

# ACLU IN THE COMMUNITY

## WINNING AURORA

### WHY LOCAL ELECTIONS MATTER

**WHEN WE THINK OF LOCAL GOVERNMENT**, mundane topics like garbage collection and pothole repairs might come to mind. But city councils legislate on civil rights and civil liberties issues that affect us all. While off-year elections are characterized by low voter turnout, they deal with high stakes issues. This election, ACLU of Colorado's voting rights campaign shined a light on high stakes issues happening in Aurora.

Why Aurora? Because as one of the most diverse, fastest growing municipalities in the west, Aurora needs a city government that will finally implement concrete change and eliminate discrimination. Five city council seats were up for election in the 2019 cycle. Here are the policy issues we highlighted:

- Oversight and transparency at the ICE-contracted immigration detention facility.
- No on Arapahoe County Ballot Issue 1A, which proposed a permanent tax hike to build a new, bigger jail.
- Elimination of wealth-based detention in municipal jails.

Our campaign reached over 25,000 Aurora voters and provided information on candidates' positions on those issues via an educational website, text messages, mailers, digital advertisements and volunteer canvasses.

By harnessing the power of ACLU and our activists, and by focusing on



Left: ACLU of Colorado volunteer activists hold No on 1A placards. Right: Volunteers train as Get out the Vote canvassers in Aurora.



policies' effect on people rather than the personalities of politicians — we won. Ballot issue 1A was handily defeated. Two of the newly elected city council members have already committed to ACLU policy priorities, such as supporting independent indigent defense, limiting the city's cooperation with ICE, creating oversight at the GEO detention facility and supporting public defenders.

People in Aurora have suffered from discriminatory policies and actions by their local government and law enforcement agencies for years. They deserve a city government that will finally implement real change. We look forward to holding Aurora's new city council accountable and continuing to win local issues.

—Jen Samano, Campaign Coordinator

## COMMUNITY EDUCATION

## THE POWER OF EDUCATION IN OUR COMMUNITIES

### HOW THE ACLU IS EXPANDING ITS EDUCATION PROGRAM IN COLORADO



**IN JULY 2019**, ACLU of Colorado launched its new education program to help strengthen our connection with communities and to better inform the public about protecting their civil rights and what to do when those rights are violated. Here are some of the exciting new projects we've been working on:

#### TRAINING EMERGING ACTIVISTS (TEA):

ACLU campaign coordinators offered three workshops at Denver's North High School to engage youth as we tackled issues related to students' right to protest, reproductive rights, immigrants' rights and accessing resources to pursue higher education.

**COURT WATCH COLORADO:** Over 90 activists

signed up to train for a 10-week pilot program to watch custody arraignments and collect data that will help to decrease pretrial detention in Colorado jails and create accountability in our courtrooms.

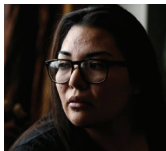
**KNOW YOUR RIGHTS:** Since January 2019, we have provided more than 75 Know Your Rights presentations across Colorado on issues ranging from immigration, police encounters, students' rights and more.

As we witness increasing threats to our democracy, there is a strong call for people to be well-educated about their civil rights now more than ever. We look forward to working alongside our communities and coalition partners to expand our educational offerings as we continue to defend and advance the civil rights and civil liberties of all Coloradans.

—Jessica Howard, Community Education Manager

**INTERESTED IN HOSTING A KNOW YOUR RIGHTS PRESENTATION?** Visit [bit.ly/ACLUspeaker](https://bit.ly/ACLUspeaker) to request an ACLU speaker.

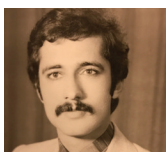
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## 100 YEARS STRONG

**IN 2020, ACLU TURNS 100 YEARS OLD.** For those 100 years, we have been at the center of defining and protecting civil rights and civil liberties in America through one history-making court case after another and participating in more Supreme Court cases than any other private organization. We have expanded to federal, state and local legislatures and have activated millions of people across the country to fight for their civil rights and civil liberties.

