



ACLU
Illinois

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IMPACT REPORT

ACLU Illinois

REFLECTIONS AND MOVING FORWARD

A note from ACLU of Illinois Executive Director,
Colleen Connell (she/her)



This past year has been challenging. The U.S. Supreme Court cruelly stripped away the constitutional protection for abortion – a right that had been recognized for nearly a half century – and took steps to diminish a host of individual rights. In addition, we saw our democracy threatened by

election deniers, including many motivated by hatred, racism, and the desire to eviscerate other civil liberties. But as we end the year, we have reason to be optimistic.

Perhaps the most important development of this year is the preservation of our democracy in the 2022 Midterm Elections:

- Many of the election-deniers seeking offices lost. Candidates who advanced the most vitriolic anti-Semitism, misogyny, and racial hatred also were rejected across the country. Illinois voters defeated election-deniers, ensured a pro-choice majority on the Illinois Supreme Court, re-elected a governor who is a strong supporter of abortion rights and LGBTQ rights,

and maintained majorities that support civil liberties in the General Assembly.

- Across the country, every ballot measure considered by the electorate that would support abortion rights was approved by voters. In the months since the Supreme Court's Dobbs decision, a strong majority of voters have acted to protect access to abortion.
- In Illinois, voters also rejected a multi-million dollar campaign of lies and disinformation about new legislation that will end the use of money bond in 2023.

But the results of a single election will not end the efforts of anti-democracy forces – including white supremacists, Christian nationalists, conspiracy-theorists, and others – to trample on basic civil liberties. Here in Illinois, as in other states, we see increasing attempts to prevent public schools, libraries, and even private venues from offering literature and programs about sex education and LGBTQ rights – efforts often accompanied by threats of violence.

We cannot be complacent about our rights. Nor can we rely solely upon the courts to protect fundamental rights.

This past Supreme Court term not only overruled Roe, but also engineered further erosion of the separation of church and state and significantly weakened the power of executive agencies to regulate for the common good. The current term may well end affirmative action, a further gutting of Congressional authority under the 14th and 15th Amendments to protect the rights of Black Americans and other Americans of color. The Supreme Court also will consider challenges to the way states enact and enforce election laws, tribal sovereignty, redistricting, and LGBTQ rights this term.

The path forward underscores the importance of continued concerted vigilance to protect our rights, deploying all the advocacy tools at our disposal. Each of us must:

- **Do our homework** – We cannot solely focus our attention on the latest proposal from the White House or Congress, issues that often garner media headlines. What happens in Springfield or at your local school board often will affect your civil liberties more directly than a policy in Washington, DC. Anti-civil liberties forces know the importance of local governments and are taking action. We too must monitor our local governments and rally together to protect our values.
- **Communicate** – Our elected officials work for us. If there are issues that impact civil liberties, our representatives need to hear from us. And, when our elected officials do the right thing, we need to show them our support!
- **Exercise our right to vote** – American democracy survived the 2022 elections, but voting is not a one-time act. In 2023 and beyond, we must show up and vote for candidates who share our values in local elections for school board, park district board, library board, and other local offices.
- **Stay informed** – Keep up with us on social media, attend our events, read our emails, listen to our podcast, and take action on our issues. We endeavor to both inform you about critical issues and give you the tools to take action and make your voice heard.

We have an ambitious agenda in 2023. Our priorities include sustaining and expanding abortion rights and access, defending against censorship, demanding changes to our policing and criminal legal systems, advancing LGBTQ rights, protecting the right to privacy, and more. Together we can make 2023 a year of progress and pride for civil rights and civil liberties in Illinois.

KNOW WHEN TO TAKE ACTION IN 2023:

- + Sign up for action alerts
- + Follow us on social media: [f](#) [@](#) [t](#)
- + Check our website for updates

2022 IN REVIEW

In 2022, because of the commitment of supporters and activists like you, the courage of our clients, the work of our dedicated staff, and the on the ground efforts of our partners the ACLU of Illinois continued to protect and expand civil rights and liberties.

