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IN THIS EDITION:

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Settlement, & Legal Lowdown



“WE INCLUDED the ACLU in our estate plan so that our life-long values will live on through the ACLU’s essential work to ensure and protect the civil rights of all human beings, often the most marginalized among us, but always for the collective common good.”

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ACLU Colorado

Fall/Winter 2021 Newsletter

DENVER **DEFENDS** UNHOUSED NEIGHBORS

Voters Reject Ballot Measure 303

By Annie Kurtz, Equal Justice Works Fellow
and Julian Camera, Field Organizer



A No on 303 canvass launching from Lawson Park in Five Points. October 23, 2021.

ON A NIGHTLY BASIS, upwards of 1500 people — disproportionately Black, Brown, and LGBTQ+ — are forced to survive outside on Denver’s streets. Our growing crisis for people experiencing homelessness, primarily a product of scarce affordable housing, has only worsened during the COVID-19 pandemic.

Against this backdrop, Ballot Measure 303, a dangerous citizen-initiated ordinance misleadingly labeled by its proponents the “Homelessness Compassion and Safety Initiative” made it onto Denver’s 2021 coordinated election ballot. In fact, the measure proposed rewriting Denver’s already misguided urban “camping” ban to cause even more harm to people experiencing homelessness.

If passed, the ordinance would have required the city to take enforcement action on any person’s complaint under the camping ban – no matter how frivolous – on a 72-hour deadline, or else face private suit. It also would have arbitrarily stopped the city from opening more than four spaces on public property where residents experiencing homelessness could stay and access basic services. Ultimately, the measure would have further criminalized unhoused Denver residents while making it harder for the city to bridge the gap between the streets and stable housing.

In coalition, ACLU of Colorado teamed up with local community organizations, including Denver Democratic Socialists of America, Denver Homeless Out Loud, and New Era Colorado, to stop Ballot Measure 303 from passing. Our grassroots-led effort focused on knocking on doors, talking to everyday people about how the measure would threaten Denver residents’ civil liberties, and making sure unhoused neighbors were registered to vote.

Denverites weren’t fooled by 303’s false claims of compassion. They saw the proposal for what it was: another tired attempt to over-police and criminalize our unhoused neighbors. Ballot Measure 303 was stopped by a 15% margin. With that vote, Denver communicated loud and clear that as we head into our third winter during an unprecedented pandemic, we should be going out of our way to protect people, not push them into greater peril.

We thank our partners and community members for their collective advocacy and are counting on you in our continued fight. □

SUPPORT OUR WORK FOR JUSTICE. Contact Thai Pham to discuss giving through your will or trust at tpham@aclu.org or (646) 905-8886.

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ON THE ROAD TO EQUAL RIGHTS

By Ana Temu Otting, Immigration
Campaign Coordinator

THIS YEAR Colorado immigrants' rights advocates passed the nation's first-ever statewide Universal Legal Defense Fund for immigrants facing detention and deportation. To celebrate, we traveled to Durango with our partners at CIRC (Colorado Immigrant Rights Coalition), RMIAN (Rocky Mountain Immigrant Advocacy Network), and Compañeros: Four Corners Immigrant Resource Center to host a community gathering with live music, food, art, and legal resources for immigrants.

In July, we went to the Colorado Supreme Court and demanded the U.S. Department of Justice protect our transgender neighbors and release them from unsafe detention.

Finally, 15 years ago, thousands of Coloradans marched for justice for immigrants, and on September 25, we joined CIRC to march the same path and urge Congress to pass the Reconciliation Bill to give millions of undocumented people citizenship and affirm that no human being is illegal. □

*Ana Temu Otting and her son
David in Durango.*



RALLYING FOR ABORTION JUSTICE

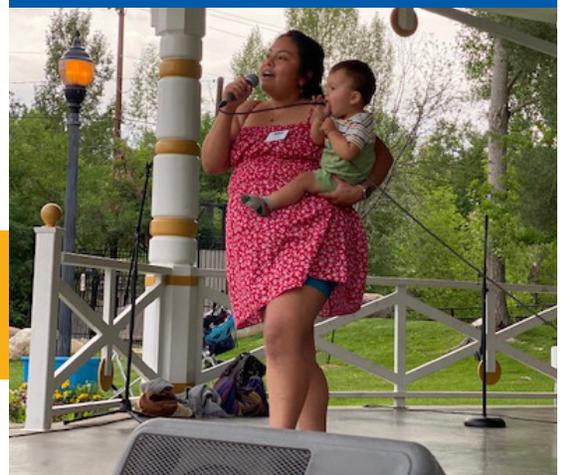
By *Kassandra Rendon-Morales*, Reproductive Rights
Campaign Coordinator

THIS PAST YEAR, we shared space at the Capitol in solidarity with those who fight for reproductive freedom every day. As the crowd cheered the powerful words of activists, it was a harsh reminder of the reality facing every Texan in need of abortion access. Every day this law remains is another devastating day for pregnant people who lack the means to travel out of state for an abortion. Being forced to carry a pregnancy to term against one's will is unconstitutional.

