

# ACQUA THE TORCH

Kentucky

YOUR

EXISTENCE

IS

POWER

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ABOUT THE COVER ARTIST



# EXECUTIVE DIRECTOR UPDATE

## A Note from Amber Duke

On March 5, we marked the 60th anniversary of Dr. Martin Luther King, Jr.'s historic March on Frankfort by walking in his footsteps from the Capital City Museum to the steps of the Capitol.

I was honored to be one of several leaders asked to speak to the crowd. As I thought about what to say, I was reminded that even after 10,000 people marched in support of the Kentucky Civil Rights Act in 1964, that bill was defeated during that year's legislative session.

Despite this blow, the original March on Frankfort organizers kept organizing. People kept marching in their communities. Legislators kept talking to their colleagues. And in 1966, nearly a year and a half later after the first March on Frankfort, the Kentucky Civil Rights Act was finally signed into law, making Kentucky — as Dr. King once said — a “great beacon light of hope.”

This lesson in perseverance is one we took to heart during this legislative session. The Kentucky General Assembly is often hostile to our efforts to pass legislation that protects Kentuckians' civil liberties, especially for the most vulnerable and marginalized among us, but our spirits aren't weakened. We won't be deterred.

This year, much of our work centered on preventing harmful bills from becoming law. One of the most controversial bills to come out of this legislative session is House Bill 5. Its nickname, the “Safer” Kentucky Act, is a misnomer, as it does nothing to keep Kentuckians safe. This bill relies on disproven



strategies from the War on Drugs that will increase the dangerous overcrowding crisis in our jails and prisons, unfairly target communities of color, and punish houseless Kentuckians. When old, failed policies reappear behind a tough-on-crime façade, communities will suffer, but we stand ready to help mitigate that suffering in the years to come. Our legal team remains vigilant in reviewing aspects of any legislation passed this session that may be susceptible to legal challenges.

While Kentucky remains a forced pregnancy state, our advocacy team worked around the clock throughout session to prevent more anti-science propaganda from making its way into our laws, and to support proactive maternal health policies like paid leave and a “Momnibus” bill with modernized policy solutions for new parents. We will continue our efforts to improve maternal health care as we await the opportunity to challenge Kentucky's abortion bans in state court.

We were also proud to stand with several other organizations to oppose anti-DEI and anti-LGBTQ+ measures. Racism and bigotry have no place in Kentucky, and it is our diversity that makes us strong. Ultimately legislators' efforts to target LGBTQ+ rights and DEI initiatives failed; another reminder that stopping harmful legislation is just as imperative as passing proactive legislation.

While the legislative session has been our primary focus so far this year, our harm reduction and relief work extend far beyond the Kentucky legislature. For the second time, the ACLU of Kentucky and Stakeholders for Change at Louisville Metro Department of Corrections (LMDC) worked with justice partners to facilitate amnesty dockets for those with outstanding bench warrants for low-level and nonviolent offenses in Jefferson County. During the 3-day docket, over 300 cases were cleared, easing the workload of the courts and circuit clerk's office and giving 174 Kentuckians a fresh start to 2024. Several judges remarked on how fulfilling it was to offer people a fresh start and a chance to clear their business with the court. We were proud to partner with the Coalition for the Homeless to raise funds and clear restitution for those seeking relief from insurmountable financial burdens.

The work of protecting Kentuckians' civil liberties also requires us to look inward. The ACLU of Kentucky staff and board met for a two-day strategic planning retreat to ensure we are equipped and aligned to do this work for years to come. We will finalize a 3-5 year plan that will build on our successes and set the stage for continued progress in our priority areas. This plan will provide the foundation for building a stronger ACLU and, ultimately, a stronger Commonwealth.

Thank you for continuing to stand with us as we work to once again make Kentucky “a great beacon light of hope.”



In solidarity,

A handwritten signature in black ink that reads "Amber G. Duke".

