



THE TORCH

Summer 2022 Newsletter of the American Civil Liberties Union of Kentucky



REPRODUCTIVE FREEDOM

In a devastating 6-3 decision, the Supreme Court of the United States overturned *Roe v. Wade* this past June. Kentucky's two remaining clinics temporarily closed, knowing the attorney general would argue he could begin enforcing the state's "trigger law" and six-week ban.

With the end of federal abortion protections under *Roe*, our fight to protect access shifted to state court. We immediately sued in Jefferson

Circuit Court, arguing the Kentucky Constitution protects the rights to privacy, bodily autonomy, and self-determination. The circuit court agreed and granted a restraining order that temporarily blocked Attorney General Cameron from enforcing the bans and allowed both clinics to reopen and resume abortion care.

Cameron attempted to undo this victory twice, and lost both times.





The circuit court then heard arguments from both sides about the constitutional claims in our lawsuit. The court granted a temporary injunction to block enforcement of the abortion bans as our lawsuit plays out in court.

However, Cameron appealed the temporary injunction and a single appeals court judge banned abortion. We immediately fought back, appealing to the Kentucky Supreme Court.

Previous page and outside cover: Kentuckians rally for abortion access hours after the Supreme Court overturned Roe v. Wade and Planned Parenthood v. Casey, Louisville, KY, June 24, 2022.

This page: ACLU-KY Policy Strategist Jackie McGranahan speaks at the Louisville protest on June 24, 2022.

Credit: Samuel Crankshaw, ACLU of Kentucky Foundation

As of this writing, abortion is illegal in Kentucky at all stages of pregnancy and the Supreme Court has yet to rule. Even if we lose this, our lawsuit will continue in circuit court.

This lawsuit has several moving parts and the status of abortion services could change at any moment. Visit [ACLU-KY.org/](https://www.aclu-ky.org/) [KYAbortionCare](https://www.aclu-ky.org/kyaabortioncare) to follow the case and find out what services are currently available.

This fight is far from over — especially with extremist politicians doing everything they can to score political points at the expense of Kentuckians' wellbeing.

Beyond this lawsuit, a constitutional amendment will appear on your ballot in November that would amend the Kentucky Constitution to explicitly state there is

no right to abortion in the commonwealth.

To continue the fight for reproductive freedom, we and other advocacy groups have formed a coalition called Protect Kentucky Access that has launched a public information campaign to defeat this proposal. Voting NO on Amendment 2 will be one of the most important steps in securing the legal right to abortion in Kentucky. We are hopeful following a resounding no vote on a similar proposal in Kansas.

No matter what happens in the courts or with Amendment 2, we will never stop fighting for your right to access abortion care in Kentucky. The government should never have the authority to force a person to remain pregnant against their will.

LOUISVILLE METRO DEPARTMENT OF CORRECTIONS



The ACLU of Kentucky has joined other justice-minded organizations to address the appalling and deadly conditions in Louisville Metro Department of Corrections (LMDC) facilities, where 9 people have died in as many months.

Coalition members have met with the new jail director and created a list of demands for improved conditions in the jail, along with actions that prosecutors, judges, the mayor, and councilmembers can take on their own.

Most recently, the coalition successfully urged the Jefferson County Attorney to implement an amnesty docket. This allowed some people with active bench

warrants to reschedule their cases and have the bench warrant set aside. Thanks to generous anonymous donors, ACLU-KY offered to settle cases for people who only owed restitution. The total amount raised for restitution was over \$292,000.

Bench warrants are typically issued after a person does not appear for a scheduled court appearance or does not pay fines, fees, or restitution. Many people miss court dates because of barriers to transportation, childcare, time off work, and more. When a person has an active bench warrant, police are authorized to arrest them if they come into contact with

the person for any reason. That means getting pulled over for a minor traffic violation could lead to an arrest and incarceration. It is irresponsible and wasteful to incarcerate people and clog an already overburdened court system for these reasons. This practice creates what is essentially a debtor's prison – something that was outlawed by the United States Supreme Court in 1833.

After a successful amnesty period in Jefferson County, it is time for other county attorneys and state officials to implement similar programs at the local and state levels.

