VOTE
THE
CONSTITUTION
OF THE
UNITED STATES OF AMERICA
WE
THE
PEOPLE
ACLU
ACTIVITY
BOOK
ACLU Illinois
We created the ACLU Activity Book for young people to learn about the American Civil Liberties Union, or as we like to call it, the ACLU. In this Activity Book, you will learn about our civil liberties and civil rights, the fight to uphold them, and why they are so important to all of us. This Activity Book includes a variety of resources and activities focusing on important civil liberties heroes, the U.S. Constitution, landmark ACLU court cases, voting rights, and more. We hope that it sparks conversation and inspires you to take action.

The ACLU has been the principal protector of constitutional rights in our country for more than 100 years. We work in courts, legislatures, and in communities all across the country to protect and expand the liberties guaranteed by the Constitution and our laws.

For more information about the ACLU, please reach out to us at acluofillinois@aclu-il.org. Sign up to receive updates on our work at aclu-il.org/signup and follow us on social media: /ACLUofIllinois  ACLUofIL  ACLUofIL

Looking to become part of the next generation of social justice advocates? The ACLU National Advocacy Institute brings together young people (ages 15-24) from across the country to participate in a week-long, firsthand learning experience. You can learn more at: aclu.org/issues/aclu-advocacy-institute.

Let’s get started!

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THE ACLU

is an organization that for more than 100 years has worked to defend and expand civil liberties and rights for all people, with a focus on these issues:

- Capital Punishment
- Criminal Legal Reform
- Disability Rights
- Economic Justice
- Free Speech
- Human Rights
- Immigrants’ Rights
- Institutional Reform
- Juvenile Justice
- LGBTQ+ Rights
- National Security
- Police Practices
- Prisoners’ Rights
- Privacy and Technology
- Racial Justice
- Religious Liberty
- Reproductive Freedom
- Surveillance
- Students’ Rights
- Voting Rights
- Women’s Rights

WHAT ARE CIVIL LIBERTIES?

CIVIL LIBERTY noun

Civil liberties are personal freedoms that you have just because you are a person. These freedoms are basic rights guaranteed to you by the Constitution and our laws.

Our civil liberties are so important to our democracy, which is why each of us must work to protect, defend, and expand them.

The fight for civil liberties happens:

- IN THE COURTS
- IN THE STREETS
- IN THE LEGISLATURE

As you go through this Activity Book, think about the issue areas listed above and consider how these issues are still being debated today.
Our nation has a rich history of people courageously fighting to make our country a better place to live for everyone. From a young girl fighting to protect people with disabilities, to civil rights activists who risked their lives for equality under the law, our Civil Liberties Heroes are as diverse as America itself! These people come from all types of different backgrounds, racial and ethnic groups, religions, gender and sexual identities, but they all have one thing in common: they stand up for others and try to make our country a more equal and just place!

Keep reading to learn about people whose incredible work and dedication to civil liberties helped make America a better place for everyone.

As you read their stories and learn about the things these Civil Liberties Heroes have done, think through these questions:

- What does it mean to be a hero?
- Who else would you consider a hero?
- Have you ever stood up for someone else?

**JANE ADDAMS** was one of the founding members of the ACLU and was the first American woman to win the Nobel Peace Prize. Born in 1860 in the small farming town of Cedarville, Illinois, Jane spent her life fighting for social reforms across all levels of government – a fight that eventually turned into the Nineteenth Amendment. Jane also founded Hull House in Chicago in 1889, which now serves as an internationally recognized symbol of multicultural understanding and a research center for reform. In 1920, she helped co-found the ACLU – we still aim to live up to her powerful legacy today!
SHIRLEY CHISHOLM was the first Black woman elected to the United States Congress in 1968, and was also one of the founding members of the Congressional Black Caucus. Shirley was a trailblazer her entire life, and in 1972 became the first Black candidate to run for President. Known as “Fighting Shirley,” she spent her entire career fighting for racial and gender equality, stopping income inequity, and ending the Vietnam War.

LAVERNE COX is an actress and LGBTQ advocate. She became the first openly transgender person to be nominated for an Emmy in any acting category, and has been one of the most famous and active transgender actors. Laverne has used her platform to work as an advocate for the LGBTQ community, and has partnered with the ACLU to educate and encourage activism, using her red-carpet appearances to stand in solidarity with members of the transgender community.

PATRISSE CULLORS is a leading co-founder of Black Lives Matter (BLM), one of the most influential racial justice movements of our time. Along with Alicia Garza, Opal Tometti, and dozens of grassroots organizations, BLM has united people and led successful protests, effected great change, and exposed widespread bias and corruption in major city police departments across the country. BLM is also one of the first movements in history to successfully use the internet and social media for mass mobilization – newer movements like #MeToo, #NeverAgain, and #TimesUp were successful thanks to the groundwork that #BlackLivesMatter laid.

CLARENCE DARROW was a fierce litigator, criminal defense attorney, and one of the most prominent civil liberties advocates of his time. His legal skill led him to defend John Scopes in the famous “Scopes Monkey Trial,” where he argued the importance of First Amendment protection for academic freedom and that the First Amendment prohibition against “establishment” of religion protected the right to teach science, including evolution, in schools. Clarence, who was a founding member of the ACLU, also represented the labor leader Eugene Debs and other labor activists who were being prosecuted by the U.S. government for leading the historic Pullman Strike and advocating for fair wages and worker protections in dangerous conditions.
**DR. ANGELA DAVIS** is a political activist, philosopher, academic, and author who has been fighting for the civil rights of marginalized and oppressed people for more than five decades. She’s written more than ten books and has been at the forefront of many grassroots organizations that have mobilized people for change, including addressing the violent system of incarceration and abolishing the prison-industrial complex.

