

**HOPE.
VOTE.
ADVOCATE.**

ACLU

Georgia

**ANNUAL
REPORT**

2019-2020



Photo credit: Kali Jackson

“The vote is the most powerful nonviolent tool we have. We must use it.”

- Congressman John Lewis



Photo credit: Richard DuCree Photography

A letter from the Executive Director and Board President

The universal right to vote remains unfinished business in the South – a struggle that has developed from the denial of citizenship to African Americans. Georgia has been and continues to be a persistent offender when it comes to voter suppression erecting hurdles and barriers to citizen participation in the democratic process. As the foundation of democracy, voting rights is our primary work – and will certainly remain so for the next four years.

Since January 2017, we have been protecting access to the ballot to ensure voting is free, fair and easy. We have fought the many forms of voter suppression, including new ways of denying the vote to people of color. We have seen the Georgia Secretary of State attempt to purge 160,000 voters from the rolls and try again the next year, this time targeting 340,000. These efforts were successful in allowing the Secretary of State to ascend to the position of Governor by a narrow margin and then sign legislation rolling back our civil liberties.

Nevertheless, we persisted in the courts, in the legislature, working with coalition partners and winning victories along the way, and restoring voters to the rolls. We took on many assaults on voter rights in the courts and in the legislature. We overturned the abortion ban, fought to end cash bail and abuses in prisons, contested the Muslim ban, protected LGBTQ+ rights, and protected free speech and the right to protest.

By early 2019, we had established our Voter Access Project to drive the growth and impact of our voter rights work through upcoming elections cycles – 2020, 2022 and 2024. As we

began 2020, we knew we would face challenges – continued attempts at voter suppression, new, more complicated voting machines and processes, under-resourced election operations. Then we adjusted for what we could never have anticipated: the threat to voter turnout by the COVID-19 pandemic. The Voter Access Project was key to meeting those challenges.

A lot of education will be necessary in 2021 and 2022 to mitigate the impacts of the new, sweeping anti-voter rights law. We will be helping county election boards understand the decisions that are theirs to make when the law lays out options – how many early voting days, for example. We will be educating voters through town halls, social media and radio advertising, to help them navigate the new restrictions for the municipal elections this November and scale those efforts for the 2022 elections.

We are deeply proud of the work the staff, board, supporters, volunteers, and allies of the ACLU of Georgia accomplished in these very challenging times. With your help, we will continue to work toward our vision of a state that guarantees all persons the civil liberties and rights in the constitutions of both the United States and Georgia.



Andrea Young
Executive Director



Jack Kennedy
Board President



Defending Civil Liberties

Abortion Ban

From the beginning, we understood that the abortion ban and the ballot box were linked. When the Governor signed HB 481 in March 2019, we knew that overturning this law would have to be closely followed by building a firewall against similar attempts at the next legislative session, or the one after that. Reproductive rights and reproductive justice were on the line. The November 2020 election, when the entire legislature was up for reelection, would be critical for women's rights. Reproductive rights became a dominant theme in our voter education and outreach – one that deeply resonated with Georgia voters. We knew Georgians support *Roe v Wade*, and the election of several new legislators, two U.S. Senators and a President – all pro-choice – again confirmed that. And people across the country rallied to support us in this lawsuit in recognition of the centrality of women's rights.

In June 2019, we sued to overturn the abortion ban, and the federal district court granted a permanent injunction a year later. The State appealed. Within days, the 11th Circuit Court of Appeals

issued a stay and women will continue to make their own healthcare decisions.

Racial Justice and Systemic Equality

The murder of Ahmaud Arbery in early 2020 sent the ACLU of Georgia back to Glynn County, where we had already won an important battle to reform cash bail for misdemeanor cases.

We joined the protests following Mr. Arbery's murder and helped the community pursue a Citizens' Police Review Board. We also worked to overturn – successfully – the Citizen's Arrest Law, a move occasioned by Mr. Arbery's death. The protests of 2020 over the deaths of George Floyd, Breonna Taylor, and Georgians Ahmaud Arbery and Rayshard Brooks brought new attention to the fight against systemic racism in its many forms.

The COVID-19 crisis has further illuminated the fissures in our society. The virus has traced the fault lines, exposing to all who have the courage to see the constant, unrelenting pressure of structural racism on the lives of Black Americans.



