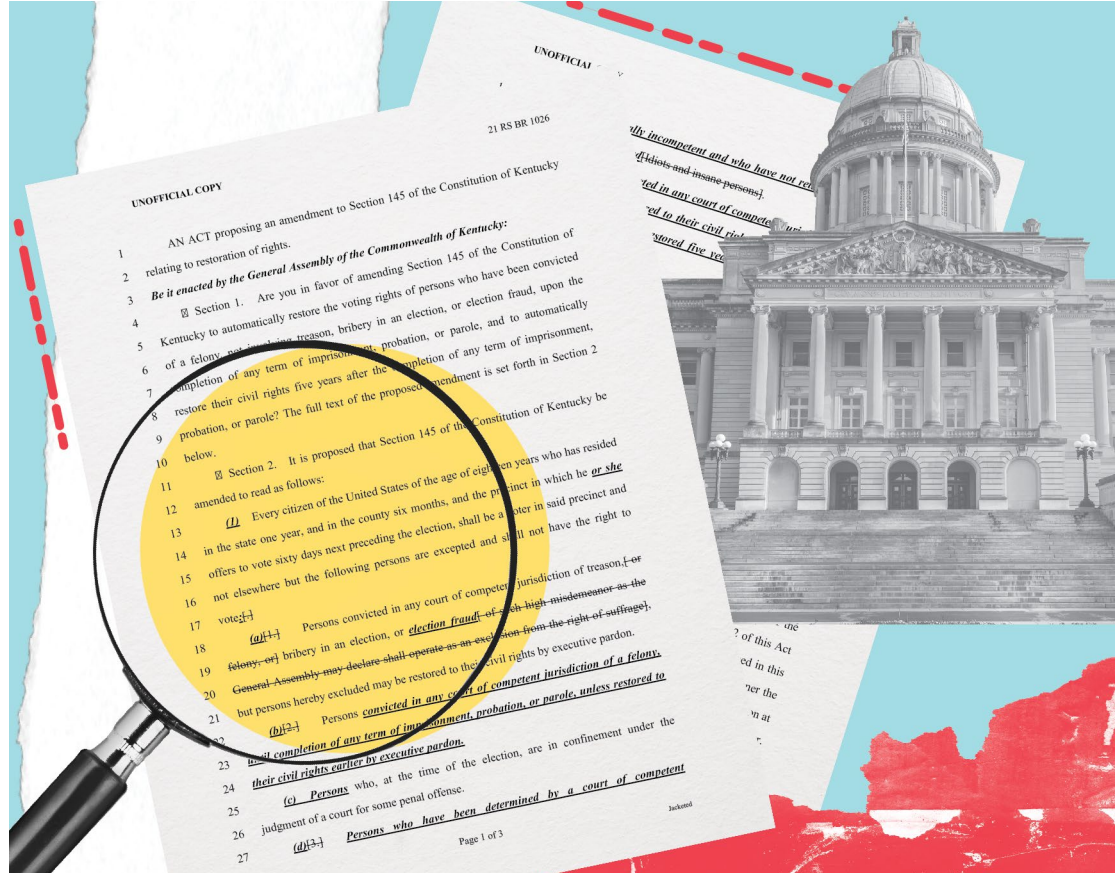




THE TORCH

Winter 2021 Newsletter of the American Civil Liberties Union of Kentucky



COVID-19 & CIVIL LIBERTIES

The COVID-19 pandemic continues to challenge us as an organization and a commonwealth. The ACLU-KY team is working remotely to keep our staff and families as safe as possible. We have transitioned to fully virtual meetings and taken steps to ensure our interactions with partner organizations are healthy and protected.