**EHLENA FRY & WONDER** are inseparable: Ehlena is a brave girl with cerebral palsy and Wonder is her trained service dog. When Ehlena was adopted by a family in Michigan, the community rallied around her and raised funds to bring Wonder into her life. Ehlena’s pediatrician had prescribed a service dog to help Ehlena become independent: Wonder could open doors for Ehlena, turn on lights, and more. But when Ehlena tried to start kindergarten, the administration at the Napoleon Community Schools refused to allow Wonder at school. Ehlena and her family spent years battling school officials for her right to bring Wonder to her classes. The ACLU joined Ehlena and took this fight to the Supreme Court, which ruled unanimously that she could pursue her case under the Americans with Disabilities Act. We hope this ruling will help ensure that all students with disabilities won’t have to suffer the same challenges and discrimination Ehlena experienced.

**FANNIE LOU HAMER** was a major leader in the American 1960s civil rights movement and a lifelong women’s rights and voting rights activist. In her home state of Mississippi, Fannie was beaten by the police and assaulted by white supremacists while trying to register and exercise her right to vote. From there, Fannie registered thousands of new Black voters and helped countless others through her work in programs like the Freedom Farm Cooperative. She bravely stepped up and ran for public office several times and co-founded the National Women’s Political Caucus, an organization created to recruit and support women of all races to run for office.

**DOLORES HUERTA** is an American labor leader and civil rights leader who broke down many barriers for women in activism. Along with César Chavez, she founded the National Farm Workers Association and was arrested 22 times for participating in peaceful civil disobedience activities and strikes. In 1972, she came up with her signature phrase “Sí, se puede!” (“Yes, we can!”), which became a global rallying cry for labor unions and civil rights organizations for decades to come – and even influenced Barack Obama’s campaign for President!
RUTH BADER GINSBURG wanted to be a lawyer all of her life and went to Harvard Law School, where she was one of only nine women there. Despite being one of the best students, she had trouble getting a job after graduation because many law offices did not want to hire a woman. She persisted and became a powerhouse attorney and fierce civil liberties advocate, arguing cases that demanded equality between men and women. In 1972, Ruth founded the ACLU Women’s Rights Project, and would go on to argue six gender discrimination cases before the Supreme Court. In 1993, she became the second woman Justice ever on the Supreme Court.

GAVIN GRIMM is a courageous young transgender man who was discriminated against by his school district when he tried to use the restroom consistent with his gender identity. For most of his time at Gloucester High School, the district’s school board forced him to use facilities that no other student was required to use. Ultimately, a judge found that his school infringed on his Fourteenth Amendment right to equal protection under the Constitution. Gavin’s bravery helped set a legal precedent for school districts across the country so transgender students won’t have to face the same kind of discrimination Gavin faced. In Gavin’s words, “I realize now this is much bigger than myself. And my greater goal now is to try to make things better for those who come after me.”

COLIN KAEPERNICK was a quarterback for the San Francisco 49ers for six seasons and led them to a Super Bowl. For the entire 2016 season, Colin took a knee during the national anthem before every football game to protest against racial injustice, systemic oppression, and police brutality in the United States. Many other players followed his lead, and the act of “taking a knee” has become common in protests across the country. In Colin’s words, “We all have an obligation no matter the risk, and regardless of reward, to stand up for our fellow men and women who are being oppressed with the understanding that human rights cannot be compromised.”

YURI KOCHIYAMA was a lifelong grassroots organizer, fighting for social justice and human rights for Asian Americans during the civil rights movement of the 1960s. In 1942, Yuri was incarcerated as a young girl at Camp Jerome in Arkansas – one of the incarceration camps that held 120,000 Japanese Americans during World War II. She became close friends with the famous civil rights leader Malcolm X, and would go on to spend her entire life fighting for rights for political prisoners and internment camp survivors, as well as fighting back against the racial profiling of Arabs, Muslims, and South Asians after the September 11th attacks.
**MS. L AND HER DAUGHTER** fled from grave danger and violence in the Democratic Republic of Congo to California in November 2017 to seek political asylum in the United States. But just four days after they arrived, immigration officials handcuffed Ms. L, put a restraint around her waist and ankles, and took her daughter away to a location she did not know (a facility in Chicago for “unaccompanied immigrant minors”). The ACLU filed a lawsuit and successfully reunited Ms. L and her daughter, exposing the government’s harmful family separation policy for immigrants and asylum-seekers, and leading to rallies and outcry across our country.

**JOHN LEWIS** was one of the 13 original “Freedom Riders” who fought to ensure that public buses weren’t segregated and helped organize sit-ins and other student protests in the 1960s. He was the youngest speaker at the March on Washington, where Martin Luther King Jr. delivered his “I Have A Dream” speech. During the Selma to Montgomery Marches for Black voting rights, police attacked him and other peaceful protestors, striking him so hard that they fractured his skull. John was elected to the House of Representatives in 1986, and would represent Georgia’s 5th Congressional District for more than 33 years before he passed away in July 2020. Described as "one of the most courageous persons the civil rights movement ever produced," John dedicated his life to human rights and will always be remembered for his wise advice: that people should be ready to “get in good trouble, necessary trouble” to create change.

**THURGOOD MARSHALL** was a groundbreaking lawyer, a passionate racial justice advocate, and in 1967, became the first Black man to be appointed to the Supreme Court. Earlier in his career, he was the executive director of the National Association for the Advancement of Colored People (NAACP) Legal Defense and Educational Fund and successfully argued several landmark civil rights cases before the Supreme Court, including *Brown v. Board of Education*. As a Justice on the Supreme Court, Thurgood had a strong record of protecting civil liberties, including the rights of people on trial, and was an early proponent of abolishing the death penalty, finding it unconstitutional in all forms.