Together we:

- + Secured a new policy that limits Immigration and Customs Enforcement's (ICE) ability to detain immigrants in mass raids and traffic stops.
- + Won an agreement from the federal Bureau of Prisons that allows for the first gender-affirming surgery for our client and clears the way for other medically necessary procedures for transgender people in Federal prisons.
- + Reached a settlement with the world's largest facial surveillance company to protect how biometric information was collected and shared in Illinois.
- + Fought to protect and expand abortion rights and access in Illinois post Dobbs.
- + Challenged efforts by anti-LGBTQ groups to suppress inclusive community Drag events, and to remove affirming books from public spaces like libraries and schools.

We encourage you to read more about these accomplishments [here](#).



UPDATE ON THE FIGHT FOR RIGHTS AND LIBERTIES

HUMAN RIGHTS CHARGES AGAINST WALMART

In August, the ACLU filed charges of discrimination with the Illinois Department of Human Rights (IDHR) after Skyler Hyatt, a transgender man, was denied basic services at two Walmart stores because of his gender identity. In October 2021, he went to the Walmart store in Lawrenceville to cash a money order. The money order was made out to his legal name, while his state identification card showed his name, Skyler, along with an up-to-date photo and a male gender marker. The Walmart manager in Lawrenceville refused to cash the money order and subjected him to demeaning behavior. A few days later, he traveled to another Walmart Supercenter, this time in Olney. Again, he presented a valid driver's license and money order, with the names aligned on both documents. This time, he was told that Walmart would not cash the money order because it had been "red flagged." We are waiting for the IDHR to issue its ruling on the charges filed.

CHICAGO POLICE DEPARTMENT CONSENT DECREE UPDATE

On Tuesday, November 29, the federal court in Chicago held a public hearing regarding the Consent Decree governing reform of the Chicago Police Department

(CPD). Chief Judge Rebecca Pallmeyer, to whom the case was recently transferred, heard a full day of testimony from community members expressing their frustration and anger with the slow pace of implementation of the Consent Decree. Many witnesses testified that, for Black and Brown Chicagoans, immediate change in policing is a matter of life and death.

The searing condemnation of the violent and racist policing that is still the norm for many came from Black and Brown mothers, youth, and others throughout the city, whose personal experiences of biased policing and excessive force underscored the urgent need for CPD to comply with the Consent Decree. Among them, a Black mother testified through tears about witnessing her daughter, a rape survivor with disabilities, being roughly pulled out of a parked car by a male police officer while screaming, "Please don't rape me," all because of allegedly expired registration tags on the car. Several Black men who use wheelchairs testified about officers stopping and searching them for no reason, mocking them, and then simply walking away without an apology or explanation. And four Black women all testified about the terror they experienced when police wrongly raided their homes based on faulty information, pointing guns at them and their children and grandchildren, and leaving doors broken and unsecured. Judge Pallmeyer intends to hold two public hearings per year. She stated that by next year, she expects that Chicago residents should experience meaningful changes in policing.

The ACLU of Illinois, our clients, and the communities who have been leading this fight for so long will continue to hold CPD accountable and to fight for real solutions to keep our communities safe.

ABORTION RIGHTS AND ACCESS MATCHING GIFT CHALLENGE

In June 2022, the U.S. Supreme Court stripped away the constitutional right to abortion. While many states have moved to limit or outright ban abortion care, abortion remains legal and accessible here in Illinois. Even after the November election, when voters expressed extremely strong support for abortion rights, we need to remain vigilant in the face of unprecedented, nationwide challenges to reproductive health care.

To continue to respond in real-time to advance abortion rights and access, we must expand our efforts in three areas:

- + Safeguarding and expanding access to abortion in Illinois
- + Protecting against efforts by hostile neighboring states to chill or intimidate abortion providers and those seeking care in our state
- + Partnering with our national office and affiliates across the country to fight for abortion rights

Thanks to a generous ACLU supporter, the first \$400,000 raised toward this initiative will be matched, dollar for dollar. Please consider a gift of any amount to the Roger Baldwin Foundation of the ACLU in support of this critical work.