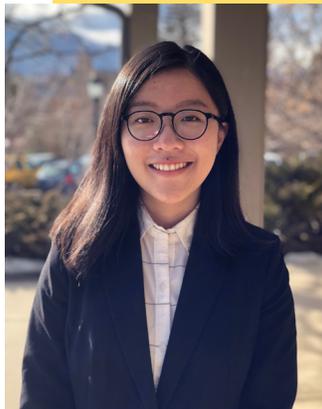
Black and Latinx Texans are hit the hardest by this ban due to decades of racism and structural inequality. This has left Black and Brown communities with few alternatives to the cruelty that Texas politicians have created. Make no mistake — this is a racial and economic justice catastrophe.

Contact your U.S. Senator and demand they vote yes on the Women's Health Protection Act (WHPA). The Senate must pass this bill to protect reproductive rights nationwide by establishing a statutory right to abortion. Spread the word to your friends and family about why we all deserve abortion access. One in four people will have an abortion, which means that we all know someone who may need an abortion in their lifetime. Donate to your local abortion fund. It's going to take resources to get us through these times, but together we can do it. □

Defend Abortion Access for All. The Women's Health Protection Act would provide a nationwide safeguard against abortion bans.
Take Action: acluco.org/whpa



KELLY YUE



Kelly rejoined ACLU of Colorado as a Public Policy Fellow in June 2021 following her internship with the campaigns department last summer. She graduated magna cum laude from Colorado College majoring in sociology. Born and raised in Hong Kong, Kelly interned at the

Hong Kong legislature for two summers conducting policy research and field work.

MIRIAM NORIEGA



Miriam's passion for social justice derives from her personal experience of being a first-generation immigrant in the U.S. She has been a leader in the immigrants' rights movement since 2006. Her role as Director of People and Culture is to fully implement

the organization's equity, belonging, and inclusion goals throughout the work of human resources, staff engagement, and professional development.

LETTER FROM THE EXECUTIVE DIRECTOR

IT'S HARD TO BELIEVE that both 2022 and my one-year anniversary as ACLU of Colorado's Executive Director are rapidly approaching.



I am incredibly proud of our accomplishments and extend my heartfelt gratitude to our supporters. Whether volunteer, activist, staff member, board member, donor, or community member — it truly takes multiple communities to protect, defend, and extend the civil rights and civil liberties of all Coloradans.

While the ACLU has historically been known as a civil liberties law firm, we understand systemic change requires a nuanced approach that includes education, advocacy, policy change, and meaningful connections. Earlier this year, we launched our Expanding the Table for Justice campaign and hosted 27 conversations statewide. We are committed to listening to all Coloradans: public officials, business and civic organizations, neighborhood, multi-faith, and social justice groups. In 2022, we resolve to create the biggest table possible for racial parity and diverse, equitable, inclusive representation in our state. If you think a listening session or conversation with ACLU of Colorado should take place in your area, please contact tableforjustice@aclu-co.org, and we will schedule a meeting.

As Deborah Archer, ACLU National Board President said, "The work of the ACLU is about closing the gap between the America that was promised and the America that is." My promise to you is that ACLU of Colorado remains committed to systemic change until there is no gap, no break between us.

Onward,

Deborah Richardson,
ACLU of Colorado Executive Director

WE HAVE A NEW WEBSITE!

Check it out at aclu-co.org.

CHOOSING COMPASSION OVER CONFINEMENT FOR COLORADO KIDS

By Elise Logemann, Youth Policy Counsel

“HURT PEOPLE HURT PEOPLE.” This phrase could not ring truer than when traumatized children are arrested and charged with breaking the law. ACLU of Colorado has been working to ensure that when hurt children enter the justice system, they receive compassion and treatment to heal, instead of the additional trauma caused when separated from family.

Through SB 19-108 and SB 21-71, Colorado changed the standard for detaining children so that only youth who pose a substantial risk of serious harm to others or a substantial risk of flight from prosecution can be confined; ended the use of money bail for kids and reduced the number of detention beds in our state. The federal Family First Act has simultaneously placed additional restrictions on the number of residential treatment beds for children. These measures were essential, but work remains.