**CHANEL MILLER AND TARANA BURKE** are activists who advocate for women’s rights. Chanel bravely wrote a book about her own personal experience and advocated for believing and trusting women. Tarana started the #MeToo movement to educate and raise awareness about a range of issues that women face, and has spent her career advocating for girls and women of color. Her phrase, “Me Too,” started a worldwide movement in 2017 and has changed the way our society thinks about and addresses harmful conduct and violence against women and girls.
**Rosa Parks** is an icon of the civil rights movement and played an important role in ending segregation. In 1955, she took part in the Montgomery bus boycott, refusing to give up her seat in the “colored section” of a bus to a white passenger and was arrested. She was convicted of disorderly conduct and violating a local ordinance, but she appealed her conviction and formally challenged the legality of segregating people by race. Her act of defiance sparked a massive bus boycott, and a year later the Supreme Court struck down bus segregation laws as being in violation of the Equal Protection Clause of the Fourteenth Amendment. Rosa became an important symbol of the civil rights movement, which made her a target: she was fired from her job, often harassed, and received death threats for years. She spent the rest of her life working and advocating for people facing inequality, from housing discrimination to political prisoners.

**Bryan Stevenson** is a lawyer, social justice activist, law professor, and founder of the Equal Justice Initiative, a nonprofit organization that provides legal representation to prisoners who may have been wrongly convicted of crimes, prisoners who cannot afford a lawyer, and others who may have been denied a fair trial. In addition to saving dozens of prisoners from the death penalty, Bryan helped win a Supreme Court decision that prohibits courts from sentencing minors (people under the age of 18) to death or life imprisonment without parole.

**Megan Rapinoe** is an American soccer player who has become known for her love of the game and her bold activism. In 2012, Megan came out as gay, and spoke about the homophobia that existed in the sports world. Megan has led the US Soccer Women’s National Team to many victories, including two World Cup wins (2015 and 2019) and a Gold Medal at the Olympics (2012). She has been a leader off the field as a strong advocate for LGBTQ rights and for racial justice, joining Colin Kaepernick in kneeling during the national anthem before games. She has also been an instrumental voice in the sports world for demanding equal pay for her team to their male counterparts.

**Jeannette Rankin** was a trailblazer: a fierce women's rights advocate and a founding member of the ACLU, and the first woman elected to Congress in 1916 – even before the Constitution granted women the right to vote! Jeannette spent her life fighting for civil rights and organizing and lobbying for legislation to give women the right to vote in several states. When she first became a U.S. Representative, she introduced legislation that eventually became the Nineteenth Amendment in 1920. However, women of color, including Black, indigenous, Latina and Asian women, continued to be barred for decades from voting due to discriminatory practices.

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**CLYDE MERTON WARRIOR** was a Native American activist and leader, and one of the founders of the National Indian Youth Council, which grew out of a summer program that brought students from all around the United States to learn about and discuss how Native Americans were being treated in America. Clyde fought for the passage of the Indian Civil Rights Act in 1968, which recognized several indigenous nations that had been ignored by the government, and he was a leader in the March on Washington and the war on poverty in the 1960’s.

**IDA B. WELLS** was born into slavery in 1862. She was freed through the Emancipation Proclamation during the Civil War and became an investigative journalist. She was a founder of the NAACP, a suffragist, and spent her whole life fighting for equality for Black women. She bravely documented the horrendous practice of lynching in the South, and would face threats of violence throughout her career. She spent most of her life in Chicago, where she raised a family while writing, speaking, and organizing for civil rights, voting rights, and women’s rights.

**EDIE WINDSOR** was a fiery LGBTQ rights activist who successfully sued the government over an unconstitutional law that denied benefits to same-sex married couples. Edie was born shortly before the Great Depression and met her future wife, Thea Spyer, in 1963. When her wife died in 2009, Edie was denied several benefits and rights that any other opposite-sex spouse would receive. Edie took her fight to the Supreme Court and won her case, which overturned an important section of the unconstitutional and discriminatory Defense of Marriage Act. Edie’s case also laid the foundation for full marriage equality in *Obergefell v. Hodges*, which was decided in 2015.

**After reading about these Civil Liberties Heroes:**
- What do these Civil Liberties Heroes have in common?
- Is there anyone else you would like to add to this list?
- If you could fight alongside one of these Heroes, who would you choose and why?
BE THE CHANGE

All of our Civil Liberties Heroes fought to make a difference. Create your own protest sign to highlight an issue that you care about and would want to share with the world.
CIVIL LIBERTIES HEROES
WORD SEARCH

Find the following words in the puzzle. Words are hidden → ↓ and → .

WORD BOX

ADDAMS  FRY  KAPELNER
CHISHOLM  GINSBURG  LEWIS  STEVENSON
COX  GRIMM  LEWIS  WELLS
DAVIS  HAMMER  PARKS  WINDSOR
RAPIANO
Drafted in 1787 and ratified in 1788, the Constitution of the United States established America’s national government and fundamental laws, guaranteed certain basic rights, and is considered the “supreme law of the land.”

Written on only four pieces of parchment paper, our Constitution is said to be a “limited” one – the government has only that power which is specifically granted to it by the people. In fact, the first three words of the preamble of the Constitution, “We the people,” make clear that the federal government of the United States exists to serve its people.

A chief aim of the Constitution was to create a government with enough power to act on a national (or “federal”) level, but without so much power that fundamental rights would be at risk. The Constitution seeks to limit abusive government overreach by separating government powers into three distinct branches – Executive (the Presidency), Legislative (Congress), and Judiciary (the federal courts, including the Supreme Court). In addition to establishing this “separation of powers,” the Constitution also was the first founding document to include a system of “checks and balances” on those powers to ensure that no one branch of government became too powerful. These measures were designed to protect democracy and guarantee accountability across all parts of government.