Photo credit: AjWhytePhoto

Voter Access Project

We knew the June 9th presidential primary was going to be tough, but, in fact, it was disastrous, as many poll workers stayed home to stay safe, voting machines didn't work, and long lines threatened to discourage voters. That day – June 9th – galvanized us. By mid-July, we were rolling out a new program to replace the many poll workers who could not safely serve. Georgia needed a practical approach to ensure enough numbers of poll workers with the right skills and training and would ease voters' experience at the polls and minimize errors. Voting should be, and could become, a better civic experience.

Our work for voter rights is the gateway to protecting the other rights we cherish and central to our democracy. When elections are free and fair – the majority of Georgia voters support the right to vote, reproductive freedom, freedom of speech and assembly, civil rights for all– regardless of race, color, religion, national origin, sex, gender, sexual orientation, physical ability.

While some of our partner organizations focused on voter turnout, the ACLU of Georgia focused on voter access, taking down barriers and easing the way to the poll for all voters. We established the Voter Access Project as a permanent feature of our work, and under that umbrella expanded the Peanut Gallery and launched the Poll Worker and Deputy Registrar Program.

Thirty-two law firms, civic groups, service organizations, and bar associations collaborated with us to recruit and train more than 2,700 poll worker candidates. Facilitated by the

“I am extremely grateful for the opportunity and what I learned. More so, for the trust that was placed on me to carry out this very important role.”

- A Deputy Registrar

Secretary of State's office, we connected them to county election boards for training and placement. Our evaluation revealed that over 1,000 poll workers and deputy registrars served in at least 21 counties and that 16% of registered voters in Georgia had an ACLU-supported poll worker at their polling place. After the election, we asked them to evaluate their own experiences, and many reported gaining a stronger sense of civic duty and pledged to serve as poll workers in the future.

The Poll Worker Program changed everything by delivering a well-run election for a record number of voters. By election day, the long lines had dwindled, and polling places ran smoothly. Voters were grateful. We had started something that we could build on for the next elections and others could replicate. The Stanford-MIT Healthy Elections Project called it a national model, and it got attention across the country. The main recommendation of the evaluator, political scientist Dr. Bernard Fraga of Emory University, is to significantly expand the program over the next two election cycles.

Volunteers were critical to voter access and in protecting the vote in other ways. In 2020, our Peanut Gallery program, which we share with the New Georgia Project, had 179 volunteers monitoring

83 county election boards that cover 80% of the population. This matters, because each of Georgia's 159 counties makes its own decisions about election administration, number of polling locations, budget, staffing, and importantly, early voting, weekend and evening voting days. Voter education and civic engagement were vital to the outcome. From the presidential primary through to the Senate runoff, volunteers were our ground force – phone banking and texting voters to ensure they knew when to vote and why it mattered and helped elect a president and two U.S. Senators with strong platforms on civil liberties.

We saw success in Gwinnett and Cobb counties and in Athens-Clarke, where candidates committed to civil liberties won races for district attorney, sheriff or county commissioner. The engagement of civil liberties voters

influenced statewide results in the Presidential and Senate races. We will keep investing in the Poll Workers and Deputy Registrars Programs and expand the Peanut Gallery before the 2022 election and add a new program area to recruit new county election board members in key counties.

“I just wanted to say thank you for everything you all have done for this election. Yesterday was very meaningful for me, and I am very grateful to have had the opportunity to work as a deputy registrar for the day.”

- A Poll Worker

Photo Credit: Patrick Kolts



Legislative Advocacy

The newly elected Georgia legislature made the first three months of 2021 feel like a continuation of 2020. Twelve days after the Senate runoff in January, the Georgia legislature convened. That session was all consuming, even more so than we had anticipated. Legislators came prepared to dismantle what the Secretary of State had repeatedly assured the former President and Congress was a safe, secure and accurate election.

