



## TRUMP'S CRUEL AND UNAMERICAN IMMIGRATION POLICIES HERE'S HOW WE ARE FIGHTING BACK

**SOMETIMES** the level of cruelty operating in the world settles in your bones and makes your whole being ache. That's how the ACLU of Colorado staff was feeling as we read accounts of Trump's separation of families and, even worse, heard the pleading wails of children torn from their parents' arms.

In June, I went to Brownsville, TX with a team of volunteers to offer translation services to detained and separated families. I saw so much sadness and injustice, perpetrated by my own government. After Trump signed his vague executive order to reunite families, the ACLU started working at the border and around the country on reunification efforts. We won an order that forced the Trump administration to reunite all children within 30 days and children under 5 within 14 days.

We know that family separation did not end with the signing of a piece of paper, and it won't end until all of the children are returned to their families. We also know, and I saw firsthand, that the Trump Administration's cruel immigration policies go far beyond family separation. Here in Colorado, Immigration and Customs Enforcement (ICE) is terrorizing the immigrant community with impunity. People in our state, under the fear that any contact with public institutions will lead to the breaking apart of their families, are afraid to send their kids to school, receive medical treatment, report crimes, or cooperate with law enforcement.

Here's how we are fighting back:

- In March, we won a court order stopping El Paso County Sheriff Bill Elder from holding prisoners in his jail for ICE. The ruling confirmed that Colorado sheriffs have no legal authority to enforce federal immigration law and that when individuals have posted bond or resolved their criminal case, they must be released. Colorado sheriffs swear an oath to the Constitution, not to ICE.
- We filed a Freedom of Information Act request to determine the circumstances that led to the death of Kamyar Samimi, a prisoner



Mother and child seeking assistance at a humanitarian center in McCallen, Texas.

***"This is a multi-front battle—one that the ACLU has the legal, policy, and grassroots power to fight."***

who died under mysterious circumstances two weeks after he was taken into custody at the for-profit GEO immigration detention center in Aurora.

- We successfully defended Shauna Johnson, a mother of two who was threatened with jail time for writing "STOP PUTTING KIDS IN CAGES" in chalk on the sidewalk outside Rep. Ken Buck's office.
- Working with the People Power network of ACLU volunteer activists and partner organizations, we've organized and hosted "Keep Families Together" rallies around the state to protest family separation and the Trump administration's "Zero Tolerance" policies.
- Our field team has traveled throughout Colorado to train hundreds of Coloradans to know their rights and use them—from children who have ICE knocking on their front doors to government agencies serving immigrant populations to lawyers who want to volunteer their services.
- Denise Maes and our legislative team successfully defeated a bill that would have made public officials personally liable if they opposed using local or state resources for federal immigration enforcement.

- Through phone-banks and action alerts, our activists have sent thousands of emails and calls to the Colorado congressional delegation to encourage them to pass legislation that includes permanent citizenship for Dreamers and reform of our immigration laws that prioritizes the rights and dignity of the undocumented community.

This is a multi-front battle—one that the ACLU has the legal, policy, and grassroots power to fight. You can join us by signing up to receive our activist newsletter at <https://aclu-co.org/volunteer>. Please march and protest with us, phone bank with us, keep showing up and keep fighting back. In Brownsville, I saw the faces of the children and families that we are fighting to protect, and I promise you that it is all worth it.

—Alejandra Garza, Field Director

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Save  
the date:  
September  
27, 2018

## 2018 BILL OF RIGHTS DINNER

### THE RITZ-CARLTON

1881 CURTIS ST., DENVER

Join us as we celebrate our work to protect civil rights and civil liberties for all and honor our 2018 Civil Rights Award Honorees at the ACLU of Colorado Bill of Rights Dinner.

## THIS YEAR'S CIVIL RIGHTS AWARD HONOREES



Emmy for his animated short, *TrafficStop*.

**ALEX LANDAU** is a Colorado-based human rights advocate. He has pioneered many projects, collaborating with organizations locally and nationally. Alex won an



**CHUCK PLUNKETT** is a seasoned journalist. He began writing for *The Denver Post* in 2003, and will soon be directing CU's News Corps program.