[Read more about this program at ACLU-KY.org/AmnestyDocket](https://aclu-ky.org/AmnestyDocket)

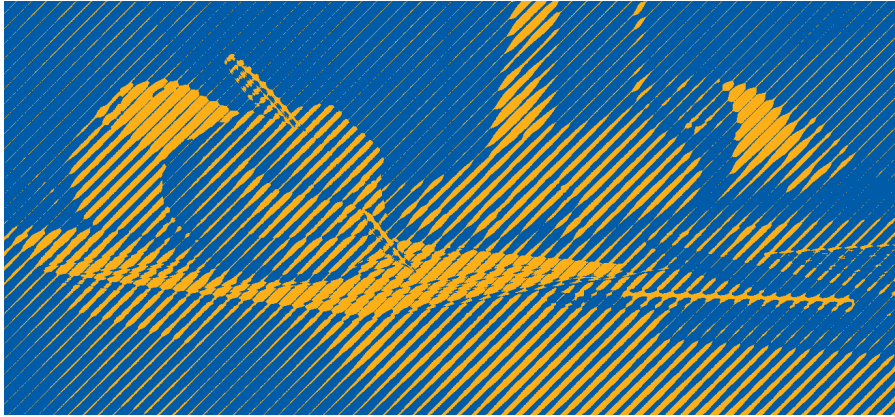
STAFF UPDATE

The ACLU of Kentucky team has returned to the office in a hybrid model. We continue to balance the needs of our staff and their families with guidance from public health professionals to keep our staff and the broader community healthy and safe, and to make our workspace as inclusive as possible to people with higher risks from infection.

The administrative team works

at full capacity to keep the office safely open and support all staff. Our advocacy, communications, and legal teams work in Frankfort during legislative meetings, at community events, in court, and more. The development team has resumed in person meetings with supporters throughout the commonwealth and hosted our first in-person fundraiser since 2019!

Amber Duke continues to serve as interim executive director while the board engages a search firm to locate a permanent executive director. Samuel Crankshaw, Kungu Njuguna, and Corey Shapiro are representing the staff on the search committee.



2022 LEGISLATIVE SESSION

The 2022 legislative session ended in the spring and several new laws took effect in July. The ACLU of Kentucky team is in Frankfort nearly every day during the legislative session working with lawmakers and connecting Kentuckians with their representatives.

The ACLU of Kentucky works closely with Kentuckians who have experiences relating to our work, from people who have faced obstacles to accessing abortion care, experienced incarceration, or faced discrimination based on who they love. We center the voices of those most affected by certain issues because the people closest to the problem often have the best answers.

During the 60-day legislative session, many bills affecting civil rights and liberties made it through some stages of the legislative process and several advanced to the governor's desk.

As expected, lawmakers continued their years-long effort to restrict, if not completely ban, abortion access. They also launched new attacks on LGBTQ kids and student free speech. At the same time, they passed some positive justice reforms.

JUSTICE REFORM

Our team has built a network of grassroots justice reform advocates from all corners of the commonwealth, known as the ACLU of Kentucky Smart Justice Advocates (SJAs). These Kentuckians inform our work and share their experience and expertise with the General Assembly so lawmakers can understand how their decisions affect the everyday lives of other people. SJAs successfully worked with our staff and lawmakers to file a number of priority bills. We also partnered with several other organizations that have shared goals for justice reform.

We successfully stopped harmful bills, such as “persistent felony offender” proposals that institute mandatory minimums and trap people in a cycle of incarceration. We also successfully stopped a bill that would have expanded existing prohibitions on people with some past convictions from utilizing Kentucky Educational Excellence Scholarship (KEES) funds. We will continue fighting to end these prohibitions altogether.

RACIAL JUSTICE

For the first time ever, the CROWN Act (Creating a Respectful and Open World for Natural Hair Act) was heard in and passed out of committee. This would prohibit race-based hair discrimination. No person should lose their job or be sent home from school for how their hair naturally grows out of their head or for how they wear their hair. Local protections have passed in some cities, most recently Covington. It's time for Kentucky

VIEW ALL PRIORITY BILLS FROM THE 2022 LEGISLATIVE SESSION AT [ACLU-KY.ORG/LEGISLATION](https://aclu-ky.org/legislation).

2022 LEGISLATIVE SESSION BY THE NUMBERS

to protect all people from this discriminatory practice, no matter where they live. A student group of musicians, speakers, and advocates known as The Real Young Prodigies testified at the Capitol and played a key role.

VOTING RIGHTS

We advanced bills to permanently restore voting rights to people with felony convictions in their past and will continue this into 2023. Governor Beshear restored rights to roughly 175,000 people in 2019, but that executive order could easily be undone by a future governor. Barring people with past felonies has silenced 25% of Black Kentuckians and roughly 9% of Kentuckians overall.