Amber G. Duke



## INTRODUCING T GONZALEZ

### A Note from our New Deputy Director

As a person who is always interested in the “how” of things, I am excited to join the exceptional team at the ACLU of Kentucky to help focus our strengths and achieve collaborative goals. I am currently getting to know all members of our staff and identifying their unique strengths. I feel privileged to work with the organization's first Black executive director and support her vision for our future.

Racial justice isn't just a goal we are trying to achieve; it is also how we do our work. In this role, I will always push us as an organization to thoughtfully examine our strategy, policies, and processes through the lens of racial justice.

As Deputy Director, I aim to improve processes across the organization to make our day-to-day work easier and more efficient. I will develop continuous improvement and review processes of our policies to advance equity in our internal operations — because even organizations that excel in this area can improve.

I am looking forward to completing our strategic planning process and supporting the organization in actively working towards the new strategy and goals we will shape together. It's an exciting opportunity to help shape the future of the ACLU of Kentucky, and to support the fight for civil liberties in the Commonwealth.

Finally, I am grateful to each of our members and donors for their support. Thank you for standing alongside us.

In solidarity,

A handwritten signature in black ink that reads "T Gonzalez".

T Gonzales







## JUSTICE REFORM HB 5

This was a tough session for justice reform efforts in Kentucky. House Bill 5 — the “Safer” Kentucky Act — is one of most controversial and regressive justice reform bills the Commonwealth has ever seen.

House Bill 5 makes massive changes to Kentucky’s penal code through tough-on-crime approaches, like harsher and longer prison sentences, and will cost Kentucky taxpayers hundreds of millions of dollars over the next decade. This bill will cause irreparable harm to our houseless neighbors, entrap people with substance use disorder in the justice system, and exacerbate our mass incarceration crisis.

We fought hard against HB 5, and while we were able to modestly amend the measure, it is set to become law. We will fight to mitigate its impacts for years to come.



## SMART JUSTICE ADVOCATES

Despite a tough year for justice reform, more people than ever attend our Smart Justice Advocates Lobby Days! Around 30 Smart Justice Advocates — our group of justice-involved volunteers — visited with 16 legislators to share their personal experiences with the justice system and how lawmakers can create better reentry policies, organized against HB 5, and advocated for Clean Slate legislation through a letter writing campaign.

## CLEAN SLATE

A criminal record shouldn’t be a life sentence to poverty, but having one can keep people from accessing housing, education, and employment opportunities, long after their sentence is completed. Only 6.5% of people eligible to have their records expunged complete the process because it is lengthy, confusing, and prohibitively expensive.

That’s why we worked with the Clean Slate Initiative this session to bring legislation that automates portions of the expungement process to Kentucky.

Despite bipartisan support for SB 218 and HB 569, these Clean Slate bills won’t become law this year. We plan to bring Clean Slate legislation again next year to ensure eligible Kentuckians have every opportunity to thrive in our state.



# 2024 GENERAL ASSEMBLY RECAP

During this year’s session, we focused on justice reform and reproductive freedom by advocating for policies that assist people reentering their communities after incarceration, address our state’s maternal health crisis, and provide more opportunities for paid parental leave.

We also supported partners like the Fairness Campaign to fight anti-LGBTQ+ bills, and Louisville Urban League to fight anti-DEI bills. We amplified messaging against an anti-Fairness Ordinance bill, this year’s anti-drag bill, a healthcare discrimination bill and anti-DEI bills SB 6, HB 9, and SB 93, which would have scrubbed diversity, equity, and inclusion from almost every educational institution in the Commonwealth.

We’re thrilled none of these anti-LGBTQ+ or anti-DEI bills made it across the finish line this session.

Just like every year, we don’t do this work alone. The Kentucky General Assembly isn’t just for lawmakers and lobbyists — it’s a place where every Kentuckian must make their voices heard for change. Around 50 volunteers participated in our Mini Lobby Days, for nearly 100 total meetings with legislators. We even had Mini Lobby Day participants secure “yes” votes and co-sponsorship from legislators on two of our priority bills this year!

We’re grateful to all who helped us protect Kentuckians’ civil liberties. We do this work for ALL Kentuckians. We do this work for you.

