



THE TIME TO REBUILD IS NOW

Colleen Connell, Executive Director



It would be a severe understatement to say that much has happened since the last Impact Report.

On January 6th, we watched in horror as an angry mob – carrying Confederate flags and wearing MAGA hats – attacked our US Capitol. Elected officials, including some from Illinois, outright rejected the results of the 2020 election and tried to stop the peaceful transfer of power as directed by the Constitution.

The damage inflicted on our democracy by the former president is immense. The insurrection of January 6 underscores that many in this country have a vision to “Make America Great Again” that excludes Black people and other people of color and elevates discrimination above achievement and inclusion. In short, the rebuilding ahead encompasses more than

undoing the harms of the former administration.

The ACLU of Illinois is ready to get to the hard work of rebuilding – and we need your help. We are committing to ensuring justice for all, in all of its forms. Our commitment to racial justice means demanding – as a start – honest police accountability and changes to our criminal legal system.

It is more important than ever that we continue to demand that our elected officials live up to their promises – or they can see us in court. We, and they, must resist the allure of elevating fiction over fact and reject conspiracy theories and lies. If we are to survive as a country, we must focus on truth and respecting our own democracy.

This act of rebuilding our democracies is going to take a lot of work. We are ready, but we will need your help. You can get involved today through People Power and sign up for our Action Alerts. And you can join us for our 2021 Virtual Lunch on March 19th at 12:00pm CDT.

REFORMING THE CRIMINAL LEGAL SYSTEM AND POLICING IN ILLINOIS

In the wake of the last summer's protests against police violence and the responses to the release of the video showing the humiliation and harassment of Anjanette Young, there was little doubt about the strong support for additional police accountability and criminal justice reform. It was very clear that Illinois' criminal legal system relies too much on incarceration and punishment and does not provide appropriate opportunity for diversion and rehabilitation.

This action and movement led to real change in our laws under the leadership of the Illinois Black Caucus. Together with advocates across our state, they worked for months to craft Justice Pillars that steered the legislative action during the veto session in Springfield early this year.

These reforms came together under House Bill 3653 - the direct product of scores of debates, hearings and discussions. We applaud Governor JB Pritzker, Senator Elgie Sims, Representative Justin Slaughter, and the entire legislative Black Caucus for their leadership in this area and their commitment to these issues. They all embraced the need for change and were committed to moving this legislation through the General Assembly and into law.

The new law includes components of police accountability and criminal legal system reform policy changes that advocates, including the ACLU of Illinois, have been working to move forward for years, and were pushing non-stop since the summer of 2020. Among other important ACLU priorities, the bill removes an antiquated and unnecessary requirement that those making complaints against police sign a sworn statement. And the

bill addresses the real harm of our bail system which keeps people detained simply because of their economic status.

Unfortunately, many law enforcement groups stepped forward to oppose these reforms and spread misinformation about its effects. The ACLU of Illinois worked with legislators and advocates to push back against the wave of bad faith attempts against HB 3653, including organizing and joining several virtual town halls to talk to voters about the legislation, speaking with the press every week about the need for immediate reform, and an ACLU People Power campaign to thank legislators for their support.

We conducted public opinion polling that showed the broad spectrum of support across our state and that 9 out of 10 (91%) Illinois voters support legislative efforts that hold police accountable for misconduct. The research also showed how Illinois voters back accountability for violating individuals' constitutional rights, clear limits on use of force, banning chokeholds, and strong consequences for not turning on dashboard or body cameras.

While there is still work to do, House Bill 3653 is an important first step. The ACLU of Illinois looks forward to working with legislators, the Pritzker administration, and all others interested in improving these systems and fostering greater trust between police and the communities they serve.



THE FIGHT TO PROTECT THE RIGHTS OF ALL

The fight for racial justice and to hold accountable those who violate civil rights and civil liberties is never an easy one, and the last few months have seen both triumphs and disappointments in our courts and democratic system. The ACLU of Illinois continues to meet these challenges head on.

In a major victory for the First Amendment, a federal district court judge struck down a state law prohibiting panhandling in public streets and medians and ordered Illinois State Police not to enforce it. The ruling ends a lawsuit by our clients Michael Dumiak and Christopher Simmons, two men experiencing homelessness who sued after they were repeatedly ticketed and fined for asking passing motorists for help at an intersection, while charities and religious groups collected donations at the same location without consequence. As the court recognized, government may not punish speech requesting personal donations while allowing other speech at the same time and place. The ACLU of Illinois will continue to work to overturn any remaining anti-panhandling ordinances in our state.