LGBTQ EQUALITY

Kentucky lawmakers followed disturbing national trends and filed a record number of bills attacking LGBTQ people. Some of the worst went after transgender children.

Senate Bill 83 was enacted into law after the legislature overrode the governor's veto, banning transgender girls from girls' sports from middle school through college. We successfully urged lawmakers to exclude elementary school students from the final version of the bill, but were unable to stop its passage.

Despite this new law, trans and non-binary Kentuckians

still have rights and are protected from discrimination under the U.S. Constitution and federal and state laws. Schools and athletic groups must follow these laws and cannot exclude transgender students from participating fully in school activities.

To all the students who may be affected by this law, we stand by you and we will not stop fighting. You are cherished. You are loved. You belong.

ABOLITION OF THE DEATH PENALTY

After decades of coalition efforts, lawmakers finally banned the use of the death penalty against people with a severe mental illness. This victory is a step in the right direction, but this barbaric practice must be abolished entirely.

REPRODUCTIVE FREEDOM

Despite the dire outlook for abortion access in Kentucky, the legislative session did offer some positive movement for reproductive justice.

A bill extending postpartum Medicaid coverage to 12 months postpartum did not pass, but the substance of the bill was enacted through the budget. Other bills advanced improving employee childcare assistance and extending screenings for postpartum depression.

1164 bills and **475** resolutions filed

273 bills tracked by ACLU-KY, with 30 tagged as priority legislation

69 opposed by ACLU-KY

132 supported by ACLU-KY

69 legislative meetings between directly impacted people and lawmakers

Dozens of meetings between ACLU-KY staff, lawmakers, and government officials

21 committee hearings included testimony from or coordinated by ACLU-KY

310,644 text messages sent by over **50** volunteers in **8** text banks encouraging other Kentuckians to take action

5,300 emails from ACLU-KY supporters to lawmakers

IN CASE YOU MISSED IT

WE THE PEOPLE DINNER

Hosted by Susan Hershberg of Wiltshire Pantry, we joined the Fairness Campaign for the We The People Dinner for the first time in person since March 2019! With strict health protocols in place, community partners, activists, volunteers, elected officials, and staff and board from the Fairness Campaign and ACLU of Kentucky came together at the Speed Museum on March 26, 2022. Featured guests included District 42 Representative Keturah Herron, poet Hannah Drake, Fairness Campaign Executive Director Chris Hartman, ACLU-KY Interim Executive Director Amber Duke, and host Susan Hershberg. Together, the We The People dinner raised a record-breaking \$199,936!

ANNUAL MEETING

We joined the community in Lexington for the 2022 annual meeting – Kentucky Roots, Kentucky Connections – at the historic Lyric Theatre and Cultural Arts Center. Together, we enjoyed poetry readings from Frank X Walker and Danni Quintos over delicious food from DV8 Kitchen. Thank you to the sponsors who made this possible!

Listen to Frank's and Danni's poetry readings at [ACLU-KY.org/AnnualMeeting2022](https://www.aclu-ky.org/AnnualMeeting2022)



The historic Lyric Theatre and Cultural Arts Center in Lexington's East End

SAVE THE DATE

REPRODUCTIVE FREEDOM PROJECT BENEFIT



Reproductive freedom is under attack in Kentucky and nationwide. It will require all Kentuckians joining together to fight back. Reproductive freedom ensures all Kentuckians have the ability to make the best decisions for themselves – whether they need to access abortion care, seek adoption, or give birth. Join us in October to support and learn more about this crucial work.

Sunday, October 23, 2022

Speed Art Museum, Louisville

RSVP today and learn about becoming a sponsor at [ACLU-KY.org/RFP2022](https://aclu-ky.org/RFP2022)

All attendees will be required to mask unless unable or actively eating/drinking. The event will be held in an indoor/outdoor space with plenty of fresh air and outdoor seating.

SEE ALL UPCOMING EVENTS AT [ACLU-KY.ORG/EVENTS](https://aclu-ky.org/events)



GET INVOLVED

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://aclu-ky.org/Act).

After you finish reading this newsletter, pass it on to a friend or family member. They just might read something that inspires them to join our ranks of members and supporters!

Make sure your voice is heard! Sign a petition, meet with your legislators, write an op-ed, or attend a virtual rally day at the capitol.