The Constitution consists of a PREAMBLE, several ARTICLES, and 27 AMENDMENTS (which encompass the BILL OF RIGHTS). Let’s take a closer look at some of these sections within the Constitution, and what they mean for every American.
PREAMBLE

Our Preamble explains the values that guide our laws:

“We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America”

ARTICLES

The Constitution contains seven Articles that lay out the basic foundation of our government, including the system of checks and balances, how our government is organized, and the relationship between the national government and the states.

ARTICLE I lays out the power of our legislative branch: the Congress of the United States. Divided into two chambers – the House of Representatives and the Senate – all of our laws on the federal level are passed by Congress. A law starts as a bill in either the House of Representatives or the Senate and through a voting process moves into the other chamber. Once the bill passes both the House and the Senate, it is given to the President. The President can sign the bill, making it a law, or veto it. A bill does not become a law unless the President signs it or Congress overrides the President’s veto with a two-thirds vote in both the House of Representatives and the Senate.

Article I of the Constitution also contains the requirements to become a Congressperson and details the differences between the House of Representative and the Senate. Representatives serve 2-year terms, must be at least 25 years old to run for election, and represent a district in their state. There are currently 435 Representatives in the House from all over the country. The number of Representatives per state is decided by how many people live there – the bigger a state’s population, the more Representatives that state has in the House. Senators serve 6-year terms, must be at least 30 years old to run for election, and represent their entire state. There are two Senators for each state, which means there are exactly 100 Senators.

ARTICLE II of the Constitution establishes the Executive Branch, including the office, qualifications, and duties of the President and Vice President. While it is Congress’s job to write laws, it is the Executive Branch’s job to carry out laws. Article II describes how a President is elected through the Electoral College and some of the President’s powers, like being the Commander-in-Chief of our military. Article II also provides the procedure for removing the President (and other federal officers) by impeachment. Did you know, only three Presidents have ever been impeached?
**ARTICLE III** of the Constitution establishes and describes the Judiciary Branch (the Supreme Court and the lower federal courts) and also protects the right to trial by jury in all criminal cases. Since the Legislative Branch passes laws, and the Executive Branch enforces them, it is the Judiciary Branch’s job to interpret the law, to determine what is “constitutional” and to identify what is and is not allowed under the law. This means that the Judiciary Branch exists as a check and balance on both the Legislative and Executive Branches. Federal courts can decide whether any law (federal or state) or action violates the Constitution – read more about important court cases in the Historic ACLU Cases section of this Activity Book.

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**AMENDMENTS**

**ARTICLE V** of the Constitution outlines the process for making changes to or amending the Constitution. Many of the Constitution’s 27 Amendments grant new rights, help explain protections and civil liberties of people, and/or make changes in the way government works. For example, amendments made to the Constitution guarantee freedom of religion and the press, abolish slavery, and grant women the right to vote. As you read about some of the Amendments, think about how the amendment process has been used to update the Constitution to protect the civil liberties of all Americans, not just a chosen few.

An amendment can be made or “ratified” in one of two ways: (1) Congress must approve the amendment by two-thirds majority in both the Senate and the House of Representatives, or (2) three-fourths of the states (38 of the 50) approve the proposed amendment.

**Did you know that the protections of the Constitution not only apply to the federal government, but to state and local governments as well?**

The **BILL OF RIGHTS** consists of the first ten Amendments to the Constitution, which were ratified soon after the Constitution was adopted. The Bill of Rights contains protections for individual liberties and rights, imposes specific limitations on governmental power, and declares that all power that is not specifically granted to Congress is reserved for the states or the people.
BILL OF RIGHTS

As part of the Bill of Rights, the Amendments we highlight below reflect some of the fundamental rights in our Constitution.

1ST AMENDMENT

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances”

This means the government should not:
- Favor one religion over another religion, or oppose any religion or practice
- Stop people from expressing their thoughts and views, even if they are criticizing the government
- Prevent the press from presenting news, ideas, and opinions or
- Stop people from gathering peacefully to protest.

4TH AMENDMENT

“The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized”

The government cannot search a person, their house, or their personal belongings unless they prove to a judge that they have a good reason (“probable cause”) for the search.

5TH AMENDMENT

“No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.”

This requires that proper legal steps are taken during any arrest and trial, including the now-famous “Miranda warning” that requires people in government custody to be read their rights before providing information to police.

6TH AMENDMENT

“In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed; which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defence.”

People facing criminal charges at trial have the right to an attorney, the right to know what they are accused of, and the right to confront and question witnesses who testify against them.

8TH AMENDMENT

“Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.”

The government can't make people pay more than is reasonable in bail or in fines, and it cannot inflict cruel or unusual punishments (like torture). Many people believe that the Supreme Court may one day conclude that this Amendment also bans the death penalty.
AMENDMENTS

Highlighted below are a number of Amendments that have influenced major Supreme Court cases and are important in understanding our constitutional rights.

**BILL OF RIGHTS (1791)**

**14TH AMENDMENT (1868)**

"... No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws ....”

This Amendment finally abolished slavery, a dark and monstrous institution in America’s history that violated the promises of the Constitution and the Declaration of Independence: that all Americans should have the right to life, liberty, and due process of law.

**13TH AMENDMENT (1865)**

“Neither slavery nor involuntary servitude ... shall exist within the United States, or any place subject to their jurisdiction.”

This Amendment specifically recognized birth right citizenship (all people born in the United States are automatically an American citizen) and has been used to ensure equal protection under the law for many in our country, including people of color and women.

**19TH AMENDMENT (1920)**

“The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.”

It was not until 1920 that women in the United States were finally granted the right to vote. This would not have been possible without the hard work of the suffragettes, who included some of the ACLU’s founders, like Crystal Eastman and Jeannette Rankin. The right to vote could no longer be denied based on sex or gender. However, women of color continued to be barred for decades from voting due to discriminatory practices.

**15TH AMENDMENT (1870)**

“The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude ...”

Despite the clear language of this Amendment, many states would go on to pass “Jim Crow” laws to limit the rights of Black Americans throughout the 20th Century.