UPDATES FROM VETO SESSION IN SPRINGFIELD

The ACLU of Illinois, as a member of the [Coalition to End Money Bond](#) and its statewide Illinois Network for Pretrial Justice Coalition, has been working to defend the [Pretrial Fairness Act](#) and to prepare for its upcoming implementation. This law, which reforms the pretrial system in Illinois and ends cash bail, will go into effect on January 1, 2023.

Communities and activists across Illinois have fought for years to defend the Pretrial Fairness Act from being rolled back or repealed. In November, Illinois legislators passed a trailer bill that addresses clarifications to the SAFE-T Act, including the end of the money bond system in Illinois. Detention while awaiting trial should never depend on a person's wealth – and, in Illinois, that practice will soon end. Illinois will become the first state to completely eliminate the jailing of people who are awaiting trial simply because they are poor. We commend legislators for cutting through the hyperbole, misinformation, and efforts to confuse the impact of ending money bond, and delivering a measure of fairness to the criminal legal system in Illinois. It is long past time to move forward, and the ACLU and our partners will continue to work to ensure that the law is implemented as intended.



CHAPTERS AROUND THE STATE: PRETRIAL FAIRNESS ACT

Ahead of implementation of the end of money bond in Illinois, many members of law enforcement, elected officials, sheriffs, and others spoke out against the law, making [false and misleading claims](#) about the impact of ending cash bail. In October, we held two events to raise awareness of the Pretrial Fairness Act and offer ways to defend the Pretrial Fairness Act against baseless attacks from opponents. On October 12, we held an in-person event in Springfield in partnership with our [Springfield Chapter](#). We held a second event [virtually](#) on October 25 that was hosted in partnership with the ACLU of Illinois' Champaign County, Central Illinois, Peoria, and Springfield [Chapters](#).

ASK AN EXPERT

The following question was answered by Ben Ruddell (he/him), Director of Criminal Justice Policy

In 2021, the Pretrial Fairness Act was passed by the Illinois legislature and signed into law as part of the SAFE-T Act. What will the Pretrial Fairness Act do and why is ending money bail important to addressing racial disparities and mass incarceration in Illinois' criminal legal system?

Every year, 250,000 people pass through Illinois' jails, over 90% of whom have been accused but not convicted of a crime. Most are incarcerated only because they can't afford to pay a money bond.

But even a short stay in jail can have disastrous consequences: a person can lose their job, their home, or even custody of their children. People who are jailed are more likely to be convicted and imprisoned, and more likely to be rearrested in the future.

The Pretrial Fairness Act will ensure that no one is jailed simply because they lack access to wealth. Instead of spending mere minutes putting an arbitrary price on someone's liberty, judges will conduct hearings at which they will consider the risk that the individual will be rearrested or flee to avoid prosecution if they are released.

Just as importantly, the law will address the harm wealth-based pretrial jailing has caused Black, Brown, and poor communities by reducing the number of people in jail in Illinois. The Pretrial Fairness Act will make communities safer by focusing courts' time and resources on serious crimes like sexual assault and domestic violence, but limiting the circumstances under which people can be jailed for lower-level offenses.

But as January 1 approaches, opponents pushed to gut the law by removing those limits, a change that would threaten to increase pretrial jailing and worsen racial disparities – the opposite of what the Pretrial Fairness Act is intended to do. The ACLU and our partners worked with legislators to make necessary adjustments to the Act in advance of its implementation, and defend it against dangerous and disingenuous attempts to undermine this historic and necessary reform.

