



COURT ACCESS THROUGH ACTION

BLACK LIVES MATTER

ACLU

**ACLU**  
Texas



## A MESSAGE FROM OUR EXECUTIVE DIRECTOR

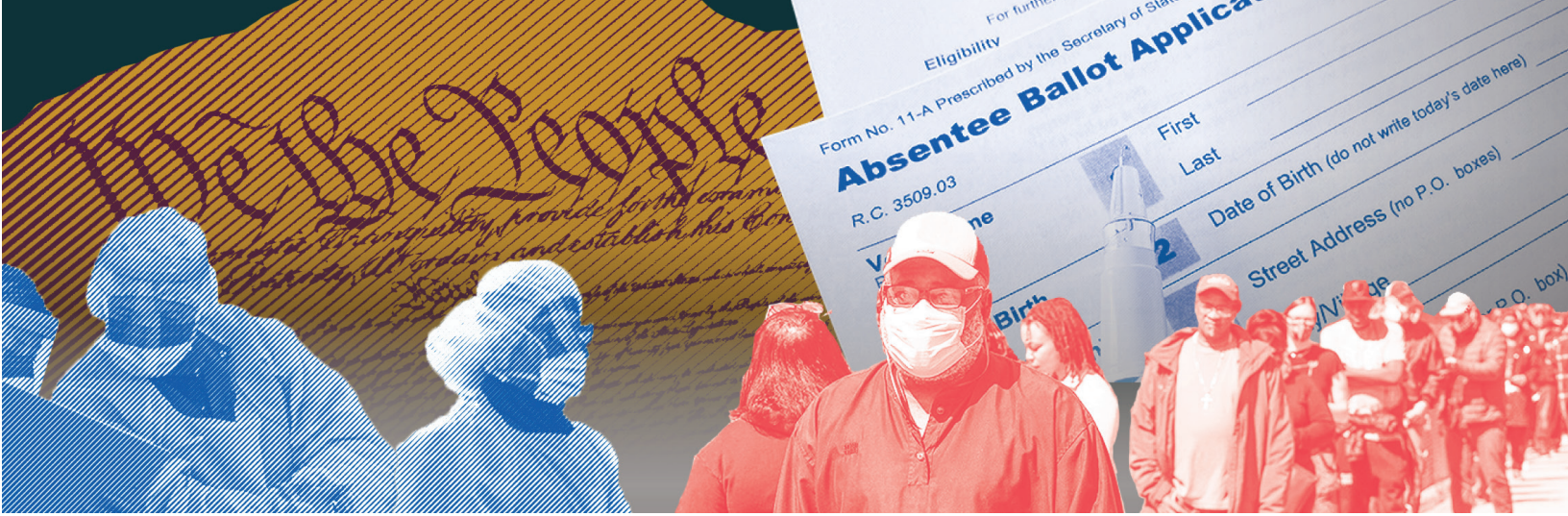
Emma Lazarus penned *The New Colossus* in 1883, just one year after the passage of the Chinese Exclusion Act—the very first federally-proscribed ban on an ethnic group in the United States. Decades before, the Industrial Revolution had massively redistributed wealth, deeply stratifying society into a hierarchy of access and power. Jim Crow laws were dominating legislatures across the South. The country was literally dividing itself by decree.

**“Give me your tired, your poor, your huddled masses, yearning to breathe free”**

These powerful words, inscribed on the pedestal of the Statue of Liberty, are a fitting tribute to the ideals of the nation, which the ACLU holds sacred. They ring as powerfully now as they did then. Yet, 130 years later, history repeats: asylum-seeking immigrants wait in encampments at the border; people are denied due process, and incarcerated due to unconstitutional money bail systems, in overcrowded detention centers and jails with unfit conditions; and now, a global call by protestors chanting “I can’t breathe” for justice and reform as another life is lost to police brutality. In the grip of the COVID-19 pandemic, the people nonetheless must take to the streets to fight against the brutalities of systemic racism.