**26TH AMENDMENT (1971)**

“The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.”

More than 50 years after women were granted the right to vote, this Amendment made 18 the voting age nationwide.

WILL THERE BE A 28TH AMENDMENT SOON?

The Constitution has not been amended in almost 30 years. However, advocates – including the ACLU – have been working for nearly a century to get a three-fourths majority of states to pass the Equal Rights Amendment (ERA). The first version of the ERA was written and introduced in Congress in December 1923. The ERA seeks to provide equal legal rights for all American citizens regardless of sex, including employment, marriage, property, and more.
WE THE PEOPLE
Design a cover for the Constitution that represents America’s values.

What Amendment would you add to our Constitution?
U.S. CONSTITUTION
WORD SEARCH

Find the following words in the puzzle. Words are hidden → ↓ and → .

WORD BOX

AMENDMENT EXECUTIVE PEOPLE STATES
ARTICLES FREEDOM PREAMBLE SUPREME
CONGRESS JUDICIAL PRESIDENT UNION
COURT LAWS RIGHTS VETO
DEMOCRACY LEGISLATIVE
Courts, including the Supreme Court, interpret our laws and the Constitution. Landmark court cases have historical and legal importance and often have long-lasting effects on society and the way we live.

The United States Supreme Court is the highest court in the country and there are nine Justices who serve on it. Like other federal judges, Supreme Court justices are nominated by the President, confirmed by the Senate, and serve lifetime positions. By never having to worry about elections (like many state court judges), our federal judges can be more impartial and less swayed by political considerations.

Decisions made by the Supreme Court are binding and become part of the law, but they can be overturned or reinterpreted in the future, or even superseded in certain cases by law or Constitutional amendment.

**Did you know: the Constitution requires the Chief Justice of the Supreme Court to preside over impeachment proceedings of the President?**

For more than 100 years, the ACLU has been in the courts fighting to protect civil liberties and rights for all. In many ways, the history of the ACLU is tied closely to the history of the United States: the ACLU has won landmark cases before many courts across the country to protect free speech, women’s rights, racial equality, LGBTQ rights, immigrant rights, and so much more. Because of that work, the ACLU has appeared before the Supreme Court more often than any other organization or law firm except for the U.S. Department of Justice.
STATE OF TENNESSEE V. SCOPES (1925)
Better known as the “Scopes Monkey Trial,” this case involved science teacher John Scopes, who began teaching evolution in a Tennessee public school, a curriculum which had been made illegal by the Butler Act passed in 1925. The ACLU helped bring this case to national prominence by challenging this unconstitutional law. While John was found guilty and fined, the verdict was later overturned and the ACLU attracted nationwide attention for standing up for civil liberties. Nearly a century later, students in schools across America can still feel the effects of the Scopes case today.

“If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion, or force citizens to confess by word or act their faith therein.”

GITLOW V. NEW YORK (1925)
Before 1925, it was unclear if certain constitutional protections – like the First Amendment’s freedom of speech – restricted only the federal government from limiting a person’s speech, or also restricted the actions of state governments. In one of the ACLU’s first landmark cases before the Supreme Court, Gitlow v. New York established that the Fourteenth Amendment incorporates the First Amendment’s free speech clause and that those constitutional protections should be extended to restrict the states. The ACLU defended Benjamin Gitlow’s right to protest in the face of several reactionary “Red Scare” laws passed by states that prohibited speaking out against the government. While Benjamin’s conviction was upheld, his case laid the groundwork for the protection of the freedom of speech and freedom of the press in all 50 states.

WEST VIRGINIA STATE BOARD OF EDUCATION V. BARNETTE (1943)
Did you know that a little more than 75 years ago, you could get in trouble if you did not recite or stand for the Pledge of Allegiance and salute the flag? That changed in Barnette, another case brought by the ACLU in which the Supreme Court ruled that the free speech clause of the First Amendment protects students from having to salute the flag or stand for the Pledge of Allegiance in public schools. As we become a more diverse nation, it is cases like Barnette that ensure students and people of all backgrounds have the freedom to exercise their speech and religion as they see fit.
POWELL V. ALABAMA (1932) and NORRIS V. ALABAMA (1935)

Powell v. Alabama marked an important milestone in the emergence of a national civil rights movement. The facts leading to the case were shocking, as nine young Black men – the so-called “Scottsboro Boys” – were falsely accused of rape in Alabama. As they awaited trial, the young men were not told they could hire lawyers or even contact their families. The men were tried before an all-white, all-male jury who returned guilty verdicts in record time, and all but one of the nine young men were sentenced to death. As national outrage over the unconstitutional convictions grew, numerous organizations came forward to assist with appeals, including the ACLU, which would later successfully argue to the Supreme Court that due process protections in the Sixth Amendment prohibited states from sentencing someone to death without ensuring that the person had been adequately represented by a lawyer. In the next appeal, Norris v. Alabama, the Supreme Court unanimously overturned another conviction on the grounds that Black people had been systematically excluded from jury pools, which also violated the Sixth Amendment right to a fair trial. The Scottsboro defendants were ultimately saved from execution, but they languished in prison for years and struggled to fully recover from their harrowing experience.