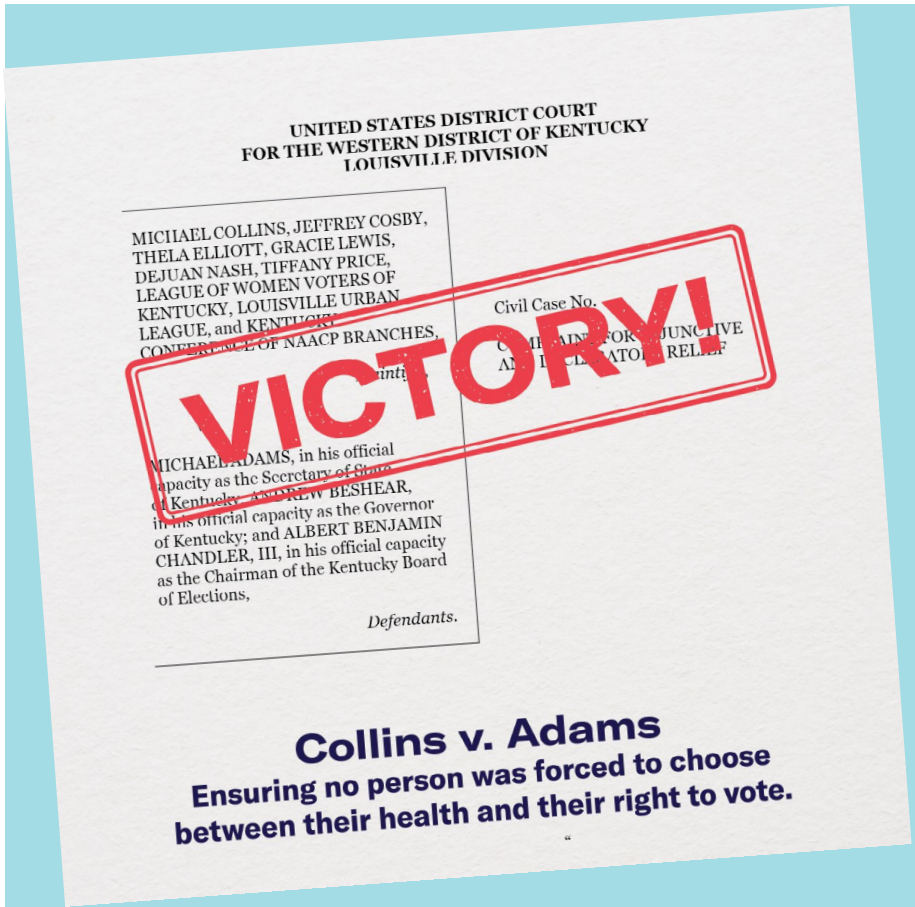
However different things may look this year, the work never stops. “We The People” must mean all of us, so the ACLU-KY staff presses on, continuing to focus on protecting civil liberties for all.

DURING THIS PANDEMIC, WE HAVE FOCUSED ON:

COVID-19 In Jails and Prisons

Incarcerated people are some of the most vulnerable to the virus due to cramped conditions and inadequate supplies. These dangerous conditions risk their safety, and also increase community spread when employees move in and out. Since the start of the pandemic, we have advocated to reduce crowding, demanded incarcerated people and corrections officers have the supplies they need, and filed legal actions. Most recently, we joined 32 other organizations calling on cabinet officials to reduce administrative hurdles for formerly incarcerated Kentuckians enrolling in Medicaid. Fair access to healthcare is as important as ever due to the pandemic.





Free, Fair and Safe Elections

We worked closely with state elections officials who adopted our recommendations that allowed Kentuckians to safely and easily participate in the June 23, 2020, primary election. After helping secure an agreement for the primary, we filed a lawsuit demanding these safety measures be extended to the General Election on November 3, 2020, so no Kentuckian would be forced to choose between their health and right to vote.

We filed a motion to dismiss our lawsuit after Secretary of State Adams, Governor Beshear, and the Board of Elections implemented emergency election procedures for the November election. Thanks to these protections, Kentuckians had more options than ever before and were able to safely cast their ballots.

Protecting Immigrant Communities

People and their families must feel safe to leave their homes and seek medical care or gather the necessary supplies to keep their families safe. Racist political attacks, like lawmakers' recent attempt to pass a family separation bill, push Kentuckians of color – regardless of immigration status – into the shadows. We can only stop this pandemic if all people have access to and feel safe seeking COVID-19 testing and treatment, and are able to gather the necessary supplies to stay healthy at home.