NUMBER OF SESSION  
DAYS:  
60

NUMBER OF BILLS FILED:  
1659

NUMBER OF BILLS  
TRACKED:  
974

NUMBER OF LEGISLATOR  
MEETINGS:  
90

NUMBER OF  
VOLUNTEERS ENGAGED:  
609

NUMBER OF TEXTS SENT:  
30,115

NUMBER OF ACTION  
FORMS:  
8

NUMBER OF PEOPLE  
WHO FILLED OUT ACTION  
FORMS:  
895



## REPRODUCTIVE FREEDOM NORTH STAR BILL

Kentucky remains a forced pregnancy state, and we'll never stop fighting to restore abortion access in the Commonwealth. That's why we were proud to stand with a group of legislators who filed HB 428, the North Star Abortion Bill.

House Bill 428 would undo most anti-abortion legislation and restore access to abortion care in Kentucky. We'll continue to support the North Star Bill until it becomes law and access to abortion is restored in the Commonwealth permanently.

## THE "MOMNIBUS" BILL

As a state with some of the worst maternal health outcomes in the US, it's clear Kentucky families need more support. That's why we were proud supporters of House Bill 10, the "Momnibus" bill, which makes pregnancy a qualifying event for insurance, expands access to lactation counseling and safe sleep education, and studies the role of doulas in the birth process. In the eleventh hour, HB 10 was tacked on to SB 74, another maternal health bill, and is set to become law!

## PAID LEAVE

No one should have to choose between their family and a paycheck, and it's past time for more Kentuckians to have access to paid leave. That's why we advocated for two important paid leave bills this session: HB 179 and SB 142.

Senate Bill 142 would have granted state workers four weeks of paid parental leave. While SB 142 didn't become law this year, it received bipartisan support, passed out of its original chamber, and laid the groundwork for more access to paid leave in the coming years.

House Bill 179 is a technical bill that creates an insurance product supporting paid leave in Kentucky. We're thrilled HB 179 passed this year, as it is an important piece in the paid leave puzzle.

For more information about the 2024 legislative session, visit: [bit.ly/2024LegeWrapUp](https://bit.ly/2024LegeWrapUp)

## STATEWIDE REPRODUCTIVE FREEDOM ORGANIZING

This year we kicked off our statewide reproductive freedom organizing campaign. Local action teams develop rapid response activities and proactive organizing strategies alongside ACLU-KY staff. During session, local action teams:

- **held 4 monthly meetings;**
- **held 4 RFP Mini Lobby Days and an abortion access rally in conjunction with other orgs;**
- **held 2 Action All-Call events: one for paid leave and one for the Momnibus bill;**
- **reached out to legislators to help whip votes for paid leave;**
- **held text banks to support paid leave and Momnibus bills in a variety of legislative districts;**
- **activated people to write emails to their legislators about paid leave, Momnibus, and North Star Abortion Bills;**
- **and collected paid leave and maternal health stories from volunteers.**

We're grateful to all our RFP volunteers and look forward to expanding our efforts throughout this year and the next legislative session.



Mattie Jones, a Louisville-based civil rights activist, laughs with ACLU-KY Executive Director Amber Duke at the 60th anniversary of the March on Frankfort on March 5, 2024. Jones also marched alongside Martin Luther King, Jr. in the original March on Frankfort in 1964.







# WE 20 THE 24 PEOPLE

**TOTAL  
RAISED:  
\$266,580**

**NUMBER OF  
DOANTIONS:  
380**

**NUMBER OF  
ATTENDEES:  
414**

**NUMBER OF  
VOLUNTEERS:  
13**

Over tables of delicious food and drink and surrounded by community partners and allies, with our hosts Susan Hershberg and Wiltshire Pantry, we surpassed our goal and raised \$266,580 for ACLU-KY and the Fairness Campaign at this year's We The People dinner!

But more importantly than dollar amounts, We The People is our chance to be in community with our treasured partners and allies. It's no secret that we are often fighting an uphill battle in Frankfort and beyond. The We The People Dinner comes at a much-needed time at the end of the legislative session when we can breathe together, laugh together, and feed our souls together.