HIRABAYASHI V. UNITED STATES (1943) and KOREMATSU V. UNITED STATES (1944)

At the height of World War II and in the aftermath of the attack on Pearl Harbor, the American government turned against Japanese Americans - both natural born citizens and immigrants. In a shameful and dark chapter of American history, more than 120,000 people of Japanese descent were taken from their homes and held in internment camps, even though two-thirds of those taken were born in the United States. The ACLU led the fight on behalf of Japanese Americans in two cases before the Supreme Court, Hirabayashi and Korematsu. Although the ACLU did not prevail in those cases, the cause was just and remains the backbone of legal efforts to protect against government-based racial discrimination and to protect immigrants from the government’s denial of due process and civil rights. More than 70 years later, the Supreme Court would acknowledge that Hirabayashi and Korematsu were “gravely wrong” when they were decided, and that those decisions have “no place in law under the Constitution.”
**BROWN V. BOARD OF EDUCATION (1954)** marked a historic moment in the ongoing battle for civil rights in America. The facts of the case begin in a public school district in Topeka, Kansas, which refused to enroll a Black girl in a school closest to her home, and instead required her to ride the bus to a segregated Black school that was further away. The Kansas government argued that separate facilities could be used for separate races as long as the facilities were “equal” (a doctrine known as “separate but equal”). Thurgood Marshall (one of our Civil Liberties Heroes, who was later appointed to the Supreme Court) argued the case before the Supreme Court for the Brown family. In 1954, the Supreme Court ruled unanimously that the “separate but equal” doctrine that established segregation was unconstitutional for public schools and educational facilities, and that racial segregation in schools was unconstitutional, even if the segregated schools actually were equal in terms of quality. The case paved the way for racial integration in schools and was a landmark victory for civil rights advocates everywhere.

**ENGEL V. VITALE (1962)**
In 1962, the ACLU represented students and parents in challenging “nondenominational” school prayer, eventually leading to the decision that forcing prayer in public schools violates the Establishment Clause of the First Amendment. In its decision, the Supreme Court declared that “it is no part of the business of government to compose official prayers.” The Engel decision helped maintain an essential wall between church and state within our public schools so that students can continue to be free to practice whatever religion they like (or not).

**ESCOBEDO V. ILLINOIS (1964) and MIRANDA V. ARIZONA (1966)**
These two important cases, which the ACLU argued in the Supreme Court, helped establish the way police officers have to interact with people during an arrest. Escobedo v. Illinois established that criminal suspects have a right to counsel not only during trial, but during police interrogations as well. Two years later, the Supreme Court held in Miranda v. Arizona that police were generally required to advise suspects of what would come to be known as their “Miranda Rights” – the right to remain silent, the fact that anything they said could be used against them, and their right to an attorney.
**LOVING V. VIRGINIA** (1967)

Just a little more than 50 years ago, it was against the law for people who were of two different races to marry each other. This changed with a momentous Supreme Court decision in **Loving v. Virginia**. In that case, Mildred and Richard Loving – a woman of color and a white man – had married in 1958. A year later, they were convicted of violating Virginia’s Racial Integrity Act, a law that prohibited interracial marriage. They left Virginia, but many years later, went to the ACLU for help. In 1967, the Supreme Court heard their case and found in favor of the Lovings, striking down all race-based restrictions on marriage. Decades later, the Loving decision would also play an important role in federal court decisions holding restrictions on same-sex marriage in the United States unconstitutional, including the 2015 Supreme Court decision (**Obergefell v. Hodges**) that gave same-sex couples the right to marry.

**TINKER V. DES MOINES** (1969) is a historic ruling that cemented students’ rights to free speech in public schools. Mary Beth Tinker was a 13-year-old junior high school student in December 1965 when she and a group of students decided to wear black armbands to school to protest the war in Vietnam. Mary Beth and her friends were suspended for expressing their opinion, so they filed a First Amendment lawsuit that made its way to the Supreme Court. Represented by the ACLU, the students and their families embarked on a four-year court battle leading to a Supreme Court ruling that the First Amendment applied to public schools, and school officials could not censor student speech unless it disrupted the educational process.

**LANDMAN V. ROYSTER** (1971)

A federal court found that conditions in several prisons in Virginia violated due process, the First Amendment right to communicate with others, and the Eighth Amendment’s prohibition of cruel and unusual punishments. The ACLU argued on behalf of its clients, who experienced brutal conditions such as tear-gassing, solitary confinement as punishment for complaints, and a ban on all contact with the outside world, including lawyer visits. This case has served as an important foundation for the ACLU’s critical work on behalf of incarcerated people deprived of their basic rights.
**ROE V. WADE (1973)**

One of the best known Supreme Court decisions of all time, the question before the Supreme Court in *Roe v. Wade* was whether a woman had the ability to have control over her body and make the choice to have an abortion. Many laws in states across the country at that time made it illegal for a woman to have an abortion, a simple, safe, and common reproductive healthcare procedure. A woman who went by the name “Jane Roe” (a pseudonym to protect her identity) lived in Texas and already had two children. She did not want to have another child, but the law in Texas said that she had to have the baby. She won and the case is one of the most consequential cases in our modern history, setting the precedent for what states could do in the future to restrict a woman’s control over her own body.

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**CHICAGO V. MORALES (1999)** was an important case that resulted in the end of an unconstitutional, vague, and racially-biased “anti-gang loitering” law in Chicago. Between 1992 and 1995, Chicago police made 45,000 arrests of mostly Black and Latino males under the law. Many were not gang members, and most were arrested for nothing more than standing in front of their own home. It should not be a crime simply to be a young person of color gathered with your friends on the street, in Chicago or anywhere.
**OBERGEFELL V. HODGES (2015)**

This sweeping and historic decision afforded gay and lesbian couples the same legal right to marry as different-sex couples. The Supreme Court decision struck down discriminatory laws and required all 50 states to allow same-sex couples to marry, holding that state marriage bans violate the due process and equal protection guarantees of the Constitution. While Obergefell marked a momentous victory, there is a long way to go to protect the civil liberties of all LGBTQ Americans, including work in dozens of states that have yet to pass any LGBTQ non-discrimination laws.

**DARWEESH V. TRUMP (2017)**

In January 2017, the Trump Administration moved to ban people from many predominantly Muslim countries from entering the United States. The ACLU immediately jumped into action and filed a lawsuit in federal court that resulted in a nationwide stay that blocked the deportation of people stranded in American airports under the order, even though they had valid visas to enter the United States. This was one of the Trump Administration’s first big losses in court. Although the Supreme Court ultimately upheld the authority of a President to impose certain restrictions on entry to the United States, the ACLU’s litigation and several cases brought by state Attorneys General forced the administration to significantly narrow the scope of the ban multiple times.