**DAVE KRIEGER** is a Colorado-based journalist whose career has provided him with many opportunities, including serving as press secretary to a U.S. senator.



actions across the country.

**AMY ROBERTSON AND TIM FOX** are co-executive directors of CREEC, a civil rights organization based in Denver. They have litigated many civil rights class

For ticket and sponsorship info go to [aclu-co.org/events](http://aclu-co.org/events)

## LETTER FROM THE EXECUTIVE DIRECTOR

# VOTE LIKE YOUR RIGHTS DEPEND ON IT



**I WISH I COULD SAY** that attacks on civil liberties in our nation are slowing down, but the challenges we have faced since the 2016 election have only

grown, from cruel detentions of families and children seeking asylum to expressed admiration for murderous dictators and escalating attacks on the press, the courts, and basic structures of our democracy. The ACLU, both nationally and here in Colorado, has fought the degradation of our constitutional rights at every turn, and with your support and engagement keeping us strong *we will not stop*.

One of the most critical structures of our democracy—elections—will be tested again on Nov. 6 this year. Because so much hinges on these elections, the ACLU of Colorado is engaged in a statewide campaign to protect voting rights, educate voters, and to turn out tens of thousands of pro-civil liberties voters here in Colorado. We got our feet wet with mobilizing our members and supporters in the Douglas County school board election in 2017, and that effort was so successful that we will extend our voting work to much more of the state this year. We've already hosted candidate forums focused on civil rights and civil liberties in the attorney general race, the Boulder County district attorney race, and the gubernatorial election. Each forum was a packed house and thousands of people watched them on live streams on our Facebook page. This summer, we're launching Know Your Voting Rights Trainings with a focus on often-disenfran-

chised communities, and our advocates around the state will form a Voter Protection network to combat voter suppression, intimidation, and misinformation.

Then, when ballots go out in October, we'll host phone banks, house parties, and door-to-door canvasses to get out the vote. Together with partner organizations and our many motivated supporters across the state, we can make Colorado a beacon for civil rights and civil liberties no matter what challenges our nation faces. If you are interested in volunteering with our campaign, contact our voting rights coordinator Jen Samano at [JSamano@aclu-co.org](mailto:JSamano@aclu-co.org).

And don't forget, it starts with your own vote. Crawl over broken glass if you need to, but vote this fall, all the way down the ballot, from governor and attorney general to your most local races. Vote to eliminate legal slavery from our state constitution. Vote to defend civil liberties and protect our democracy. Don't be swayed by messages designed to discourage you, and don't forget that control of the Virginia legislature last year came down to a court battle over one vote and a random drawing in a tie race. Elections matter, and your vote matters. We have a long way to go to end gerrymandering and voter suppression nationwide, but the ACLU and our partners are fighting those battles, too, and the best way to win is to vote in the election we have before us right now. Thank you for voting, and thank you for supporting the ACLU!

— *Nathan Woodliff-Stanley*,  
Executive Director

## WHY I SUPPORT THE ACLU



**THE PRESIDENT** of the United States has called the press 'the enemy of the American People,' and a significant number of Americans agree. The ACLU must redouble its efforts to vindicate our First Amendment rights and combat this lunacy.

In furtherance of that goal, I am matching donations to support a new and already fruitful partnership between the ACLU and *The Colorado Independent* including Pulitzer Prize finalist Susan Greene and columnist and staff writer Tina Griego—adding investigative journalism to the ACLU's arsenal of litigation, policy, and education.

A similar project at the ACLU of Michigan led to

exposure of the Flint water crisis, and I believe this partnership with *The Independent* can have significant impact in defending against attacks on the press and exposing civil rights abuses here in Colorado. We have started with one of the most heartbreaking and alarming issues of our time, the relentless attacks on immigrants and asylum seekers, and will go where the facts take us.

— *Bob Connelly*, longtime ACLU supporter

Contact Jill Higham today to discuss having your donation matched as you join forces with us to defend the press and expose civil rights violations.