The Right to Vote

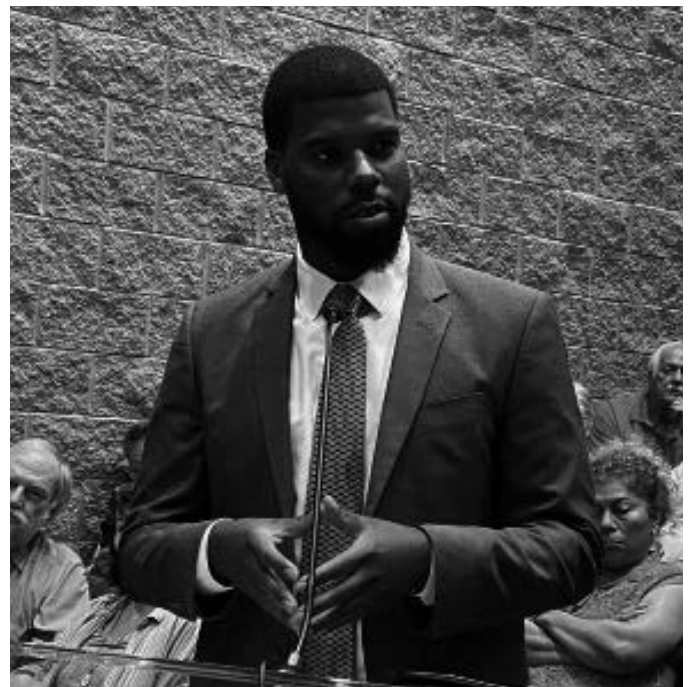
Across the three months of the Georgia legislative session, 117 different anti-voting rights bills were introduced and eventually boiled down to a couple of omnibus bills, with new provisions tossed in randomly along the way. Despite COVID, our team was present at the Capitol, analyzing every priority bill, offering testimony, preparing questions, sending out action alerts, briefing friendly legislators, and coordinating with partners. We got to know legislators on both sides of the aisle, and if they didn't agree with our positions, they always respected our team's hard work, dedication, expertise, unfailing accuracy, and nonpartisan approach.

Our persistence and skill led to the defeat of some of the harshest proposals in the legislation, but we are still faced with many troubling aspects. We were able to mitigate some of the harm in draft legislation. The bill that emerged preserved weekend voting, automatic voter registration, and no-excuse mail-in voting. Nevertheless, Senate Bill 202 is a sweeping voter suppression bill that allows the state election board

to take over local elections and requires ID to vote by mail. The Governor signed the bill in a closed-door session a few hours later. We immediately filed a federal lawsuit challenging Georgia's new anti-voting rights law, SB 202.

Free Speech and Racial Justice

The First Amendment was under threat in 2020. Following the racial justice protests of the Summer of 2020, lawmakers across the country worked to effectively outlaw the ability to peacefully protest. In Georgia, lawmakers introduced and promoted two bills which sought to criminalize the right to assemble, a move intended to intimidate community advocates into silence. The bills incentivized counties and municipalities to prevent or crack down on protests or meaningfully rein in the police, and encouraged the dehumanization, maiming, and/or murder of protesters. We led efforts to stop these bills, and we were successful in defeating both.



Citizens Arrest

In the months after the murder of Ahmaud Arbery, the ACLU of Georgia worked in partnership with the organization A Better Glynn - and Glynn County public officials to press for the overhaul of the 150-year old Georgia's Citizens Arrest Law, which is rooted in racism and was used as a primary defense by those accused of Mr. Arbery's murder.

The ACLU of Georgia also urged the adoption of a Citizens Review Board for the Glynn County Police Department to provide a means of joint accountability and transparency between law enforcement and the community that might have prevented the murder of Ahmaud Arbery.

Anti-protest Bills

Following the Racial Justice protests which took place during Summer 2020, lawmakers across the country underwent efforts to effectively outlaw the ability to protest peacefully. In Georgia, lawmakers introduced and promoted two bills – Senate Bill 171 and House Bill 289 – that sought to criminalize the right to assemble and to intimidate community advocates into silence in violation of the First Amendment.

The bills trampled on the First Amendment, incentivized counties and municipalities to crack down on protests or prevent the protests from occurring in the first place, prevented counties and municipalities from meaningfully reining in the police, and encouraged the dehumanization, maiming, and/or murder of protesters. We led efforts to stop these bills, and we were successful in defeating both bills.





“Sweet stories from the polls today in GA: The first time voter who the whole precinct applauded...And the convicted felon who had his right to vote restored and voted for the first time anew. Beautiful to see democracy in action. Thank you for the opportunity!”