This year we celebrated 25 years of Louisville's Fairness Ordinance and 35 years of Wiltshire Pantry. We also honored the life of David Williams, the owner of Magnolia's Florals, who donated his time, talents, and gorgeous floral arrangements to the We The People dinner for years. David passed away less than a week before this year's event.

We're so grateful to our supporters, without whom we truly could not protect Kentuckians against continued attacks on reproductive freedom, LGBTQ+ rights, and DEI.

To all our supporters and partners in this work: thank you.



# DEVELOPMENT UPDATE

## A Note from Charlene Buckles

Looking back at the fiscal year 2024, our development team made huge strides in activating our supporters and members throughout the state of Kentucky.

Much of our funding comes from national foundations via restricted multi-year grants and support from the National ACLU. However, our priority, and the most sustainable way to ensure we can continue this work in perpetuity, is to directly engage those with the most at stake: Kentuckians.

We have over 6,000 ACLU-KY members who fund our 501(c)(4) advocacy and over 1,000 ACLU-KY Foundation individual donors who fund our public education and legal program through our 501(c)(3). We know when we continue to partner and activate Kentuckians from all parts of the state, we can become a stronger ACLU-KY for years to come that protects and expands rights for all in the Commonwealth.



With gratitude,

Charlene Buckles

## BECOME A CARD-CARRYING MEMBER

You can join the ACLU of Kentucky for as little as \$5. With you by our side, we can continue fighting to protect the rights guaranteed to every Kentuckian under the US and Kentucky Constitutions. As a member of the ACLU of Kentucky, your dues will directly support our work in Frankfort, local municipalities, and communities throughout the Commonwealth. Memberships are not tax-deductible and support our non-partisan legislative work funded by our 501(c)(4).

Become a member at [ACLU-KY.org/Join](https://aclu-ky.org/Join). Memberships cannot be processed using the enclosed remittance envelope.



## SUPPORT OUR WORK WITH A TAX-DEDUCTIBLE DONATION

Make a tax-deductible gift today to our 501(c)(3), the ACLU of Kentucky Foundation, to support our work.

### CHECK, ONLINE, PHONE

- Make a gift by check to: ACLU of Kentucky Foundation, 325 W. Main St., Ste. 2210, Louisville, KY 40202
- Give online at [aclu-ky.org/give](https://aclu-ky.org/give)
- Set up a call to donate by phone by emailing Chloe Treat at [chloe@aclu-ky.org](mailto:chloe@aclu-ky.org)

### STOCK

Donate stock or other securities such as bonds or mutual funds. For information, contact Charlene Buckles at [charlene@aclu-ky.org](mailto:charlene@aclu-ky.org).

\*Note: when your stock is transferred to our account, we do not receive any information that identifies you as the donor. Please notify Charlene Buckles at [charlene@aclu-ky.org](mailto:charlene@aclu-ky.org) when you transfer stock and provide the following information:

- Name of the stock
- Number of shares
- Your name and address

## DONOR ADVISED FUND (DAF)

Make an immediate impact on civil rights and civil liberties in Kentucky through your DAF. We are eligible to receive distributions from most DAFs.

Our tax identification number is 61-6058569.

Our mailing address is: ACLU of Kentucky Foundation, 325 W. Main St., Ste. 2210, Louisville, KY 40202.

## LEGACY GIVING

Remember us with a bequest to ensure our work to defend civil liberties and civil rights endures beyond your lifetime. For more about bequests, contact Charlene Buckles at [charlene@aclu-ky.org](mailto:charlene@aclu-ky.org).