Phone: 720-402-3118

Email: [jhigham@aclu-co.org](mailto:jhigham@aclu-co.org)



## CCRD SAVED, MIXED RESULTS ON OTHER EFFORTS AT THE LEGISLATURE

**COLORADO'S** legislative session is 120 days long and a great deal happens in these mere 4 months that affects many Coloradans.

Civil liberties legislation rarely gets much attention. The one exception this year was the reauthorization of the Colorado Civil Rights Division, which protects all Coloradans from discrimination in employment, housing, and public spaces. The Division has been under attack stemming primarily from its role in the Masterpiece Cakeshop case. Thanks to immense public response, the commission was reauthorized this year in relatively good form, despite efforts to defund it or severely weaken its enforcement power.

In legislative sessions past, I have proudly reported unanimous victories on the legislation we proactively championed. I was told that losses would eventually come. In 2018, they did. The losses weigh heavily not simply because loss is always hard, but because these legislative efforts—had they become law—would have brought relief to many Coloradans.

We were unsuccessful in our attempt to implement a statewide court reminder program. Such a program would greatly reduce the number of failure to appear warrants, and therefore, the number of people in our county jails. We also attempted to bring greater transparency to police internal affairs' files, to no avail. Our efforts to stop the

practice of revoking an individual's driver's license for their failure to pay a traffic-related fee was also rejected.

Our gains, however, are not insignificant. We championed a bill sponsored by Sen. Marble and Rep. Lontine that will bring independent and robust public defenders to all Colorado municipal courts. Incarcerating kids for missing school is a harsh punishment. Thanks to Sen. Holbert and Rep. Lee, this practice is now limited.

We also championed a bill expanding voting rights in Colorado by ensuring that all eligible voters in county jails are able to vote. Ultimately, the Secretary of State acknowledged that legislation was not necessary and agreed to implement rules facilitating in-jail voting. This practice will be fully implemented in time for the 2018 general election.

Through our work with juvenile justice advocates, we learned that the Department of Youth Services was not providing bras to teenage girls in their care. We brought this matter to the attention of Rep. Herod, and she pushed the Department to fund bras for these teenagers. The small price tag of \$40,000 matters a great deal to our girls in youth services.

We're gearing up now for the 2019 session, where much of what we can accomplish will be directly impacted by the results of the statewide elections in November. Be sure to vote!

— Denise Maes, Public Policy Director

### LOBBY DAY 2018



### REPRODUCTIVE ROADSHOW

## NEXT STOP: GILEAD

**FROM THE** Trump Administration's consistent attacks on birth control and Title X funding to the promise of the most conservative Supreme Court in 40 years with the retirement of Justice Kennedy, abortion rights have never been so endangered. That is why it was important to visit communities throughout Colorado for the 2018 Reproductive Rights Road show.

Our first stops on the Road Show were on the Western Slope in Hotchkiss and Grand Junction. Our audience in Hotchkiss came from across Delta County and was very engaged in our work on sexual health education as a county that has suffered from the stigmatizing of reproductive rights during decades of abstinence-only education. In Grand Junction, we had a robust discussion about the dangers of crisis pregnancy centers on young adults seeking abortion access.

Large audiences attended in Denver and Fort Collins, where they learned about reproductive justice from our friend, Karla Gonzales Garcia from COLOR. Both audiences were stunned to learn of the atrocities women of color have faced in attempting to access reproductive healthcare throughout history. In Parker and Colorado Springs, we continued to discuss reproductive justice and the intersection of religion and abortion. Dr. Joyce Lisbin from CORCRC discussed the problems in Catholic health care systems when dealing with reproductive care, especially abortion care.

At all our road shows, we covered the yearly introduction of bills attacking reproductive choice in Colorado. Our own Denise Maes explained the four bills that our coalition defeated in the Colorado General Assembly. She told attendees that these bills, like the proposed method ban or an attempt to instill personhood in law, are submitted year after year. This year we also saw a bill called "A Woman's Right to Accurate Health Care Information" that would have mandated ultrasounds, pushed inaccurate information, instituted mandatory delays, and was blatantly unconstitutional. It was eye-opening for many who'd thought their reproductive rights were consistently safe in Colorado.