In our 100th year, we are both reflecting on the past and looking forward to our next 100 years through our Centennial Campaign, which needs your increased support

so that we can continue to make strategic decisions on how to grow our organization effectively. Your donation to the Centennial Campaign enables us to allocate funds where it truly counts.

As we move into 2020, please consider expanding your support to the ACLU in one of the following ways: making a one-time special gift, increasing your annual gift, becoming a monthly donor, increasing your monthly gift, giving a gift of appreciated stock (and avoid capital gains), giving through your IRA's required minimum distribution, or including the ACLU in your will, trust, or other estate plan.



As the ACLU turns 100 and our democracy is tested, please consider elevating your support with a gift today by visiting [bit.ly/ACLUco100](https://bit.ly/ACLUco100) or contacting Rachel at 720-402-3105 or [rpryor-lease@aclu-co.org](mailto:rpryor-lease@aclu-co.org).

### GET INVOLVED

- ☐ **JOIN** Become a member. Go to [aclu-co.org](https://aclu-co.org) and click "Join."
- ☐ **GIVE** Donate to support our work at [aclu-co.org/donate](https://aclu-co.org/donate).
- ☐ **VOLUNTEER** Sign up to be an ACLU activist at [aclu-co.org/volunteer](https://aclu-co.org/volunteer).

### GET CONNECTED

- [facebook.com/ACLUofColorado](https://facebook.com/ACLUofColorado)
- [twitter.com/ACLUofColorado](https://twitter.com/ACLUofColorado)
- [instagram.com/ACLUofColorado](https://instagram.com/ACLUofColorado)



## THE AFTERMATH OF A DREAMER'S DEPORTATION



their 8-year-old daughter, Yasailie. Born in Mexico, Anahi moved to the U.S. when she was three and later became a DACA (Deferred Action for Childhood Arrivals) recipient. She hardly spent any time in Mexico except for attending her grandfather's funeral a few years ago. It was on her return to the U.S. that she was detained by ICE and sent to ACDF. There, she experienced medical neglect, as well as inedible food and unsanitary living conditions. Anahi shared some of those issues with the ACLU during a stakeholder's visit at ACDF in July. These issues and others, were highlighted in ACLU of Colorado's investigative report, *Cashing in on Cruelty*.

On October 22, ACLU of Colorado got word that Anahi's deportation was imminent, despite having an approved petition for residency based on her marriage to a U.S. citizen and having filed an application for adjustment of status. The next day her family's worst fears were realized — Anahi was deported — and no one, including her attorney, Mark Scabavea or Jose knew where to find her. "They're not being particularly cooperative," Scabavea said of ICE and GEO. "The only direction they gave was Mexico." So, that's where Jose headed.

I spoke with Jose the day Anahi was deported. He was understandably frantic and already en route to Mexico. With no idea exactly where ICE was sending her, he left work, left Yasailie with her grandparents and steered the car south with the hope of somehow finding his wife in a country he barely knew, in the middle of the night. On faith, he headed for El Paso, Texas on the chance she was sent to Juarez, Mexico. As frightening as it was for him, Jose knew that for Anahi, being a woman alone in Juarez would be far worse and more dangerous. "I don't know what else to do," he said. "I just want to be in Mexico so hopefully when she calls I can get to her quickly."

**WHAT DO YOU DO** when you find out your wife is being deported to Mexico but you don't know when, or what city, or how to find her? If you're Jose Trujillo Perez, you start driving.

Jose's wife Anahi Jacquez Estrada had been in ICE custody at the Teller County Jail and the GEO-run Aurora Contract Detention Facility (ACDF) for 18 months. Before that, she and Jose lived happily in Wiggins, Colorado with

The next morning when I talked to Jose there was good news. He found Anahi. After circling the city for hours, he finally stopped to rest and get his bearings. An older woman approached him and asked if he was from around there. He told the woman why he was in Juarez and she told him where he might find Anahi. He drove around some more and that's when he saw his wife standing there.