See all of our COVID-19 actions and learn more at [ACLU-KY.org/Covid19](https://aclu-ky.org/Covid19)

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- Keturah Herron, Policy Strategist
- Marcus Jackson, Organizing Coordinator
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- Samuel Crankshaw, Communications Manager

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- Jay Todd Richey, Development Assistant

Legal

- Corey Shapiro, Legal Director
- Heather Gatnarek, Staff Attorney
- Mashayla Hays, Legal Fellow
- Tracy Martin-Wray, Legal Assistant
- Aaron Tucek, Legal Fellow



← Demonstrators in Louisville during the Summer 2020 racial justice protests

LEGAL UPDATE

As we adjusted to working from home and pivoted strategies with each new challenge, our legal program continued defending civil liberties throughout the commonwealth.

Voting rights

Along with other voting rights advocates, we filed suit in federal court to ensure all Kentuckians could vote safely in the General Election and without fear of contracting COVID-19. After the Secretary of State and Governor approved new regulations that largely aligned with our demands to expand mail-in absentee and early in-person voting, we voluntarily withdrew our case. At the same time we were fighting in court, we were also working with Election Protection, a national group of voting rights experts, to ensure voters knew their rights and that those rights were protected. Our legal and advocacy teams worked together

to implement a robust Election Protection program for the first time in the affiliate's history. They checked in at in-person polling places, monitored reports and calls to the Election Protection Hotline, and were prepared to file emergency litigation if necessary.

Reproductive Freedom

The Sixth Circuit for the U.S. Court of Appeals in June affirmed a lower court ruling that struck down a Kentucky law banning physicians from using a safe and medically-proven abortion method. The District Court blocked this law in May 2019, and the state appealed. Signed into law in April 2018, this restriction would have overruled medical providers' best judgment. This would have effectively banned abortion care for people in very common circumstances, forcing patients to travel hundreds of miles out of state or forgo care entirely.

Police Practices

As Kentuckians took to the streets demanding justice for Breonna Taylor and declaring Black lives matter, Louisville Metro Police Department (LMPD) met peaceful demonstrations with violence. We filed a lawsuit against the City of Louisville and LMPD for using chemical agents and dangerous crowd-control methods against peaceful protesters. The City sought to dismiss the case in November, but the court ruled the case has merit and will continue.

Public Figures and Social Media

We secured another victory in August when the Governor's office settled our case challenging the past administration's practice of permanently blocking people from official government social media pages.

Following the settlement, Governor Beshear's administration will adopt a new social media policy that allows vigorous and robust public discourse on the Governor's official social media pages, consistent with commenters' First Amendment rights and right to access public information.

Other work

Not all our work was as successful as we would have liked. In August, the courts denied relief to medically-vulnerable people incarcerated at the Kentucky Correctional Institution for Women. The ruling came as COVID-19 cases surged across Kentucky; cases continue to climb inside the state's prisons and jails. Together with our advocacy team, we continue to press for Executive Branch action to protect these vulnerable Kentuckians.



LEGISLATIVE OVERVIEW

The Kentucky General Assembly convened on January 5, 2021, and will be in session until the end of March. The ACLU-KY advocacy team is working with lawmakers while the legal team analyzes bills and the communications team engages our members, supporters, and advocates.

During the 2021 session, we will focus on several key areas, from LGBTQ equality to justice reform to reproductive freedom. Some priority bills include:

- allowing people with past felony convictions to utilize Kentucky Educational Excellence Scholarship funds for higher education
- modernizing the felony theft threshold
- permanently restoring voting rights to people with past felonies
- reducing racial disparities in maternal health
- maintaining Kentucky's robust government transparency laws
- defending access to constitutionally-protected abortion care

Keturah Herron is working closely with a broad coalition of lawmakers to advance Breonna's Law.

The reproductive freedom project is focused on several proactive pieces of legislation, including bills on maternal health, pregnancy and incarceration, and paid family and medical leave. We will also continue to defend Kentuckians' right to access abortion care.

[View our full legislative agenda at ACLU-KY.org/Legislation](https://www.aclu-ky.org/legislation)

ADVOCACY UPDATE

This past summer, the eyes of the world looked upon Louisville. Policy Strategist Keturah Herron led the charge for Justice for Breonna Taylor. She worked with Louisville councilmembers who unanimously passed "Breonna's Law," banning Louisville Metro Police Department (LMPD) from using no-knock warrants.

Keturah is now working on a bill to take Breonna's Law statewide. Additionally, our legal team filed a complaint in federal court against LMPD for their repeated use of force and intimidation against peaceful protestors.