The makeup of the Supreme Court could drastically change abortion rights and make policies at the state level even more critical. It is important to remain informed and engaged in the fight. With so much going on in the world, it is easy to be distracted from the erosion of reproductive rights. We don't want to look up in a few years and realize we are living in a real life *Handmaid's Tale*.

We look forward to seeing you on the road.

— Delana Maynes,  
Reproductive Rights Campaign Coordinator

## THE SUPREME COURT'S MASTERPIECE DECISION

WHAT IT MEANS AND WHERE WE GO FROM HERE

**THE SUPREME COURT**, on June 4, issued its decision in the Masterpiece Cakeshop case involving a baker who had refused to sell a wedding cake to our clients, Charlie Craig and Dave Mullins. The Supreme Court sided with the baker in an extremely narrow ruling that will have little to no applicability to future cases. The court's decision focused on how this particular case was handled by the Colorado Civil Rights Commission, which decides cases under Colorado's nondiscrimination law. The court raised concerns about comments from some of the Colorado commissioners that they believed revealed anti-religion bias. Because of that bias, the court held that the bakery wasn't treated fairly when the commission decided the discrimination claim. While it is disappointing that the court let the bakery's discrimination go unchecked, importantly, the court did not give businesses a constitutional right to discriminate that the bakery and the Trump administration sought.



*Dave Mullins and Charlie Craig.*

***“The bottom line following this decision is that Colorado’s non-discrimination laws are still in full effect.”***

The Supreme Court's 7-2 decision is replete with reaffirmations of our country's longstanding rule that states, like Colorado, can bar businesses that are open to the public from turning customers away because of who they are. The ruling makes clear that “Colorado law can protect gay persons, just as it can protect other classes of individuals, in acquiring whatever products and services they choose on the same terms and conditions as are offered to other members of the public.” The decision continues:

“Our society has come to the recognition that gay persons and gay cou-

ples cannot be treated as social outcasts or as inferior in dignity and worth. For that reason the laws and the Constitution can, and in some instances must, protect them in the exercise of their civil rights. The exercise of their freedom on terms equal to others must be given great weight and respect by the courts.”

The court further recognized the danger of free speech and freedom of religion claims that the bakery advanced in this case, stating that:

“any decision in favor of the baker would have to be sufficiently constrained, lest all purveyors of goods and services who object to gay marriages for moral and religious reasons in effect be allowed to put up signs saying ‘no goods or services will be sold if they will be used for gay marriages,’ something that would impose a serious stigma on gay persons.”

The bottom line following this decision is that Colorado's non-discrimination laws are still in full effect. Unfortunately, the opinion did not put the larger issue to rest as we hoped, and because of that we expect more of these cases to be brought to the courts in the coming years. We will continue fighting in the courts and in legislatures to ensure that all people are protected against discrimination and that businesses, healthcare providers, governments, and other service providers don't get a license to discriminate or to pick and choose which laws they follow.

— Sara Neel, Staff Attorney

### LEGAL ROUNDUP

#### **ACLU WINS DISMISSAL OF CHARGES AGAINST MOM WHO WROTE “STOP PUTTING KIDS IN CAGES” IN CHALK OUTSIDE KEN BUCK’S OFFICE**

ACLU of Colorado successfully defended Shauna Johnson, a mother of two who faced up to a year in jail and a \$1,000 fine for writing “STOP PUTTING KIDS IN CAGES” in chalk on the sidewalk outside of Rep. Ken Buck's office. The charge for “criminal tampering” was clearly a response to the content of her message, not the conduct itself, and DA George Brauchler dismissed it.

#### **AURORA PAYS \$75K TO SETTLE TWO ACLU POLICE MISCONDUCT LAWSUITS**

The City of Aurora paid \$75,000 to settle law-

suits brought by ACLU of Colorado on behalf of Omar Hassan and Dwight Crews, two black men who were victims of racially biased policing by the Aurora Police Department.

Aurora Police officers removed Hassan from a coffee shop after telling him, “Your kind of business is not welcome here.” He will receive \$40,000.