## OTHER WAYS TO GIVE

- Support our work with a monthly, sustaining gift
- Honor or remember someone special by making a gift in their name

SCAN HERE TO DONATE NOW





# LEGAL UPDATE

## DOE V THORNBURY

The Supreme Court of the United States has yet to decide whether to hear our case against the Commonwealth of Kentucky to allow transgender youth to receive necessary medical care. The ACLU of Kentucky and National Center for Lesbian Rights, on behalf of Kentucky parents, asked the Court to overturn a decision by the Sixth Circuit Court of Appeals upholding Kentucky’s ban on medically necessary care for transgender youth. We filed simultaneously with the ACLU of Tennessee and their partners, where a similar ban was also upheld by the Sixth Circuit, in November 2023.

We are still hopeful the Court will choose to review the Sixth Circuit’s decision. If the Court refuses to hear our arguments, we will continue to litigate the case in Federal trial court.

The law, also known as Senate Bill 150, prohibits the prescription of puberty blockers and hormone therapy to minor children, even with the informed consent of their parents. The law also forces transgender youth who have been receiving care to stop following their prescribed treatment plan.

We remain honored to represent the Kentucky families who are fighting so bravely for their children’s right to health care. The Plaintiffs in the case are six transgender youth and their families, represented by the ACLU of Kentucky, NCLR, Morgan, Lewis, and Bockius LLP, and Jenner & Block LLP.



## SCOTT V LOUISVILLE METRO

There were unprecedented protests in Louisville following the police killing of Breonna Taylor in 2020. The protests were largely peaceful, but Louisville Metro Police Department (LMPD) responded with tear gas, flash bangs, and pepper balls – indiscriminate weapons of war that cannot be limited to an individual.

These types of weapons can and seriously injure people. Many cities were sued for how they responded to protests in the summer of 2020, but Louisville was one of the worst. Louisville is one of just a handful of cities that the Department of Justice (DOJ) investigated, due to the level of violence exacted on the people of Louisville. The DOJ investigation encompassed more than the outsized police response to protesters – it identified a pattern of unconstitutional, unlawful, and racist behavior by LMPD officer across several units.



On behalf of the Kentucky Alliance Against Racism and Political Repression and injured protesters who were inappropriately targeted by police, we sued LMPD, seeking a new policy against using indiscriminate weapons on peaceful protesters.

LMPD does not treat other large-scale events, even other protests, in this manner. The fact that these protesters were advocating for Black people, and against police abuse, made LMPD’s response more egregious.

A Federal judge denied our motion for class certification, but we filed a petition with the Sixth Circuit Court of Appeals asking for them to review that ruling. We will continue to litigate this case on behalf of our clients, and with co-counsel Legal Defense Fund (LDF) and Emery Celli Brinckerhoff Abady Ward & Maazel LLP. We will continue to tell LMPD and Louisville Metro: weapons of war have no place in our city, and we will hold you accountable for your actions.



## UNHOUSED JUSTICE

Our legal team has repeatedly asked Louisville Metro Government to cancel the unconstitutional clearing of unhoused encampments during “White Flag” periods, when extreme heat or cold makes it exceptionally dangerous for people to be left without any protection from the elements. We have also asked the city to establish additional shelters and heating/cooling centers, accessible to unhoused people both day and night, and to distribute care packages containing water, reusable bottles, nonperishable foods, hygiene products, and sun protection.

Unhoused people are at a higher risk of serious illness, hospitalization, or death, even without the extreme temperatures Louisville has experienced in recent months. The city’s encampment sweeps are prohibitions on necessary, life-sustaining conduct essential to survival. During White Flag events, the city suggests two or three shelters for houseless people to rely on. While those shelters may have some space available, there is no guarantee of shelter.

House Bill 5, which is detailed in the Legislative section of this newsletter, will further exacerbate the risk to houseless individuals. The Commonwealth and the city of Louisville must invest in programs and services to address the root causes of homelessness and substance use disorders, rather than try to incarcerate our way to prosperity.

The ACLU of Kentucky signed on to an amicus brief in *Grants Pass v. Johnson*, a case in front of the US Supreme Court that could determine whether penalizing camping on public property can be considered cruel and unusual punishment.

Oral arguments in *Grants Pass v. Johnson* happened earlier this year, and we await the Court’s ruling.