The ACLU finds grounding comfort in these words as we fight to emerge from the darkness wrought by the Trump and Abbott administrations in the last four years. We have fought for our many victories, and pushed back on our losses—and we will continue battling.

At the ACLU, all we know how to do is fight. We will not let up.



# SAFEGUARDING DEMOCRACY

## PROTECTING LIVES IN TEXAS DURING THE COVID-19 PANDEMIC

The COVID-19 pandemic has toppled systems around the world, revealing our deepest inequalities in every sector of our lives. Rather than work to curb rising infection rates, the Trump and Abbott administrations continued their assaults on civil liberties.

Governor Abbott's executive order banned abortion in Texas to conserve hospital resources and Personal Protective Equipment—though medication abortions that require no PPE were also banned—until its expiration in April.

The disturbing politicization of the U.S. Postal Service before an election where vote by mail will be some voters' only option indicates that like the rest of 2020, the November elections will be unusual. To prevent widespread disfranchisement, we fought hard to win eligibility for Texans to vote by mail during the pandemic. While unable to garner a statewide victory, we did secure extended early voting. The state's

disinterest in providing safe elections during the pandemic amounts to voter suppression—like Ken Paxton's bare-knuckle Tweets intimidating voters with vows to prosecute any "false" promotion or information about mail-in ballots. We prepare for the November elections with lessons learned in July's primary elections.

Experts have also called for the release of medically vulnerable individuals detained in immigration facilities and incarcerated in prisons and jails. We successfully secured release of medically vulnerable plaintiffs from immigration detention in Conroe, the first court-ordered release in Texas—and continue to race against time to fight for release of all medically vulnerable detainees in this facility. We also filed a federal class-action lawsuit against Dallas County and Sheriff Marian Brown. In response, Dallas reduced the jail population and increased PPE and social distancing measures.



### ROMÁN VÁZQUEZ HOUSTON, TEXAS

Román, a legal permanent resident with no criminal record, was detained by ICE at the airport after returning from a vacation with his family in Acapulco. With the first wave of COVID-19, the ACLU filed the first lawsuit in Texas to demand release of medically-

vulnerable detainees. Thankfully, Román was one of our plaintiffs who was released, able to come home to his five children and thirteen grandchildren. We continue to fight to release more individuals from custody in this ongoing crisis.



## GAINS AT THE TEXAS LEGISLATURE

We won better reproductive healthcare for incarcerated people and ended a punitive program that has caused over 1 million Texans to lose their driver's license over unpaid fees.



## FIGHTING VOTER DISFRANCHISEMENT

No one should have to choose between voting and their health. We fight for policies that protect the public during the pandemic, such as vote by mail and ensuring enough poll workers/locations.



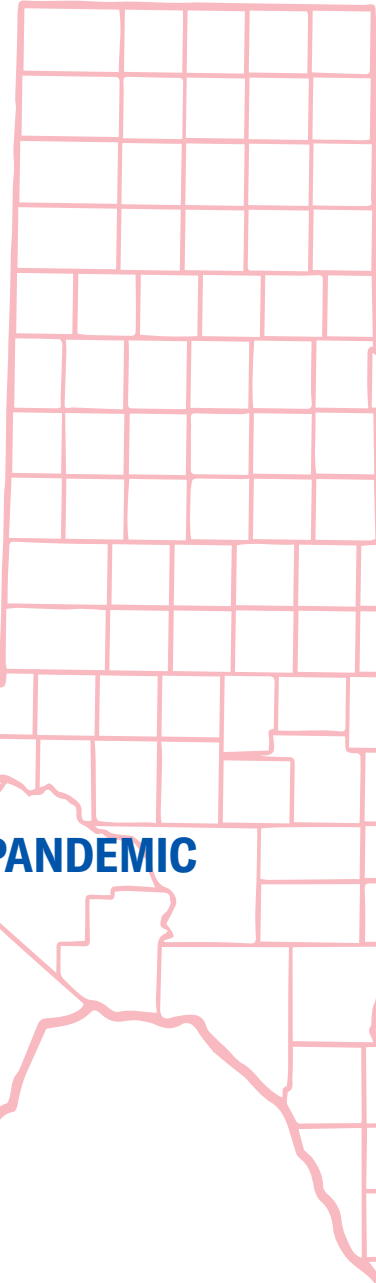
## COVID-19: PANIC AND PANDEMIC

The government used COVID-19 to enact policies that violate people's rights, so we are pushing back—protecting voters' safety and rights during the pandemic; access to reproductive healthcare; and the release of medically vulnerable people in prisons, jails, or immigration detention.