Everyone can agree it’s wrong to put a child who needs mental health treatment into a correctional setting; now, we must ensure that they receive the services required to heal. We’re engaged in a thoughtful process, based on a review of data by a variety of stakeholders, to create community services and placements that serve childrens’ needs and ensure community safety.

When a child who doesn’t pose a danger to others cannot return home for reasons like a lack of adequate care at home, or mental health concerns, it should be addressed by our human services systems — not delinquency courts or detention beds. We counter with a call for robust community services, supplemented when necessary with therapeutic placements like treatment foster homes or health centers.

It’s time to build solutions that aren’t based on finding beds. What if it is 2 a.m. and a single parent is home with multiple young children and struggles to pick up their teen? A service to drive the child home and provide resources to the parent is less costly than keeping them in custody overnight. If we stop assuming every child needs a bed, we may discover solutions that traumatize children less and help families more.

Our work continues to ensure we have appropriate services or placements — not an alternative way to warehouse children. □

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COLORADO SPRINGS SETTLEMENT SPARKS CHANGE

By Arielle Herzberg, Staff Attorney

IN AUGUST 2021, the City of Colorado Springs agreed to pay \$65,000 and train police officers on legal authority for “stop and frisks” to settle a lawsuit ACLU of Colorado brought on behalf of Corey Barnes.

The lawsuit alleged that on May 15, 2018, police searched an apartment complex for a 15-year-old Black boy with a long afro. Despite having heard the description, three officers — acting as a team

— handcuffed Mr. Barnes, who was 29 and had very short hair. Mr. Barnes’ clothing also differed from that of the suspect. The only thing Mr. Barnes and the suspect had in common: their skin color.

A fellow officer advised the officers that Mr. Barnes was not the suspect, but they failed to release him. Instead, they kept Mr. Barnes handcuffed, illegally searched him, and called in a warrants check. Later, officers wrote misleading reports suggesting they released Mr. Barnes when they learned he was not the suspect.

This “is just one example of racial profiling and humiliation Black individuals face daily in Colorado Springs,” said ACLU of Colorado cooperating attorney Faisal Salahuddin. “City officials ultimately did the right thing by agreeing to fair compensation and additional training.” □

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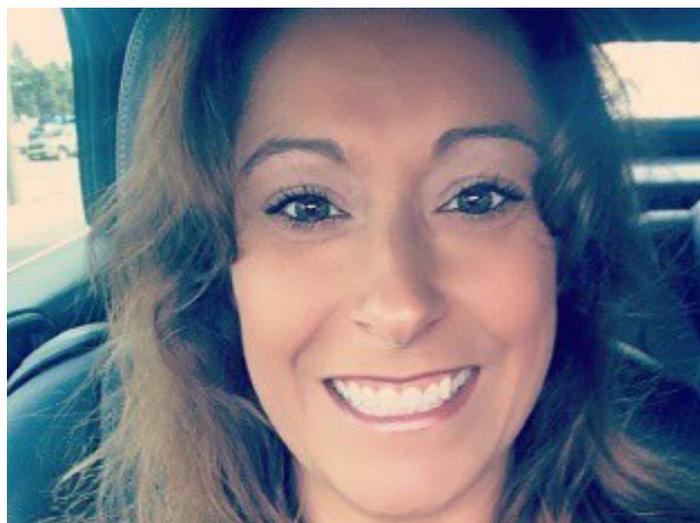
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LEGAL LOWDOWN

By Deanna Hirsch, Communications Officer

THIS YEAR, our legal team made an impact throughout the state both in and out of the courts. In March, we filed suit in Douglas County after several School Resource Officers unjustly and aggressively handcuffed and arrested an eleven-year-old Hispanic child with autism. We also sued Mesa and Boulder County officials for unjustifiably causing our client, Michelle Reynolds, to spend 15 harrowing days locked up in jail with no opportunity to post bond and obtain pretrial release. In May, we sued the City of Aurora for blocking a candidate with a prior felony conviction from running for public office.

An ACLU of Colorado investigation found unhoused residents were denied shelter and unjustly prosecuted for sleeping outdoors when they didn’t have indoor alternatives. We sent a letter to Boulder government officials following the investigation, demanding an end to their



Pictured: Michelle Reynolds.

unconstitutional and inhumane treatment of unhoused residents. Finally, we sent an internal affairs complaint to police officials and members of the Citizen Review Board in Fort Collins after an officer aggressively confronted a woman in crisis, threw her to the ground and arrested her. □