As part of a coalition of community organizations and activists, the ACLU of Illinois asked a federal court to enforce the 2019 consent decree requiring overhaul of Chicago Police practices. The coalition notified the City of Chicago in August 2020 about systemic mistaken raids on homes, which create a pattern of excessive force and abuse of Black and Brown families and children, with police violently barging into homes, shouting and cursing, and pointing guns at small children. The issue gathered attention late last year when video emerged

of the raid on Anjanette Young, a Black social worker who was handcuffed and naked in front of police with guns drawn while police mistakenly raided her home. The City of Chicago failed to respond to the coalition's repeated requests to meet in order to address this problem. The City must show it is serious about addressing degrading home raids that result in unequal justice and lasting trauma by truly engaging with the Black and Brown communities harmed by these abuses, including the coalition, in solving the broken systems that lead to this abhorrent practice.

As our country grapples with an economic recession that has plunged millions of people into financial crisis—with Black and Brown communities hardest hit – our work to combat government practices that punish poor people for government fines and fees they cannot pay hit a roadblock with the U.S. Supreme Court's decision in *City of Chicago v. Fulton*. The Supreme Court's decision in this case, which concerns Chicago's draconian practice of seizing people's vehicles for unpaid tickets, turned on an interpretation of a provision of the Bankruptcy Code. The decision is a real disappointment and fails to recognize that impounding vehicles for unpaid tickets erects steep hurdles to people's ability to work and earn money and that municipalities over-rely on fines and fees to generate revenue, bury people under mountains of debt, and drive them to bankruptcy. These practices in Chicago and elsewhere will continue to hurt communities, employers, and the broader public, disproportionately impacting people of color.

To help stem the spread of COVID-19 in prisons and jails, the ACLU of Illinois sued on behalf of Ricky Price and Kevin Conway to force the Federal Bureau of Prisons to take immediate steps in the Chicago Metropolitan Correctional Center. More than 500 people are detained at the MCC, a facility designed for only 400 detainees. It is clear that this overcrowding, which has caused double-bunking in small cells and the housing of up to 100 persons in dormitory-like facilities,

THE ACLU VIRTUAL LUNCH: FIGHTING FOR A MORE PERFECT UNION

Stacey Abrams – political leader, voting rights activist, entrepreneur, and author – will be the headline speaker at The ACLU Virtual Lunch: Fighting for a More Perfect Union, the ACLU of Illinois' annual fundraising event on March 19, 2021 at 12:00pm CDT. You can purchase tickets and sponsorships at aclu-il.org/Lunch2021.

The annual ACLU Lunch provides an opportunity for us to come together to celebrate the work of the organization to ensure justice and create a more perfect union. This year, we will focus on moving beyond the threats to civil liberties of the past four years and building a country that reflects the values of fairness and equality.

Stacey Abrams made history and captured the nation's attention as the first Black woman to become the gubernatorial nominee for a major party in any state, going on to win at the time more votes than any other Democrat in Georgia's history. Stacey also founded multiple organizations devoted to voting rights, training and hiring young people of color, and tackling social issues at both the state and national levels.

We hope that you can join us at the ACLU Lunch!



aclu-il.org/Lunch2021

has facilitated the spread of the deadly virus. Meanwhile, testing of staff and detainees and vaccine distribution remain wholly inadequate, placing MCC residents at a serious risk of harm.

We also recently filed a lawsuit and request for emergency relief against the DuPage County Sheriff on behalf of Christine Finnigan, a woman who suffers from the disability of opioid use disorder, to ensure she is provided with her prescribed medication for addiction treatment while serving a jail sentence. Before Ms. Finnigan's incarceration, the DuPage County Jail refused to confirm a plan for her to be medically treated with life-saving methadone in the Jail. We were disappointed that a federal court dismissed Ms. Finnigan's request for emergency relief on the basis that she had not yet been incarcerated and that the Jail might ultimately provide methadone. After Ms. Finnigan was medically examined at the DuPage County Jail, jail officials confirmed that she would be provided methadone – the first non-pregnant person to receive this life-saving medical treatment in five years, setting a new precedent for the facility. In the midst of the opioid crisis, which has caused more than 2,000 opioid-related overdose deaths in Illinois in 2019, we will continue to advocate for DuPage County Jail to adopt a policy that affords people like Ms. Finnigan the life-saving medical treatment they need to address the disability of opioid use disorder.

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