"I didn't believe it," Jose said. "I thought it was a dream. You see her out there and see her face. She was scared. She didn't know what to do." As elated as he was to have found her, Jose's enthusiasm faded fast as he talked about the trauma Anahi was in after 18 months of detention and now — deportation.

She was in shock. "I was going to take her out for a walk, but she didn't want to," Jose said. "I need to go buy her clothes that she can wear. She lost a lot of weight."



Anahi Jacquez Estrada and her husband, Jose. Photos courtesy Aaron Ontiveroz, *The Denver Post*.

***"I don't want to lose my job. I have a really good job and I have a house, bills and car payments and they don't stop."***

about what to do next. "I need to manage my money and save before I spend because I really don't know what I want to do right now. I don't know if I should get a job here for a little bit till I get enough money to get her a place and go back home. I don't know, because I also have my little one over there. I don't want to lose my job. I have a really good job and I have a house, bills and car payments and they don't stop."

The U.S. Supreme Court is currently considering whether President Trump can go forward with his plans to end the DACA program, allowing hundreds of thousands of young adults to lose their protection from deportation.

—Deanna Hirsch, Media Strategist

TO READ THE DENVER POST ARTICLE ABOUT ANAHÍ JACQUEZ ESTRADA  
GO TO: [DPO.ST/20HQ00G](https://www.denverpost.com/2020/01/20/daca-stories/)



# THANK YOU 2019 BILL OF RIGHTS DINNER SPONSORS



*Carrie Ann Lucas' family receives the posthumous Carle Whitehead Memorial Award at the 2019 Bill of Rights Dinner.*

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Robin Hobart

Law Offices of Ann M. Roan, LLC

## RESISTANCE

Voqal

## LETTER FROM THE EXECUTIVE DIRECTOR

# 2020: THE FIGHT FOR OUR RIGHTS

**WE FACE A PIVOTAL MOMENT** in American history in 2020. After three years of children being separated from their parents and put in cages, rule of law being tossed aside by our nation's leaders, white supremacist ideology at the highest levels of government and attacks on fair elections, the press and basic human rights, something has to give. If it is up to the ACLU, what cannot give way is our commitment to protecting and expanding civil rights and civil liberties for everyone in this land. We cannot afford to lose our democracy or to give in to forces of discrimination and corruption.

The ACLU is gearing up to fight for our rights and our democracy in 2020, building on a 100-year history of defending and expanding civil rights and civil liberties. The ACLU was founded in 1920, the year women won the right to vote, and for many decades the ACLU has defended and sought to expand voting rights, equal protection, LGBTQ rights, reproductive rights, privacy, racial justice, due process and other ways to overcome injustices in our nation's history. We

continue to fight, very often successfully, for immigrants, transgender persons and people trapped in mass incarceration or experiencing homelessness.

The ACLU has a presence in every state, and our work in Colorado has been powerful. Look at the examples in this newsletter of our exposure of inhumane conditions in the ICE facility in Aurora, victories for transgender rights and victories for rights of protest and dissent. We are ready to Get out the Vote in 2020, to fight off any attempt at an abortion ban in our state, to build on our legislative victories in bail reform and pretrial justice and to end the death penalty in Colorado.

If you have ever thought about making a special gift or commitment to the ACLU, this is the time to do it. In celebration of ACLU's Centennial, in preparation for everything we will face in 2020 and to save our rights and build a more just democracy for the next 100 years.

—Nathan Woodliff-Stanley, Executive Director

## MEET OUR NEW STAFF



**DEIRDRE BROOKS** began working in nonprofits in 2008 as an asset based community development trainee. They've worked in education, community development, policy and design over the years always focusing on social justice in the larger community. After working with a youth justice non-profit around policy education, Deirdre joined the ACLU of Colorado as a **Communications Associate**. They've lived and worked in Denver for over 11 years.