- A Poll Worker

In the Courts

In 2019 and 2020, in line with our strategic priorities and the rise of voter suppression tactics leading up to the General Election, the ACLU of Georgia's legal department handled 17 voter rights cases, while also addressing reproductive rights, criminal justice and the rights of people who are incarcerated, racial justice and more.

- Six years after we filed a lawsuit in Sumter County challenging decisions that would prevent a newly elected, majority-Black school board from taking office, we won on appeal in federal court.
- Famously, in *SisterSong v. Kemp*, we sued to overturn the Georgia abortion ban that had been signed into law in May 2019. The federal district court permanently blocked the ban on abortion care. The State appealed. The 11th Circuit Court of Appeals stayed that decision and Georgia's abortion ban remains blocked until further notice from the court.
- In *Geter v. Baldwin State Prison*, we won an appeal on behalf of a person who is intellectually disabled and in prison and whose grievances about lack of adequate medical care had been wrongfully dismissed by the court.

On occasion, the threat of a lawsuit may bring the change that is needed as when Fulton County was forced to adopt a deputy registrar program that improved voters' access to the ballot box. The deputy registrars, who were

attorneys we recruited, accelerated the processing of resolving the cases of in-person voters who had received an absentee ballot. This reduced long lines for all voters.

In December 2020, when a Texas group challenged 364,541 Georgia voters during the 2020 senate runoff, the ACLU of Georgia immediately sent an open letter to county election boards in virtually all 159 counties, urging them to reject the baseless claims and follow the law. As a result, almost all counties declined to hear the challenges. Sometimes casting a spotlight on the problem suffices.

In 2019, we successfully settled a fair housing case in Bartow County, when a landlord evicted tenants for inviting Black friends over and the landlord was caught on tape making racist remarks. Occasionally, a lawsuit we may lose can still make an important point, as with *Black Voters Matter v. Raffensperger*, our challenge to the postage stamp requirement for mail-in ballots in 2020. For too many Georgians, paying postage amounts to a poll tax. The federal district court dismissed our case. Our appeal to the 11th Circuit Court of Appeals to reverse the lower court's decision was not granted.

In another case – our class action challenging Clayton County Sheriff's failure to protect people in jail from COVID – the court unfortunately denied our request for relief but did issue a stern warning to the jail about protecting people in custody.

**“Nothing can stop the power of
a committed and determined
people to make a difference.”**

- Congressman John Lewis



Looking Ahead

Building for Impact

In 2019 and 2020, as we built programs and met the many challenges to civil rights and civil liberties, we have continued to grow as a dynamic, highly effective, sustainable organization with fast-growing influence in Georgia and across the country. Our board has become even more diverse with new expertise in finance, strategic planning, and community activism. They have formed a committee to promulgate and foster equity, inclusion, diversity, and belonging throughout the organization. Our staff grew to 21. By increasing the legal and the political departments, we boosted our capacity for voter rights litigation, impact in the state legislature and on local governments and effective communications and development programs. More than 3,000 active volunteers signed on as our ground force

supporting our electoral and legislative programs, while 96 interns extended the capacity of all departments while building their own skills and a stronger commitment to democracy. We continue to meet evolving challenges with strength and determination.

Equity, Diversity, Inclusion and Belonging

Diversity is a core value for the ACLU of Georgia. We have made Equity, Diversity, Inclusion, and Belonging a key feature of our 2020-2023 Strategic Plan. These values are integrated into our board, staff, and operations as well as our donor and member bases. For us, diversity is inclusive of race, ethnicity, gender, sexuality, socioeconomic status, citizenship status and ability.

Southern Collective

The ACLU of Georgia is part of the Southern Collective, established by the national ACLU to build Black political power in the South and achieve racial justice for the country. Launched in 2019, this is a united effort by 12 state affiliates of the ACLU to fight for civil rights and civil liberties, form a more perfect union and demand equality now.

Donors from across the country are investing in this transformational initiative to fuel the fight for voting rights, reproductive justice, reparations, and criminal legal reform.

Protecting the Vote We can secure access to the ballot, the foundation of racial justice.

Reckoning and Repair We can push for reparations, a path to meaningful restorative justice.

Securing reproductive freedom We can defend reproductive freedom and dignity, which count on unfettered access to health care.