Crews, a disabled 60-year-old man, was removed from his home without a warrant in the middle of the night, restrained, thrown to the ground, and unlawfully arrested by Aurora Police. He will receive \$35,000.

We continue to advocate for major law enforcement reform in Aurora, including a truly inde-

pendent system of police accountability.

#### **ACLU WINS SETTLEMENT FOR COLORADO MAN WHO SPENT 52 DAYS IN JAIL WAITING TO SEE A JUDGE**

ACLU of Colorado attorneys negotiated a settlement on behalf of Michael Bailey, who was jailed for 52 days awaiting his first appearance before a judge. Bailey was held without bond in the Teller County Jail on a 4-year-old misdemeanor warrant out of Pueblo County. While in jail, Bailey lost his job and missed two months of pay. The settlement compensates Bailey for the nearly two months he lost and institutes significant improvements to the two counties' policies for handling pre-trial arrestees.

# ACLU IN THE COMMUNITY

## THIS LAND OF IMMIGRANTS

A DISPATCH FROM THE BORDER

**DANNY IS 9 YEARS OLD.** He's shy, polite, and has a smile that lights up a room.

The first thing I noticed about him was the fact that he was wearing a wool sweater—on a 97° day in McAllen, Texas. When I got closer, I noticed that he was actually wearing two sweaters, three t-shirts and two pairs of pants. And worn-out tennis shoes with no laces. It was all he owned in the world and he wanted to keep it close.

Three weeks ago, Danny said goodbye to his mother and sister in San Salvador, El Salvador. Then he and his father, Juan, set off for the United States seeking to escape the brutal gangs that have terrorized him to join them.

Danny and I met at the Catholic Charities Humanitarian Center in McAllen, Texas. It's a refuge for immigrant families where they receive a meal, clothing, a shower, shoes and a warm welcome. It's the rare bright spot during a time of stories about child separation and zero tolerance immigration policies.

During the two days I was there,

we saw about 300 people arrive at the center—all adults with young children. The youngest child was merely 6 months old.

It's the stories of these children that have moved us as a nation. We imagine their long journey across several countries, holding their parents' hands, sleeping on streets, walking for days or weeks, begging for charity along the way, all while trying to escape desperate poverty, violence, or hunger. Only to arrive in this, the land of immigrants, and be forced into detention and then ripped from the arms of the only person they know—their parent. It is the stuff of nightmares.

I can offer no greater proof of this movement as a nation than the dozens of volunteers that I worked alongside at the shelter. That same evening, Danny and his father returned to the bus station ready to continue their journey. I am glad they are together and safe but I know there is still a long road ahead.

—Alejandra Garza, Field Director

Children who were recently released from detention in McAllen, Texas.



Hear Alejandra's interview with Danny on The Purple State Report podcast

## CONGRATULATIONS TO OUR ANNUAL MEETING AWARD WINNERS

**2018 ARLETTE BAER VOLUNTEER OF THE YEAR AWARD**  
Morris Franklin

**2018 CIVIL RIGHTS IN ACTION AWARD**  
Colorado Immigrant Rights Coalition

**2018 YOUTH IN ACTION AWARD**  
Cidney Fisk

**IN JUNE,** ACLU of Colorado led a youth delegation to the 2018 national ACLU membership conference. ACLU of Colorado was accompanied by 18 youth activists on their trip to Washington D.C., where they attended workshops on civil liberties, heard from notable guest speakers, and exchanged ideas with other youth from across the country. In addition, our youth delegates had the opportunity to speak with the Colorado congressional delegation about issues that are important to them—family separation and net neutrality—and ask how their representatives are working to protect their rights. For most of these students, it was their first time visiting our nation's capital and an experience that has changed their lives.

We are tremendously proud of the initiative that our youth delegates took at the conference, exemplifying the passion for social justice and equality that we now, and always will, need. They have returned to their homes inspired to fight for civil liberties in their diverse communities and we know they will become the leaders we need during these challenging times.

—ACLU of Colorado Field Team

For more photos go to <http://bit.ly/DC18aclu>



Clockwise from top left: Youth delegation at the US Capitol, Senate Building, White House, Rep. Diana DaGette's office.