**JASON CHAVEZ** is the **Major Gifts Officer** for the ACLU of Colorado. Previously, Jason worked as Director of Artist, Venue & Festival Relations for the Love Hope Strength Foundation. Prior to this role, he booked and promoted concerts at music venues along Colorado's Front Range as Talent Buyer for Soda Jerk Presents — Colorado's leading independent concert promoter. In 2010, Jason received a Bachelor of Science in Music with emphasis in business from the University of Colorado at Denver.



**JUSTINE GUTIERREZ** joined the ACLU of Colorado as the **Legal Assistant** in July of 2019. In her position, she assists the Legal Director and Staff Attorneys with various Legal Department projects. Originally from Washington State, Justine earned her Paralegal Certificate there in 2011 and moved to Colorado Springs shortly thereafter. She has experience in personal injury, medical and legal malpractice, and Social Security Disability.



**SUSIE SIMMONS** is the **Development Coordinator** at the ACLU of Colorado. In this role, she manages the Development Program's administrative operations and supports the Major Gifts Officer. Before joining the ACLU, she worked as a legal advocate assisting people who have experienced domestic violence in protection order and domestic relations cases. She also spent time at Planned Parenthood of the Rocky Mountains as a Public Affairs Intern. At Colorado College, Susie studied Feminist and Gender Studies.



## LOOKING FORWARD: THE 2020 LEGISLATIVE SESSION



Denise Maes, ACLU of Colorado Public Policy Director, testifying at the State Capitol. Photo courtesy Andy Bosselman, Streetsblog Denver.

**JANUARY 8, 2020** marks the beginning of the 73rd session of the Colorado General Assembly. That session like others before it will extend for 120 days and there is much work to do in that time period.

In the 2019 legislative session, we made our mark by reforming the systems that burden individuals in our jails and particularly those that are in jail pretrial – those that are innocent. We also made progress on sentencing reform and we advanced legislation that will help our immigrant friends, families and neighbors. #homeishere.

We want to build on that work in the 2020 session. In the months following the 2019 legislative session, we initiated a court watch program and hosted listening sessions with individuals who have spent time in jail. The purpose of these two initiatives is to hear from impacted communities about what work needs to be done to improve our pretrial justice system. We have learned quite a bit.

First, too many people are spending time in jail, not because they present a public safety risk to their community, but because they have failed to appear in a court proceeding. We understand the significance of judicial efficiency and the need for individuals to show up to court when summoned, but our jails should not be housing individuals who are not a safety risk. As a result, we hope to champion legislation that will provide a 72-hour grace period for individuals failing to appear in court before a warrant for their arrest can be issued. They will remain obligated to reschedule their court proceeding and resolve their case. This legislation will lessen the burden on an already overburdened jail system.

In addition to this effort, we are looking forward to legislation that will provide for 6 or 7-day a week court so that individuals are not waiting in jail to see a judge for three and sometimes four days during a holiday weekend. We hope to see legislation that reduces arrests

by requiring that, for certain low level offenses, local law enforcement serve a summons upon individuals in lieu of arrest. We hope to limit the use of pretrial conditions, like GPS monitoring. These efforts will reduce our jail population and ensure public safety and judicial efficiency.

We will champion legislation that will bring transparency to our District Attorney offices. District attorneys are perhaps the most powerful elected figures in the criminal justice system. Yet, the decisions they make – from charging to sentencing – are unknown and subject to no scrutiny. Such legislation is desperately needed.

In addition to our pretrial justice reform work, we will champion legislation that will make life better for our immigrant community. Just two months ago, we published a report, *Cashing in On Cruelty*, documenting the many troubling issues with the immigration Detention Facility in Aurora. The facility is owned and operated by GEO Group, Inc. – a private entity – under contract with Immigration and Customs Enforcement. Because the facility is a privately owned and operated one, it operates under a shroud of secrecy.