**CARPENTER V. UNITED STATES (2018)** was a landmark Supreme Court decision concerning the privacy of historical cellphone location information. Prior to this case, the government could obtain sensitive cellphone records from wireless service providers simply by claiming the information was required for an investigation. These records often contained detailed information, including the physical locations of cellphones over time. The ACLU took the case and argued that the government violates the Fourth Amendment by accessing such records without a search warrant. The Supreme Court agreed, recognizing that the “exhaustive chronicle[s] of location information casually collected by wireless carriers” contained sensitive, private information that should not be provided to the government without a search warrant.
DEPARTMENT OF COMMERCE V. NEW YORK (2019)

In 2019, the ACLU filed a federal lawsuit on behalf of many immigrants’ rights groups challenging an unconstitutional and intentionally discriminatory plan to include a citizenship question on the 2020 Census. The question was intended to prevent immigrants and others from being counted in the Census which is used to make important determinations about our government, including representation in the House of Representatives and allocation of federal resources. In a crucial victory, the Supreme Court in Department of Commerce v. New York denied the Administration’s effort to include the question on the Census, ensuring that the government could not exclude counting millions of people in our country.

R.G. & G.R. HARRIS FUNERAL HOMES V. EEOC & AIMEE STEPHENS (2020)

Aimee Stephens had worked for nearly six years as a funeral director at R.G. and G.R. Harris Funeral Homes when she informed the funeral home’s owner that she was a transgender woman. She was then immediately fired. Aimee and the ACLU took her case to the Supreme Court, where it was joined with two other cases of the ACLU and its partners. In June 2020, the Supreme Court issued a joint decision in Bostock v. Clayton County, ruling in favor of Aimee and all LGBTQ people. The Court found that Title VII of the 1964 Civil Rights Act protected LGBTQ workers from workplace discrimination. Though Aimee passed away just one month before the decision, her legacy will always be remembered as part of this victory in the movement for full LGBTQ equality.

Questions to think about:

• What other issues related to our Constitution do you think the Supreme Court should consider next?

• Have any of the above cases impacted your or a friend’s life?
The area outside of the Supreme Court is often filled with groups of people waiting to hear the Court’s decisions. Regardless of what the Court decides, we can all come together to make our voice heard.
WORD SCRAMBLE

UNSCRAMBLE THE WORDS

1. REO
2. BNRWO
3. NILVGO
4. SPSCOE
5. NERBTAET
6. EBFLRGOEEL
7. HGAOCIC
8. EBDEOSOC
9. NAIRDMA
10. OIRANAZ
11. IHBAAIAYAYRHS
12. TUMOAESRK
13. INKTre
14. SDE SMENOI
15. VNIGIIAR

WORD BOX

BARNETTE  DES MOINES  KOREMATSU  ROE
MIRANDA  VIRGINIA  BROWN  ARIZONA
OBERGEFELL  SCOPES  ESCOBEDO  TINKER
CHICAGO  HIRABAYASHI  LOVING
WHY VOTE?
Voting is fundamental to our democracy, and one of the most direct ways we can express how we feel about the performance of our elected officials. Through voting, we also let our government know which policies and candidates best represent our communities and values.

HOW DO YOU VOTE IN ILLINOIS?
• There are many ways to vote in the elections — you can vote early, vote by mail or vote in person at your polling place on Election Day.
• You can vote if you are a formerly incarcerated returning citizen. Even if you lack a driver’s license, you can still vote.

WHAT CAN YOU DO IF YOU ARE NOT OF VOTING AGE?
As you get closer to the legal voting age (18), you can consider doing more to get involved with voting rights. Once you’re in high school, on Election Day, you could be an Election Judge, Poll Watcher or Election Coordinator — important roles that help keep our elections fair, open, and transparent!
HISTORY OF VOTING TIMELINE

FIRST UNITED STATES ELECTION (1788-89)
George Washington unanimously elected the first President of the United States. Only white, property-owning men were allowed to vote at this time.

SENECA FALLS CONVENTION (1848)
Activists for ending slavery and women’s rights join together in Seneca Falls, New York to call for voting rights for women.

15TH AMENDMENT PASSED (1870)
The right to vote cannot be denied by the national or any state government based on a person’s race. Some states begin to restrict Black men’s ability to register to vote through poll taxes and literacy tests.

WYOMING BECOMES THE FIRST STATE TO GRANT WOMEN THE RIGHT TO VOTE (1890)
One of the strategies of the women’s suffrage movement was to win the right to vote, state by state, and build up national momentum.

14TH AMENDMENT PASSED (1865)
Former slaves were granted citizenship and other rights, but only men could vote at this time.

SUSAN B. ANTHONY ARRESTED (1872)
A prominent female activist at the forefront of the women’s suffrage movement is arrested for trying to vote.

19TH AMENDMENT PASSED (1920)
The right to vote could no longer be denied based on sex or gender. However, women of color continued to be barred for decades from voting due to discriminatory practices.

ONE PERSON, ONE VOTE (1962)
In Baker v. Carr, the Supreme Court forced the Tennessee legislature to reapportion itself on the basis of population, an important step forward towards ensuring that one person equals one vote.

VOTING RIGHTS ACT (1965)
Protects the voting registration and voting rights of minorities after years of discriminatory practices like poll taxes and literacy tests.

SELMA TO MONTGOMERY MARCHES (1965)
Led by members of the civil rights movement, thousands of Black people and allies march in protest of Alabama’s discriminatory voting registration policies.