Hear from Ben about ending money bond and Illinois' new pretrial system on our latest episode of Talking Liberties: [Innocent Until Proven Guilty](#)

FIRST AMENDMENT ADVOCACY

Our First Amendment work has taken on a new intensity as far right groups seek to intimidate governmental bodies into limiting speech on race, gender, and LGBTQ issues. Since 2021, 33 states have introduced bills – and 10 states have passed bills – that restrict discussions about race and gender in schools. The ACLU national office and state affiliates are challenging limits to First Amendment activities in the courts. Alongside litigation, the ACLU is working to help the public understand the dangers of limiting classroom discussions about race and gender.

The culture wars have come to the local level in Illinois and we have responded to recent attempts to restrict First Amendment activities. In June, we successfully helped

reinstate Aurora Pride's parade permit after city officials unlawfully revoked it. In July, we represented a bakery owner who was forced to cancel a drag event at her business due to vandalism and harassment, and who then faced pressure from local elected officials to stop planning drag events altogether. We helped the parties reach an agreement and the bakery since has held successful drag-themed events. And in October, we sent letters to Awake Illinois after it threatened two suburban Chicago residents with litigation over the residents' criticism of Awake's public opposition to LGBTQ-inclusive books and events. It is ironic that an organization that insists its voice must be heard in public debate is so keen to block the voice of others.

COMMUNITY SPOTLIGHT



KEVIN FEE (him/his)

Kevin is a Senior Special Litigation Counsel with the ACLU of Illinois. Kevin joined the ACLU in June 2022 after a nearly 20-year career at Sidley Austin LLP, where he was a litigation partner, Chair of the Chicago Pro Bono Committee, and longtime ACLU cooperating counsel. Prior to moving to the ACLU, Kevin also served as Trial Counsel to the Illinois Judicial Inquiry Board.

What does your work focus on at the ACLU of Illinois?

As in my prior professional life, I have been a bit of a “jack of all trades” at the ACLU, and I try to bring my litigation skills and experience to help wherever I am needed. I have been most active in defending the First Amendment rights of individuals and businesses under threat of censorship by government bodies, but I remain very engaged in the Corrections Reform project work I started while at Sidley, and have pitched in on reproductive rights cases and projects as well.

We have seen a concerted effort to limit speech – including in classrooms and libraries – nationwide. What are the dangers of this censorship movement and how can people take action in their communities?

Censorship is an issue that many thought was a relic of the past, but it has reared its head in dramatic fashion over the last several years. Like so many of its ideological ancestors, this new censorship is especially dangerous because it takes aim at already marginalized communities, as its proponents disproportionately seek to suppress discussion of issues surrounding race and LGBTQ issues. It is also part of a broader attempt to control and damage public education by narrowing the range of ideas to which students are exposed in school. We encourage people who cherish free speech and academic freedom to stay engaged in local government, and to attend public meetings (such as school board, public library board, and city council meetings) and speak up whenever free speech rights are threatened. Of course, if you learn of government officials suppressing speech you should reach out to the ACLU so we can help explore the possibility of legal action.

What is giving you hope right now when you think about the future of this work?

My kids and their friends. The young people in this country are by and large not on board with the agenda of those seeking to control what they see and learn. My hope is that they remain engaged in social issues and help ensure they grow up in a just, free, and democratic society.

What are you currently reading, watching, or listening to?

I'm currently about halfway through Robert O. Paxton's fascinating and relevant “Anatomy of Fascism.” On a lighter and less depressing note, I am glued as always to offseason Major League Baseball “Hot Stove” news, and currently pining for the White Sox to sign a left-handed power-hitting free agent outfielder.



REBECCA GLENBERG (she/her)

Rebecca is a Senior Supervising Attorney who works on free speech, religious liberty, government transparency, voting rights, immigrants' rights, privacy, and other civil liberties issues. She came to the ACLU of Illinois in 2015 after 16 years as Legal Director at the ACLU of Virginia.

What does your work focus on at the ACLU of Illinois?