Toward the end of the summer, we launched our first-ever widespread voter engagement campaign. To help with this effort, we welcomed Campaign Coordinator Heather Ayer and Organizing Coordinator Marcus Jackson to the team.

They mobilized the 175,000 Kentuckians with past felony convictions whose voting rights were restored in 2019 by Governor Beshear. Together, they recruited 56 volunteers who sent 170,003 text messages. They also worked with the communications team to send over 240,000 mailers, develop digital ads, and create bus ads and billboards placed throughout the commonwealth.

After the election, we took a moment to rest and then immediately turned our focus to the road ahead. Despite our many successes this year, state lawmakers who frequently support bills that erode civil liberties expanded their majorities in Frankfort. No matter which party or politician holds power, ACLU-KY is committed to holding the government accountable to the people.

Smart Justice Advocates

The Smart Justice Advocates (SJAs) are a statewide coalition of Kentuckians who have direct experiences with the criminal legal system. They share personal stories, lived experiences, and offer solutions to existing issues. In 2021, SJAs will meet with legislators to discuss topics such as criminal justice reform, ACLU-KY priority legislation, and the future of justice reform in Kentucky.

GET INVOLVED!

Volunteers like you make our work possible. There are a number of ways to volunteer your time and skills, from administrative support to campaigning to simply sharing our social media posts.



Volunteer

Do you have time to help stuff envelopes? Make calls for a phone bank? Have special IT or research skills? Fill out our volunteer form at [ACLU-KY.org/Act](https://www.aclu-ky.org/Act).



Speak out

Make your voice heard! Sign a petition, meet with your legislators, write an op-ed, or attend a virtual rally day. Visit [ACLU-KY.org/Act](https://www.aclu-ky.org/Act) and [ACLU-KY.org/Events](https://www.aclu-ky.org/Events) to get involved.



Textbank

The ACLU of Kentucky launched its first-ever textbank in the run up to the 2020 General Election. Our volunteers sent over 170,000 text messages to Kentucky voters.

We are continuing textbanks through the 2021 legislative session. Visit [ACLU-KY.org/Events](https://www.aclu-ky.org/Events) to find a text bank and sign up.

Text banking is like phone banking, but you do not use your phone or phone number. We have an online platform that's free, easy to use, and is not connected to your phone or any personal information. When you textbank with us you will be given a thorough training before starting. You will also be given a script and fact sheet on the topic of the textbank. Most textbanks will focus on encouraging Kentuckians to contact their legislators about specific bills. The best part is that you can do it from your own home!



Recruit Your Friends!

As with anything, volunteering is more fun with friends! Recruit your neighbors, family, and friends to textbank with you, complete the volunteer form, or contact their legislators. The more Kentuckians engaged, the more collective power we have as *We The People!*

ELECTION 2020 BY THE NUMBERS

In the runup to the 2020 General Election, our advocacy, communications, and legal teams worked overtime to make sure every eligible voter knew how to cast a ballot and that all voters' rights were upheld.

175,000
Kentuckians'
voting rights restored

170,003
text messages sent

56
volunteers

240,000
postcards sent

2.2M+
people reached
on Facebook

20,000
visits to our online Voter
Information Center

262
stories in Kentucky
news mentioning our
election work

Stay Up To Date:

- Follow @ACLUofKY on Facebook, Twitter, and Instagram for the latest information
- View upcoming events at [ACLU-KY.org/Events](https://www.aclu-ky.org/Events)
- Sign up for email action alerts at [ACLU-KY.org](https://www.aclu-ky.org) at the top of the page

NEW STAFF



Heather Ayer
Campaign Coordinator
she/her

Heather joined the team as Campaign Coordinator in July 2020. She helped launch our voter engagement campaign before the General Election. She has built upon that work to engage our volunteer base in the 2021 legislative session. She trains volunteers to phonebank, textbank, contact legislators, and use their collective power to make the change they want to see in their communities.