We are urging legislators to bring transparency to that facility by performing audits on a regular basis and reporting the findings publicly. We will push for the state to create a Legal Defense Fund, available for the defense of immigrants caught in the immigration machine and unable to afford or obtain legal counsel. As a symbolic showing, we will urge the state's retirement program to divest from GEO Group, Inc., its subsidiaries and other private detention owners and operators.

There is always the need to defend civil liberties at the state legislature and we will certainly do that. The public policy department thanks you for your support.

—Denise Maes, Public Policy Director

## REPRO ROUND-UP

**THE REPRODUCTIVE RIGHTS TEAM** has been busy this fall, recently capping off the third year of the Repro Rights Road Show. We made six stops from Greeley to Durango to connect with communities about abortion access barriers, debunk popular abortion myths, and highlight our policy work.



We are diligently working to ensure the recently enacted comprehensive sex ed bill, HB 19-1032, is enforced in Colorado schools. We've testified against improper waiver requests at the State Board of Education, launched [realsexco.org](http://realsexco.org) to arm people with tools to advocate for comprehensive sex ed in their schools, and sent a letter to district superintendents statewide outlining the law. We're working with our friends at Progress Now Colorado on a video of a Durango woman's harrowing reproductive health experience at the La Plata County Jail. This video is part of our ongoing work uncovering the policies Colorado jails have in place to address the reproductive health rights of women in custody. Stay tuned for a comprehensive report on the state of reproductive health access in Colorado jails in 2020. In the meantime, if you or someone you know has been denied adequate reproductive healthcare while in a Colorado jail please contact us at [ehinkley@aclu-co.org](mailto:ehinkley@aclu-co.org).

—Lizzy Hinkley, Reproductive Rights Policy Counsel and Kassandra Rendon-Morales, Reproductive Rights Campaign Coordinator



Students who testified on behalf of the comprehensive sex ed bill HB-19-1032 receive an award at the ACLU of Colorado Annual Meeting.



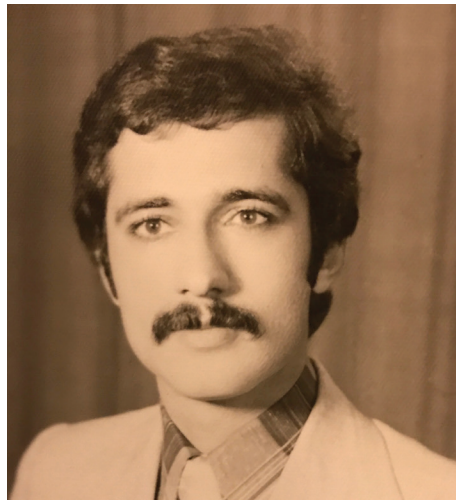
## A LIFE LOST: THE COST OF INHUMANE TREATMENT

ON NOVEMBER 17, 2017, federal immigration agents arrested Kamyar Samimi, a Legal Permanent Resident who had raised a family and lived in the U.S. for more than four decades, at his home in Thornton, Colorado. From there, he was taken to the Aurora Contract Detention Facility (ACDF), operated by the for-profit prison company GEO Group, Inc. Two weeks later, he died in ICE custody.

"My dad died on Saturday and I got the call on Monday. I think it's very strange that ICE observes business hours to tell people that their loved ones are dead," said Neda Samimi-Gomez, the second of Kamyar Samimi's three children.

After that phone call, there was no more communication from ICE — no further explanation about Mr. Samimi's death or why it took two days to notify the family. The only thing Mrs. Samimi-Gomez would get from ICE were her father's belongings — a few coins and a receipt.

The ACLU of Colorado filed a Freedom of Information Act (FOIA) request on Dec. 20, 2017, seeking documents explaining the cause of Mr. Samimi's death. In response, ICE produced only five pages, none of which gave an explanation about his death. ACLU of Colorado appealed and ICE responded on July 3, 2018, stating that its investigation of Mr. Samimi's death had been completed and more documents would be forthcoming. Those documents were not produced. On April 9, 2019, ACLU of Colorado filed a lawsuit seeking previously requested records. ICE released the detainee death review of Mr. Samimi in May 2019. The summary letter attached to the report is stamped May 22, 2018. The report had been completed and held by ICE for a year, not only from ACLU, but more importantly from his family.