I focus a lot on free speech issues, but, as a general civil liberties attorney, I also work on any other issues in Illinois that are not covered in our projects. For example, during the previous Presidential Administration, I spent a great deal of time on immigrants' rights in Illinois because of the particular dangers to immigrants during that time.

What is the connection between our first amendment rights – including freedom of speech – and democracy?

To participate effectively in democracy, people need to know what is happening on in the world, and to develop ideas about what the government should do about it. They need to know what candidates for office stand for, and whether they follow through on their promises. They need to communicate with government individually and as in concert with like-minded groups, on the phone, on the street, and on the internet. None of this is possible without protections for the freedom of speech and of the press, the freedom to assemble peaceably, and to petition government for redress of grievances.

What is giving you hope right now when you think about the future of this work?

I think about the progress that activists have made through the long, slow fight for liberty and equality, in the face of brutal and seemingly hopeless conditions. To lose hope now would be a betrayal.

What are you currently reading, watching, or listening to?

Just finished the last season of the "Handmaid's Tale" and listening to podcasts like "Amicus," "Strict Scrutiny," and "Stay Tuned with Preet."

WHO YOU SHOULD KNOW



We accomplish so much of our work in coalition with partners who are doing critical work throughout the state. Please read below for an organizational description written by our long-time partners, Equip for Equality, and join us in supporting their work:

Equip for Equality is the federally mandated, Governor-designated Protection and Advocacy System for people with disabilities in Illinois. Our mission is to advance the human and civil rights of children and adults with disabilities. We accomplish our mission using a variety of reform strategies, including self-advocacy assistance, legal representation, systems change litigation, public policy advocacy, and independent monitoring.

Disabilities affect every individual and family – be it a child with autism, a friend dealing with depression, a serious illness or injury to a family member, or coping with the natural changes that come with aging. Disabilities are a shared human experience and an important aspect of diverse communities.

We recognize that expanding access, choice, and opportunity not only benefits individuals with disabilities and their families, but also strengthens our communities and fosters an inclusive society that enables all people to live fully engaged and self-directed lives.

For more than three decades, Equip for Equality has achieved extraordinary outcomes that have removed barriers in education, employment, housing, transportation, and government services for people in Illinois and created model programs that are recognized throughout the country.

To support Equip for Equality's mission, please visit www.equipforequality.org/give.

NEW REPORTS FROM THE ACLU OF ILLINOIS



DRUG DEFELONIZATION REPORT

The ACLU of Illinois, Chicago Appleseed Center for Fair Courts, Cook County Department of Public Health, and Illinois Justice Project released a policy report in November 2022: Reducing Barriers to Recovery: Shifting Low-Level Drug Possession From Felonies to Misdemeanors in Illinois. The report shows how drug possession laws disproportionately impact Black people and other people of color in Illinois.

There is an urgent need to change direction on drug policy in Illinois. Between 2016-2018, more than 20,000 people were convicted for possessing small amounts of drugs and 7,500 people were imprisoned. These arrests disproportionately affect people of color, and the felony convictions will carry life-long consequences in terms of accessing housing, education, employment, and other opportunities.

This report offers an alternative approach that relies on evidence-based, public health and public safety approaches to drug policy, rather than criminalization alone. Illinois can begin an incremental shift toward an evidence-based, public health approach, starting by reclassifying simple possession of a personal-use quantity of a controlled substance from a felony to a misdemeanor.

FAMILY REGULATION SYSTEM REPORT

For more than 35 years, the ACLU of Illinois has fought to protect the rights of families and youth entangled with the family regulation system. Youth taken into State custody frequently are placed in circumstances ripe for abuse, and too often find their rights trampled without redress from the State. More than 23,000 youth this year will be in the care and custody of the Illinois Department of Children and Family Services – a 26% increase over the last five years. This trend in Illinois is at odds with federal data showing a nationwide decrease in foster system caseloads, further demonstrating the dire need for reforming our systems in Illinois.