26TH AMENDMENT PASSED (1971)
Voting age lowered from 21 to 18 nationwide.
KNOW YOUR ELECTED OFFICIALS

From those that serve on the federal level to those in your hometown, there are many elected officials who represent you and your community. Here are some of the positions in Illinois:

**NATIONAL**

- **PRESIDENT** – The President is the head of state and head of government, and has the executive power of the United States to enforce federal law. The President is responsible for appointing or nominating certain federal officials, including the heads of executive agencies, ambassadors, and judges.

- **U.S. SENATOR** – The Senate has the power to approve treaties and the ability to confirm Supreme Court justices, federal judges, ambassadors, and other certain federal officials. Senators have the responsibility to conduct trials of those who are impeached by the House. Senators may also introduce bills and vote on bills to become law.

- **U.S. REPRESENTATIVE** – Representatives have the power to introduce and vote on federal legislation in the form of bills that then are sent to the President for consideration. They also hold the responsibility to investigate and impeach federal officials, including the President.

**STATE**

- **GOVERNOR** – Responsible for ensuring that state laws are implemented while simultaneously overseeing the operation of the state executive branch.

- **ATTORNEY GENERAL** – The Attorney General is the state's chief legal officer and is responsible for protecting the public interest of the state and its people.

- **STATE COURT JUDGE** – These judges serve on state courts, and often interpret state laws, and preside over cases arising under state law. The United States Supreme Court still has the final word on what federal law means and whether state laws are constitutional.

- **STATE SENATOR** – State Senators have the power to write and vote on state legislation, or bills, that then are sent to the Governor for consideration.

- **STATE REPRESENTATIVE** – State Representatives have the same power as State Senators to write and vote on bills to send to the Governor’s desk.

**LOCAL**

- **MAYOR** – Highest ranking official in a city or town, and typically oversees a city’s main departments, including police, education, and transportation.

- **SHERIFF** – As the chief law enforcement officer for the locality, sheriffs oversee the detention in jails and direct policing and patrols for unincorporated areas.

- **COUNTY STATE’S ATTORNEY** – The chief prosecutor for each county.

**ACTION ITEM: FIND YOUR ELECTED OFFICIALS IN ILLINOIS:** [www.aclu-il.org/ElectedOfficialFinder](http://www.aclu-il.org/ElectedOfficialFinder)
You just learned more about our voting process. Fill out the sample ballot with people you know who would be great elected officials:

**MY BALLOT**

**NATIONAL**

☐ POSITION: ____________________________

**STATE**

☐ POSITION: ____________________________

**LOCAL**

☐ POSITION: ____________________________

**BALLOT MEASURES** are another way to create change. They are proposed legislation that can be voted on directly by citizens (instead of just the legislators).

What is something your community should vote on?

____________________________________

____________________________________

____________________________________

____________________________________

____________________________________
MAKE YOUR VOICE HEARD
VOTING RIGHTS
WORD SCRAMBLE

UNSCRAMBLE THE WORDS

1. VEOT  ____________  10. RTAPTEERNVESIE  ____________
2. OENTICEL  ____________  11. JGEDU  ____________
3. DAICDTNEA  ____________  12. RRVENNGNOO  ____________
4. TOBLAL  ____________  13. TEIGSRER  ____________
5. INEENMO  ____________  14. TEBEAD  ____________
6. LSLPO  ____________  15. RAYPIMR  ____________
7. NGMPACIA  ____________  16. NESUISS  ____________
8. ESNTEPDIR  ____________  17. BSENEATE  ____________
9. RASNETO  ____________  18. TRAPY  ____________

WORD BOX

CANDIDATE  PRIMARY  POLLS  JUDGE
Nominee  Register  Vote  Representative
Issues  Debate  Campaign  Governor
Party  President  Election  Senator
Ballot  Absentee
MAKING CONNECTIONS

All of the work to protect civil liberties is connected! Reflect back on the information you learned about in this Activity Book and draw lines to connect things that are related. There are no wrong answers!

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Civil liberties are guaranteed rights and freedoms in our Constitution and laws. We can all be watchdogs for civil liberties in our homes, schools, communities, and everyday lives.
Lady Liberty’s torch lights the way to freedom and liberty. Design your own torch and pose with it to show your support for the rights of everyone in our country.

STATUE OF LIBERTY

The Statue of Liberty in New York Harbor is a beacon of liberty in the United States.

The statue has become a symbol of freedom and welcome to immigrants and visitors.
LEAD THE WAY

Lady Liberty’s torch lights the way to freedom and liberty.

Design your own torch and pose with it to show your support for the rights of everyone in our country.
When we stand together, we can create a better country for everyone here. “We the people” means all of us. Create a banner to honor the people in your life, such as your family, friends, neighbors, teachers, and classmates.
ANSWER KEY

CIVIL LIBERTIES HEROES

WORD SEARCH

HISTORIC ACLU CASES

1. ROE
2. BROWN
3. LOVING
4. SCOPES
5. BARNETTE
6. OBERGEFELL
7. CHICAGO
8. ESCOBEDO
9. MIRANDA
10. ARIZONA
11. HIRABAYASHI
12. KOREMATSU
13. TINKER
14. DES MOINES
15. VIRGINIA

WORD SCRAMBLE

VOTING RIGHTS

1. VOTE
2. ELECTION
3. CANDIDATE
4. BALLOT
5. NOMINEE
6. POLLS
7. CAMPAIGN
8. PRESIDENT
9. SENATOR
10. REPRESENTATIVE
11. JUDGE
12. GOVERNOR
13. REGISTER
14. DEBATE
15. PRIMARY
16. ISSUES
17. ABSENTEE
18. PARTY

U.S. CONSTITUTION
WE THE PEOPLE DARE TO CREATE A MORE PERFECT UNION

ACLU Illinois

DISSENT IS PATRIOTIC. SILENCE NEVER WON RIGHTS. THE FIGHT'S FAR FROM OVER.