## STOP THE BORDER WALL

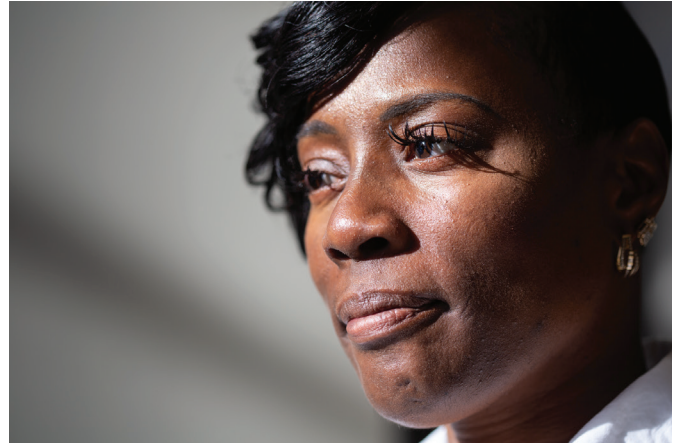
We fight every inch of the border wall that harms border communities, from representing clients fighting against government “quick-take” of land that has been in their families for generations to fighting Trump's illegal siphoning of military funds for 700 miles of new construction.



## VOTING RIGHTS IN TEXAS



Crystal Mason cast an uncounted provisional ballot, and now she is facing a 5-year sentence. This aggressive prosecution is voter suppression, and we are petitioning a higher court for an appeal to reverse this injustice.



## STOPPING ABORTION BANS: POWER IN NUMBERS

We are building a coalition of abortion advocates and mobilizing activists across the state to help defend reproductive rights in local communities, one town—and one ordinance—at a time.



## STUDENTS' RIGHTS

We represent students disciplined for noncompliance with discriminatory policies, such as dress codes penalizing their natural Black hairstyles and policing hair length by gender. We also advocate for LGBTQ+ students' in exercising their rights—from free speech to affirming pronouns, names, and bathroom use.



## PROTECT ASYLUM-SEEKERS

We are battling the Trump administration's violation of asylees' due process rights at the Texas border and the ending of asylum by the government, citing the pandemic as justification to deport any asylees (including unaccompanied minors) back to their countries of origin, where they face grave danger.







# FIGHTING THE ASSAULT ON ASYLUM IN THE U.S.

The federal government has taken advantage of the COVID-19 pandemic to accomplish the Trump administration's goal of ending asylum. There is no clearer example than the use of the pretext of public health to effectively end, full-stop, the asylum system in the U.S.—and with it, asylees' due process rights. Currently, federal immigration agencies immediately remove people who enter in between, or at, ports of entry and return them to Mexico or to their country of origin—without access to the immigration system and without regard for the danger they may face there. This includes unaccompanied children, who have been held by government contractors not trained in childcare, for up to 19 days, without access to attorneys—only to be sent back to countries they have fled. While the government says this is to stop the spread of COVID-19, it only sends back children who have tested negative. We joined the national ACLU in filing a class action seeking to stop this practice being used against unaccompanied children.

At a time when the government should be actively releasing people in detention, where social distancing is impossible and protective gear non-existent, they are instead endangering communities across Texas, and the nation. Recently, Border Patrol brought the terrors of their tactics into Portland, Oregon to intimidate and unlawfully detain protestors, subjecting them to rubber bullets, tear gas, and abduction. Border communities have endured this state of siege—with heavy surveillance, illegal searches, racial profiling, and utilizing military personnel to assist with immigration enforcement—every day in Texas. This reality is again coming to national attention as President Trump tweets chilling threats to deploy these agents and their tactics—the same ones who ripped children from their families and have dehumanized asylees—in cities with Black Lives Matter protests.