In our recently published policy guide, the ACLU of Illinois outlined the changes urgently needed to protect the rights of people who come into contact with the family regulation system. Some of the priorities detailed in our report include strengthening youth and families' capacity for care, preventing unjust forced family separation, protecting youth in care, and increasing youth's access to legal counsel to navigate this complicated system.

We encourage you to read both reports and to share them with your network.

2022 NEXT GENERATION SOCIETY FALL FUNDRAISER

The 2022 Next Generation Society Fall Fundraiser took place on Wednesday, October 19th at the Walden Chicago to celebrate the Next Generation Society and support the work of the ACLU. At the event, there were performances by E'mon Lauren, Chicago's first Youth Poet Laureate, and Aurelius "Trey" Raines III, an educator and rapper who records as The Third. Next Generation Society Leadership as well as Women's and Reproductive Rights Project and Next Generation Society Staff Attorney Rachel Johnson shared remarks on the continued work ahead. Thank you to everyone who joined us and helped make the Fall Fundraiser a success!



2022 DEMOCRACY CAMPAIGN IN REVIEW

This fall, the ACLU of Illinois hosted We the People, a public engagement series on democracy, the many ways we come to understand its function, and how our interrelated rights and liberties are tied to this form of government. This campaign was in partnership with Weinberg/Newton Gallery and their exhibition All that Glows in the Dark of Democracy, which is still available to view online. We were thrilled to continue our partnership with Weinberg/Newton, especially in a campaign where artistic interpretation helps us define the nebulous understandings of democracy. The exhibit centered on themes of democracy and was guided by the statement: "Do not tell us what you are against; tell us what you are for." Through this campaign, we held multiple events with Weinberg/Newton Gallery, including a virtual panel conversation on the state of our democracy, which can be viewed [here](#).



2023 ACLU LUNCH – SAVE THE DATE AND JOIN US!

Please save the date for the 2023 ACLU Lunch on Friday, March 24, 2023 at 12:00 PM. The ACLU Lunch will be held in person at the Hilton Chicago and will also have a virtual option for guests to attend remotely. We are excited to gather together again with members of the ACLU community from across Illinois to celebrate the ongoing work to protect and advance civil rights and liberties. In-person capacity is limited. We encourage you to purchase your [tickets](#) or [sponsorship](#) as soon as possible!

Questions about the Lunch? Please reach out to us at lunch@aclu-il.org.

Do you have a question about a topic pertaining to civil rights or civil liberties? We encourage you to reach out to us at engagement@aclu-il.org with your question and we may include the question and our answer in the next issue of the Impact Report.

GET MORE INFORMATION:

ACT

- Message your State Senators: [Remove the Felony Bar for Individuals Seeking a Name Change in Illinois](#)
- Message your State Senators: [Reduce Barriers to Recovery](#)
- Message your State Legislators: [Support Ending Money Bond in Illinois](#)
- Message your U.S. Senators and Representative: [Shrink the Cruel Immigration Detention System](#)
- Message Attorney General Merrick Garland: [End Discriminatory Profiling by the Government](#)

LISTEN

- Latest Episodes of our Talking Liberties podcast: [Innocent Until Proven Guilty](#)
- Latest Episodes of ACLU At Liberty Podcast: [It's Time to Tell Accurate Indigenous Stories](#)

READ

- ACLU of Illinois: [Talking Points at the Dinner Table](#)
- ACLU of Illinois: [State Supreme Court rejected as moot the ACLU's Petition to Supervise Vermilion County Judge who Interfered with Pregnant Woman's Health](#)
- ACLU National: [What You Need to Know about Affirmative Action at the Supreme Court](#)
- ACLU National: [Gender-Affirming Care Gave My Daughter a Future. Lawmakers want to take it Away](#)
- ACLU National: [Two Cups of Broth and Rotting Sandwiches: The Reality of Mealtime in Prisons and Jails](#)

WATCH

- [Temporary Protected Status \(TPS\) Program Holders Story Video Series](#)

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