NEW STAFF AND BOARD

NEW ORGANIZERS

For the first time, the ACLU of Kentucky has community organizers living throughout the commonwealth!

Three organizers living throughout Kentucky joined our team to build deeper connections with communities through our Smart Justice Advocates program. They work with Organizing Coordinator Marcus Jackson to engage Kentuckians with felony convictions in their past and spread the word about restoration of voting rights

Read more about their work at [ACLU-KY.org/SmartJusticeAdvocates](https://aclu-ky.org/SmartJusticeAdvocates)



Gary Jackson

Jackson lives in Paducah, Kentucky, and is a new member of the ACLU of Kentucky Smart Justice Advocates. He is passionate about community organizing and believes strong, organized communities will foster contributing members of society. When he is not working, Gary enjoys spending time with his family and attending his youngest son's basketball games.



Kristia Miller

Kristia lives in Northern Kentucky. She was born in Akron, Ohio, and raised in Somerset, Kentucky, before spending much of her life in Louisville. Kristia has been a member of the ACLU of Kentucky Smart Justice Advocates for several years. When she is not working, Kristia enjoys traveling, baking, and spending time with her grandson.



Brandon Thomas

Thomas lives in Ashland, Kentucky, and has been a member of the ACLU of Kentucky Smart Justice Advocates for several years. He is passionate about reforming our criminal legal system and has lived experience with navigating the collateral consequences associated with past convictions. When he is not working, Brandon enjoys spending time with his two sons and family.

NEW STAFF AND INTERNS

POLICY STRATEGIST



Kungu Njuguna

LEGAL FELLOW



Kaili Moss

SUMMER LEGAL INTERNS



Farrah Alexander



Rachel Utz

Read more about our new teammates and meet the full board and staff at [ACLU-KY.org/OurTeam](https://aclu-ky.org/OurTeam)

See internship and job postings at [ACLU-KY.org/Jobs](https://aclu-ky.org/Jobs) and follow @ACLUofKY on Facebook, Twitter, and Instagram.

Staff

Amber Duke, Interim Executive Director
Savanah Taylor, Executive Administrator
Kate Miller, Advocacy Director
Heather Ayer, Campaign Coordinator
Richelle Harris, Advocacy Administrative Assistant
Gary Jackson, Organizer
Marcus Jackson, Organizing Coordinator
Jackie McGranahan, Policy Strategist
Kristia Miller, Organizer
Kungu Njuguna, Policy Strategist
Brandon Thomas, Organizer
Angela Cooper, Communications Director
Samuel Crankshaw, Communications Manager
Charlene Buckles, Development Director
HR Montgomery, Development Assistant
Jay Todd Richey, Development Officer
Corey Shapiro, Legal Director
Farrah Alexander, Legal Intern
Heather Gatnarek, Staff Attorney
Tracy Martin-Wray, Legal Assistant
Kaili Moss, Legal Fellow
Rachel Utz, Legal Intern

Board of Directors

Soha Saiyed, President
Daniel Kirchner, Vice-President
Dominique Olbert, Treasurer Pro-Tem
Dr. Cherie Dawson-Edwards, National Board Representative and National Deputy Affiliate Equity Officer
Omar Salinas-Chacón, Affiliate Equity Officer
Kelsie Smithson, Secretary
Cody Angel
Shadonna Banks
Sofia Calleja
Jason Crosby
Shellie Dreistadt
Mary Sharp Hargis
Kendra Holmes
Tim Heine
Stephanie Johnson
Jessica Loving
Emi Ramirez
Terrance Sullivan
Tytianna Wells
JoAnne Wheeler Bland
Curtis Stauffer

SUPPORT OUR WORK

It has been a busy year for the ACLU of Kentucky and there is no sign of the work letting up. As we center the communities and individuals who are often directly impacted by harmful legislation, we hope you continue to partner with us in creating a more perfect union.

Will you help defend civil liberties by making a contribution?

Through your donation, you will contribute to the ACLU of Kentucky's work, from helping us keep the doors open at Kentucky's abortion clinics to collaborating with policymakers to ease overcrowding in our jails and prisons.

With your partnership during the 2022 legislative session, we had the resources to face unprecedented challenges on the state and national levels. We hope you will renew your commitment and support our work defending civil liberties and fundamental rights in Kentucky.