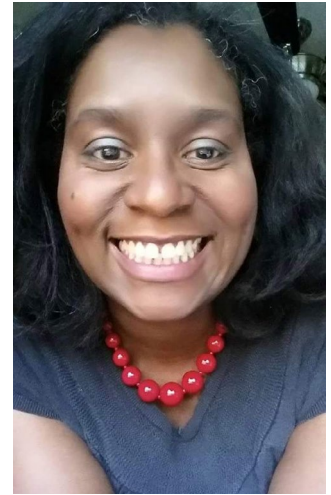
Angela Cooper
Communications Director
she/her

Angela joined the ACLU of Kentucky as Communications Director in October 2020. Angela's focus is on planning, supervising and executing the ACLU of Kentucky's communications strategies. She works to determine messaging and strategy to promote the ACLU of Kentucky's brand, litigation and advocacy work.



Marcus Jackson
Organizing Coordinator
he/him

Marcus Jackson, a Kentucky native and advocate for criminal justice reform, joined the ACLU of Kentucky in July 2020. Marcus' passion for criminal justice reform began through personal experiences and witnessing the disparities of the current criminal legal system. His experiences led to his belief in a more common-sense approach to sentencing and the successful reintegration of returning citizens.



Tracy Martin-Wray
Legal Assistant
she/her

Tracy joined the ACLU-KY team in October 2020. She previously worked in the transportation industry both domestically and overseas for over a decade. After being injured on the job, she earned her degree in paralegal studies from Eastern Kentucky University. She worked in corporate law as an intellectual properties paralegal before joining ACLU-KY.

SUPPORT OUR WORK

It has been a busy year for the ACLU of Kentucky and there is no sign the work will let up. Will you help defend civil liberties by making a contribution?

Your contribution will have an immediate impact on the ACLU of Kentucky's work, from helping us keep the doors open at Kentucky's last abortion care providers to easing overcrowding in jails and prisons.

With your support last year, we had the resources to face unprecedented challenges on state and national levels. As we continue through the legislative session, we hope you will renew your commitment and support our work defending liberty and democracy.

Visit [ACLU-KY.org](https://www.aclu-ky.org)/Give to:

- Make a tax-deductible donation online
- Honor or remember someone special by making a gift in their name
- Renew your membership for 2021 or give the gift of membership to someone special

Contact Development Assistant Jay Todd Richey at Jay@ACLU-KY.org or 502-209-7394 to:

- Become a sustainer and have an automatic monthly tax-deductible donation charged to your credit card
- Donate over the phone

Contact Executive Director Michael Aldridge at Michael@ACLU-KY.org to:

- Consider planned giving through your will or trust to establish a legacy gift that will sustain our work

Our Development Director, Charlene Buckles, is currently out on maternity leave. Congratulations, Buckles family!



Savanah Taylor
Executive Administrator
she/her

Savanah Taylor is a proud Affrilachian who joined ACLU-KY in October 2020. She has spent years advocating for underrepresented voices in southern communities. She recently started an advocacy group in her hometown in Virginia to educate and support rural communities fighting against injustice and inequity. Savannah has lived throughout the United States and Europe. Her travels have instilled in her the importance of multifaceted ideas and experiences.



Volunteer spotlight: Danny Fugate

Danny Fugate worked in assisted housing for the City of Paducah for 30 years. He started volunteering for the ACLU of Kentucky when Organizing Coordinator Marcus Jackson reached out and asked if he would like to help connect with Kentuckians whose voting rights were restored. Danny, a lifetime member of the NAACP, had always thought of the ACLU as a

legal organization. He was excited to learn of ACLU-KY's hands-on advocacy and was encouraged by outreach in the eastern and western parts of the state. Danny is appreciative of ACLU-KY's efforts to humanize voting rights restoration work.



Kentucky

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INSIDE: 2021 LEGISLATIVE PRIORITIES, LEGAL UPDATE, AND NEW STAFF

SAVE THE DATES



**WE
THE
PEOPLE
2021**

Saturday, March 20, 2021
Virtual dinner to support ACLU-KY and
Fairness Campaign.

FEATURING:
Gov. Andy Beshear
Congressman John
Yarmuth
Representative
Attica Scott

MUSICAL GUESTS:
Yer Girlfriend
Robbie Bartlett
DJ Syimone



**ANNUAL
MEETING**

Thursday, April 15, 2021

FEATURING:
Angela Davis
Local performers
Staff updates

[View all upcoming events at ACLU-KY.org/Events](https://www.aclu-ky.org/events)