## GLADY CAÑAS AGUILAR BROWNSVILLE, TEXAS

None of our legal victories over the government's shameful attempts to end asylum protections would have been possible without Gladys. A resident of Matamoros, nder of Ayudandoles a Triunfar, and head of the Matamoros

chapter of Helping People Succeed, Gladys is an unparalleled defender of migrants and asylum-seekers at our southern border—and one of our most essential partners in defending the rights of immigrants.

# THE NEXT GENERATION OF INTEGRATED ABORTION ADVOCACY

The new battleground for abortion rights is at our doorstep, and politicians are finding new ways to block access to reproductive healthcare across the state. Recently, the Supreme Court nearly allowed a law to take effect that would have severely restricted abortion access in Louisiana—one nearly identical to a Texas law struck down four years ago.

Local governments have passed anti-abortion ordinances that confuse people about their reproductive rights and stigmatize pro-choice organizations. The City of Waskom adopted an anti-choice ordinance on June 11, 2019; 13 towns would follow their lead. Our aggressive litigation to protect reproductive freedom and free speech rights resulted in these cities changing the ordinances to stop criminalizing our plaintiffs.

We have also stopped other cities from considering the ordinances, by activating local advocates who organized using our resources. As more, and larger, cities contemplate these ordinances, we will continue to help local leaders organize and lobby to stop these ordinances and promote positive ones. Our statewide coalition, the Texas Abortion Access Network (TAAN), will equip a diverse base of local volunteers and

help us funnel the next generation of abortion advocates into the companion Academy (TAAA), an 8-week certification program offering long-term support to advocates looking to become leaders in their community.

COVID-19 further complicated the landscape, with many states, including Texas, using the pandemic to attack reproductive rights. We know these ordinances are not the end—and that more underhanded attacks will come as our opposition is ramping up their resolve and changing tactics—and so must we, by building leaders in their own communities, one town at a time.



## MEREDITH PLUNKETT KELLER, TEXAS

When members of her community got an anti-abortion ordinance on the City Council agenda, Meredith sprang into action. Contacting the ACLU of Texas, she worked with our staff to develop an advocacy plan involving calls and emails to Meredith's

councilmembers—all while nine months pregnant. Our attorneys also sent a letter to the city officials, noting legal consequences to the ordinance's adoption. Because of Meredith's determination, Keller pulled the ordinance off the agenda immediately.



# BLACK LIVES MATTER

## #SayTheirNames

The murder of Houston native George Floyd on May 25, 2020 by Minneapolis police officers catalyzed worldwide protests as people from all backgrounds, races, ethnicities joined together in the name of justice. They organized in the streets for George, for Breonna Taylor—a 26-year-old Black woman killed in a no-knock raid by police officers who came to the wrong house—and for every Black and Brown life ended by police brutality, entombed in a hashtag. Each hashtag is a life ended prematurely—and each deserves our collective outrage and action.

filed FOIA requests surrounding CBP agents being deployed to cities with BLM protests; and created the “Justice Can’t Wait” report of policing in Houston. The report outlines existing recommendations for community reinvestment and meaningful reforms that address police violence and racial disparities in the criminal legal system, including: increased accountability in the police union contract; expanding non-police emergency first-responders; ban no-knock raids; timely release of body-camera footage; cite-and-release; and empowering a citizens’ oversight board independent of police.

### **Because there have been too many names - the ones we know, and the ones we don’t.**

The collective power of the people have brought us to the brink of transformational change—and systemic changes are needed now. We worked with Black-led organizations and community leaders, sending letters to demand accountability from police and sheriffs; drove volunteers for public comment to city council meetings on police contract negotiations;

The world watched with horror as officers who claim to protect and serve unleashed further brutality on protesters, a tactic they have long used under cover, that is now coming to light in the critical gaze of a nation still coming to terms with its legacy, and its future.

# ACLU

Texas

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