## YOUTH DETENTION CENTERS

In August 2023, ACLU of Kentucky's legal team wrote the Department of Justice requesting they open an investigation into the Adair County Regional Detention Center (ACRD) and/or Kentucky's juvenile detention system writ large.

When the Louisville Metro Youth Detention Center closed in 2019, many children incarcerated in Louisville were transferred to ACRD, nearly 2 hours from their homes and families. Community members and former ACRD employees shared their accounts of witnessing dangerous treatment of youth at ACRD, including:

- children held in lockdown for 24 hours a day without food, mental health treatment, education, or access to religious services;
- children confined to cells for extensive periods of time, against the advice of medical professionals;
- staff withholding medications as a punitive measure;
- staff accusing children of faking mental illness;
- and more.

In addition, ACRD is out of compliance with Kentucky law, because the facility had no ombudsman for most of 2022, so staff had no one to whom they could file complaints.

The juvenile justice system is deeply flawed, and no incarcerated person should be subject to physical or emotional turmoil.

In May 2024, the United States Department of Justice announced a full investigation into Kentucky's juvenile justice system.

## ABORTION LITIGATION

Kentucky remains a forced pregnancy state. If you are pregnant in Kentucky and seeking an abortion, call or text us at (617) 297-7102.

We will do everything we can to restore reproductive freedom in Kentucky.

## AMNESTY COURT 2024

Citizens with outstanding bench warrants for low-level and nonviolent offenses in Jefferson County had an opportunity to resolve their cases without fear of arrest, thanks to the work of a group of government, justice, and community partners.

Three "amnesty dockets" were offered in Jefferson District Court in February 2024. During the 3-day docket, over 300 cases were cleared, easing the workload of the courts and circuit clerk's office, and giving 174 Kentuckians a fresh start by clearing their cases and active bench warrants. Of those who registered for Amnesty Court, 82 percent showed up to get their case or cases resolved.

The ACLU-KY and other community partners and donors raised funds to pay restitution for those who could not afford to do so themselves. We are excited to hold similar dockets in the future.



Amber Duke wears an heirloom memorial portrait pendant with Martin Luther King, Jr. on one side and Robert F. Kennedy on the other at the 60th anniversary of the March on Frankfort. The necklace, given to her by her grandmother, was created after both men were assassinated.



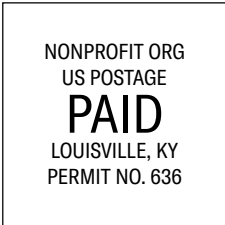




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LEGISLATIVE SESSION REVIEW, ADVOCACY UPDATE, DEVELOPMENT UPDATE, LEGAL UPDATE, MARCH ON FRANKFORT, & WE THE PEOPLE

## SAVE THE DATE

### GIVE FOR GOOD

**Thurs, September 12, 2024: Give For Good 2024**

Give For Good is Louisville’s biggest annual day of giving and one of the best opportunities for individuals to support ACLU-KY! Stay tuned for more information on this year’s Give for Good.

### REPRODUCTIVE FREEDOM PROJECT BENEFIT

**Sun, October 20, 2024: Reproductive Freedom Project Benefit**

Join us at The Speed Museum for our annual Reproductive Freedom Project Benefit! As attacks on bodily autonomy and reproductive freedom continue across the country, and Kentucky remains a forced pregnancy state, we need your support as much as ever to fight back. Follow us on social media for more information about RFP Benefit registration.

## COVER ART

### REBECCA CAVALCANTE (THEY/SHE)

Rebecca Cavalcante (they/she) is a Louisville native, mixed media artist, and community organizer. They have organized with local and national organizations focusing on police, incarceration, and surveillance at every point of the criminal Justice process. Their art is fueled by the energy of community organizing and the radical actions of those who fight to create a better world.

“Intentional Existence” visualizes the power we have when we allow roots to grow, sharing the collective nutrients of the earth and ancestors who fought before us. Revolution begins when ordinary people do extraordinary things, radiating the power hidden within. This and other pieces by Rebecca can be found at Garner Narrative Contemporary Art Gallery in Louisville, KY.