SUPPORT OUR WORK WITH A TAX-DEDUCTIBLE DONATION:

No matter the amount, tax-deductible donations keep our lights on and support a wide variety of legal and organizational work funded by our 501(c)3. Please note that these donations do not make you a member of the ACLU of Kentucky but are tax-deductible.

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

- Make a tax-deductible donation online
- Honor or remember someone special by making a gift in their name

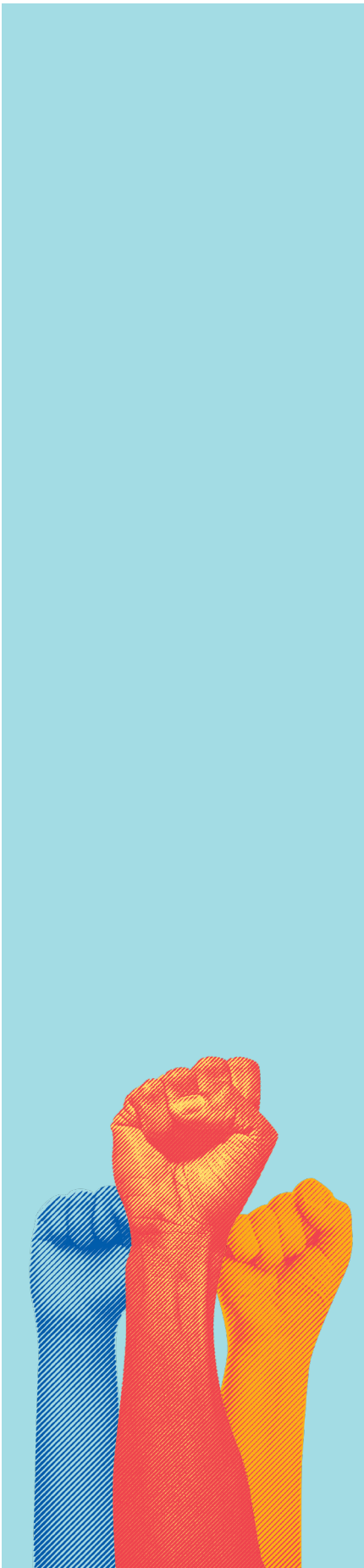
Contact Development Assistant HR Montgomery at hrmontgomery@aclu-ky.org or 502-581-9746 to:

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

Contact Development

Director Charlene Buckles at Charlene@ACLU-KY.org to:

- Donate stock or other securities such as bonds or mutual funds
- Consider planned giving through your will or trust to establish a legacy gift that will sustain our



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 U.S. and Kentucky Constitutions. As a member of the ACLU of Kentucky, your dues will directly support our work in the courts, Frankfort, 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://www.aclu-kentucky.org/join). Memberships cannot be processed using the enclosed remittance envelope.



Activist Spotlight: Fischer Wells

Fischer Wells (she/her) is a transgender middle school student who enjoys playing field hockey with her friends. Fischer and her family traveled to Frankfort several times during the legislative session to testify against two bills banning transgender girls from participating in girls' sports. Fischer's testimony was brave and compelling, and we are grateful to her for her willingness to speak out.

Fischer's testimony rebutted the anti-trans bill's sponsors' rhetoric – that the bill would protect girls in sports and that girls like Fischer were “taking spots” from others. As Fischer's father testified, Fischer didn't take spots, she created them by recruiting almost her entire field hockey team.

Watch Fischer's story at [ACLU-KY.org/Sports](https://www.aclu-kentucky.org/sports).

Stay up to date!

There's a lot going on and it's hard to stay on top of things, but following us can help! Follow @ACLUofKY on Facebook, Twitter, and Instagram for updates on the Kentucky General Assembly, our ongoing lawsuits, how you can get engaged, and more.



Farewell to Keturah Herron

We wish Policy Strategist Keturah Herron farewell and congratulations as she begins the next phase of her career as the representative for Kentucky House District 42. Keturah was elected to serve the district in a special election held after Representative Reginald Meeks announced his retirement.

ACLU

Kentucky

325 W. Main Street
Suite 2210
Louisville, KY 40202

ADDRESS SERVICE REQUESTED



@ACLUofKY
ACLU-KY.org

NONPROFIT ORG
US POSTAGE
PAID
LOUISVILLE, KY
PERMIT NO. 636

INSIDE: 2022 LEGISLATIVE ROUNDUP, LEGAL UPDATE, AND NEW BOARD AND STAFF