Kamyar Samimi. Photo courtesy the Samimi family.

***"My dad died on Saturday and I got the call on Monday. I think it's very strange that ICE observes business hours to tell people that their loved ones are dead."***

Records obtained by ACLU of Colorado paint a gut-wrenching picture of Mr. Samimi's tragic death and reflects the inhumane conditions and lack of adequate medical care at ACDF. Following an initial whitewash by GEO, the ICE internal review of Mr. Samimi's death found numerous violations of ICE standards. Nonetheless, in early 2019, ICE reached an agreement with GEO to increase the capacity of ACDF from 1,000 to 1,500. Despite its expanded capacity, the facility still has only one full-time physician.

In Mr. Samimi's case, that doctor made the medically unjustifiable decision to cut him off from his prescribed methadone. ACDF's medical staff were woefully unprepared to deal with Mr. Samimi's condition, wrote him off as a drug-seeker, missed doses of medication and failed to respond adequately or humanely as he neared death. Mr. Samimi's three children lost a father whose patriotism and entrepreneurial spirit embodied the American dream. ICE, GEO, and the Trump administration's cruel immigration practices crushed that dream and shattered a family.

"On the first day of Mr. Samimi's detainment, GEO's physician ordered that Mr. Samimi be cut off from the methadone he'd been legally taking for 20 years, thus forcing him to endure the all-consuming painful, debilitating and life-threatening torture of opioid withdrawal," ACLU of Colorado Legal Director Mark Silverstein said. "That decision was medically unjustifiable, yet none of the internal investigations and reviews ACLU obtained through FOIA raise even a single question about the physician's role in precipitating the ugly and ultimately fatal consequences that ensued."

ACLU of Colorado filed a lawsuit on Nov. 12 against the GEO Group, Inc., for the wrongful death of Kamyar Samimi. The lawsuit also names ACDF's staff physician at the time of Mr. Samimi's death. In addition to the claim of negligence and wrongful death under state law, ACLU of Colorado is suing for violations of the Rehabilitation Act, for discriminating against Mr. Samimi for having a disability of Opioid Use Disorder. The lawsuit is currently ongoing.

—Deanna Hirsch, Media Strategist

### LEGAL ROUND-UP

## TRANSGENDER RIGHTS AND FREE SPEECH DEFENDED

**THE RIGHT TO BE TREATED FAIRLY** often goes unappreciated and unseen, but not unprotected. Our legal team had many successes in the courts this year, including cases regarding freedom of expression, freedom of speech and equality of medical coverage.

Dashir Moore, a transgender man, was denied health coverage by his former employer to treat his gender dysphoria. He was left to pay \$30,000 in medical bills. In September, we announced a settlement on behalf of Mr. Moore and that employer changed its discriminatory medical policy. Mr. Moore's case emphasizes the fact that transgender health care is health care. Period.

Social media has become the new town hall. In 2017, Colorado State Senator Ray Scott blocked a constituent, Anne Landman, from his official Facebook and Twitter pages for posting a critical article of Scott on the senator's Facebook page. This August, as the result of our lawsuit, Scott unblocked Landman from all social media and must avoid censoring other criticism on social media.

In 2015, the City of Greeley enacted an ordinance banning pedestrians from being present on traffic medians for "longer than necessary to cross the street." The median ban targeted people soliciting donations. We filed a lawsuit against the city this September,

resulting in the city being mandated to stop enforcing the ordinance. In October, the median ban was officially repealed by the City Council of Greeley.

In another violation of free speech, the Town of Fraser ordered two residents to take down signs in their front yard which communicated the residents' displeasure with Donald Trump. In July, we filed a lawsuit against the Town of Fraser. As a result, the town has since amended their ordinances to allow such signage in the future and agreed to settle with our clients.

—Ivan Popov, Communications Assistant