists.

America – the America of immigrants, LGBTQ people, women, Muslims, people with disabilities, Black and Latinx people – America – the America of reproductive justice, trans and queer people’s rights, voting rights, immigrants’ rights, incarcerated people’s rights, of justice and liberation and equity for all – is worth fighting for.

When RBG stood before that all-male Supreme Court, ready to argue for women’s rights, she called on the legacy of those who’d come before her. And now, it is our turn to do the same. It is up to each of us to carry on her legacy by fighting for civil rights and reproductive justice, in this moment and beyond.

Thank you, RBG. May your memory be a revolution.



NATIONAL FAIR HOUSING LAWSUIT FILED

Together with the national ACLU and our partners, we sued the Trump Administration's Department of Housing and Urban Development (HUD) over its attempt to gut fair housing protections under the Fair Housing Act. "Disparate impact" claims have helped for decades to dismantle systemic barriers to fair housing. These claims require housing providers, financial institutions, municipalities, and other corporations to eliminate policies that appear neutral but disproportionately limit housing opportunities for marginalized and vulnerable communities, including people of color, people with disabilities, families with children, and survivors of domestic violence.

The Trump Administration's new HUD rule, which was set to go into effect in October, substantially rolls back these protections by creating unnecessary barriers for victims of housing discrimination attempting to prove claims against discriminatory housing practices.

If HUD succeeds in eliminating the current protections, a number of discriminatory practices could go unchecked, including: exclusionary zoning, landlords could evict survivors of domestic violence under policies

punishing tenants for criminal activity in their homes or for calling the police; landlords could deny housing to anyone with any type of prior criminal record; public housing authorities could be prevented from giving housing vouchers to low-income people seeking to live in other neighborhoods, perpetuating racial segregation; and landlords could choose to rent out apartments by the room or impose overly restrictive occupancy limits, effectively shutting out families with children.

On October 22, the ACLU of Connecticut, together with the national American Civil Liberties Union, Lawyers' Committee for Civil Rights Under Law, Poverty & Race Research Action Council, and Cohen Milstein Sellers & Toll, filed a lawsuit against HUD on behalf of the Connecticut-based Open Communities Alliance and SouthCoast Fair Housing of Massachusetts and Rhode Island.

The lawsuit seeks to invalidate the new HUD regulation, which would take away a critical tool for people to dismantle systemic barriers to fair housing and to fight to access and keep their homes.



Photo credit: Rafael Rosario, ACLU of Connecticut

POLICE ACCOUNTABILITY LAW IS FIRST STEP FOR CHANGE

This year began as one of the deadliest for killings by police in Connecticut in recent history, with five people dying at the hands of police in our state in the first six months of 2020 alone. And then our state, like every other across the country, became part of this summer’s uprising for Black lives.

Led largely by Black youth, thousands of people protested in towns across Connecticut this summer to call for an end to police violence and racism in policing and for a beginning of a world that values Black lives. The demands from Black and Latinx organizers in Bridgeport, Hartford, New Haven, Waterbury, and from other towns across the state made clear that people want an end to policing as we know it, not one or two small things, and that core to those demands was an expectation for budgets that prioritize community needs, not policing.

At the same time, the ACLU of Connecticut released “Bargained Away: How Local and State Governments

in Connecticut Have Bargained Away Police Accountability,” a report focused on how pieces of municipal and state police contracts shield police employees from meaningful discipline when they harm people, lock towns into guaranteed year-over-year investments in policing, prevent transparency and accountability for police overall, and at times conflict with state laws. The report also recommended actions for municipal and state policymakers, including for the state legislature to end a state police contract provision that conflicted with freedom of information laws.

As the legislature came in for a special short summer session in July, the message from people across our state was clear: enough was enough. Faced with disinformation and thinly veiled aggression spread by police unions, the ACLU of Connecticut and advocates together pushed the legislature to take action for meaningful police accountability. More than 1,200 ACLU of Connecticut supporters emailed their legislators to tell them to act.

As a result of this advocacy and a courageous effort from the legislature's Black and Puerto Rican caucus, the legislature passed a first step bill that includes: 1) ending stop-and-frisk, the unconstitutional practice that feeds on and perpetuates systemic racism in policing; 2) ensuring police union contracts can no longer supersede open records laws, 3) expanding and centralizing statewide collection of police use of force information; 4) creating an office of Inspector General to investigate and prosecute police who harm and kill Connecticut residents; and 5) requiring police officers to report excessive use of force used by a fellow officer.

Ending police violence will not be solved by any one law, but the law passed by the legislature this year is a first step. As the law faces misinformation, lawsuits, and political attacks from police unions in coordination with the legislature's GOP caucus, we know that the work to defend progress and to make more must continue. The ACLU of Connecticut is committed to ending police violence and racism in policing, and to building a better future where our communities are able to invest in the things that make them strong and safe instead of over-spending on policing. We will hold agencies and officials accountable in upholding and enforcing the laws, push for additional progress, and dedicate staff to building power in impacted communities.



CT VOTERS SUPPORT REALLOCATING MONEY FROM POLICING



In October, the ACLU-CT polled voters in Bridgeport, New Haven, and Hartford – the majority of whom were people of color – about their views on policing.

74% support ending police presence in K-12 schools and putting that money into counselors, social workers, nurses, special education teachers and programming

80% support creating a new department of community well-being and safety, separate from police, that responds to emergencies with counselors, social workers, and health workers to deal with issues like homelessness, mental health issues, and drug addiction instead of having police handle them

81% support reallocating money from policing to instead go to other valued public services

52% said they or someone they know had been harmed or harassed by police



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THANK YOU

for joining us in the fight for liberty, justice, and equality in Connecticut.
You make progress possible.