Demanding smarter justice We can reimagine the criminal legal system for true equality now.

Strategic Plan

In May 2020, the Board of Directors adopted a new Strategic Plan to grow the work of the ACLU of Georgia through 2023 guided by the Vision and Mission:

The ACLU of Georgia envisions a state that guarantees all persons the civil liberties and rights contained in the United States and Georgia Constitutions and Bill of Rights.

The ACLU of Georgia enhances and defends the civil liberties and rights of all Georgians through legal action, legislative and community advocacy, and civic education and engagement. We are an inclusive, nonpartisan, statewide organization powered by our members, donors and active volunteers.

The plan sets forth five Strategic Priorities:

- Voter Rights and Political Participation
- Women's Rights
- Criminal Legal System Reform
- Privacy and Surveillance
- Organizational Sustainability

As a multi-issue organization, we will remain vigilant in all civil liberty issues and support partners in areas where we do not lead. It is a strategic imperative for us to be an agile organization that can respond to new crises and opportunities.



By the Numbers...

40,000

Members & Supporters



100

Interns & fellows

1,000+

Poll workers and
Deputy Registrars for
the 2020 election

148

Legal Observers at
protests, advocacy
days, and at the
polls

13,270

Every Action email
subscribers

179

County election
board monitors

6,833

Contacts from
our supporters to
Legislators in 2020-21

31,000

Social media
followers

50,000

Clicks on the
Reproductive Rights
social media video ad

180

County Election
Board monitors

83

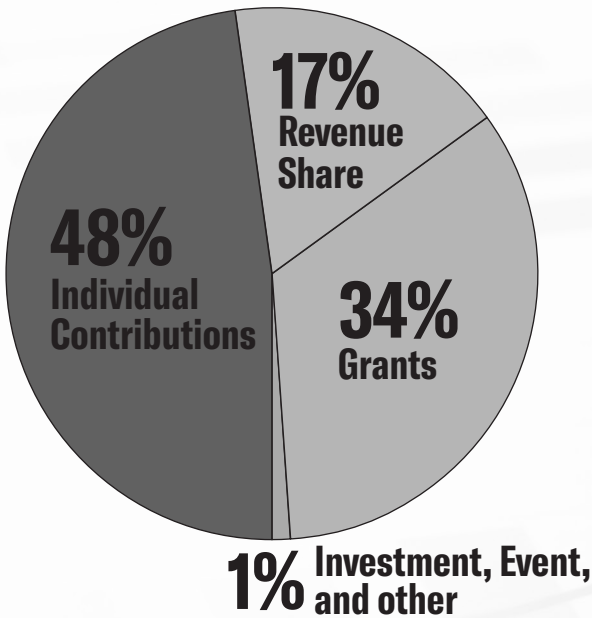
Counties
represented by the
Peanut Gallery

30

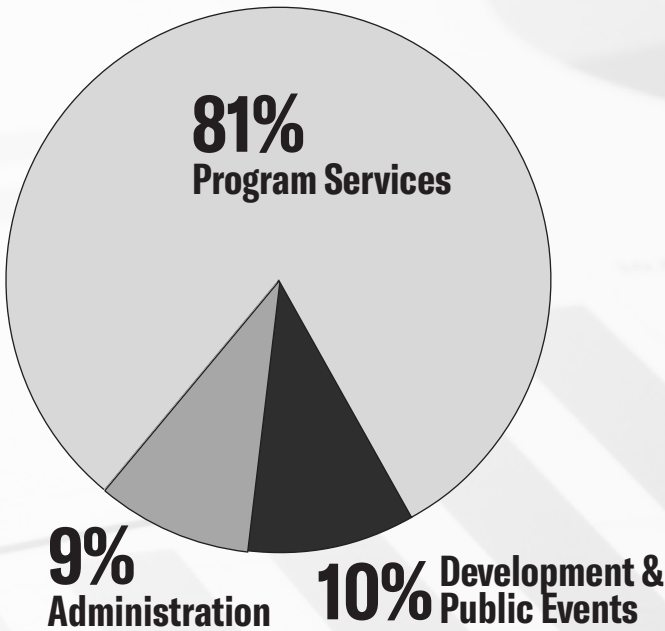
Counties for poll
worker recruitment

Expenses & Revenue

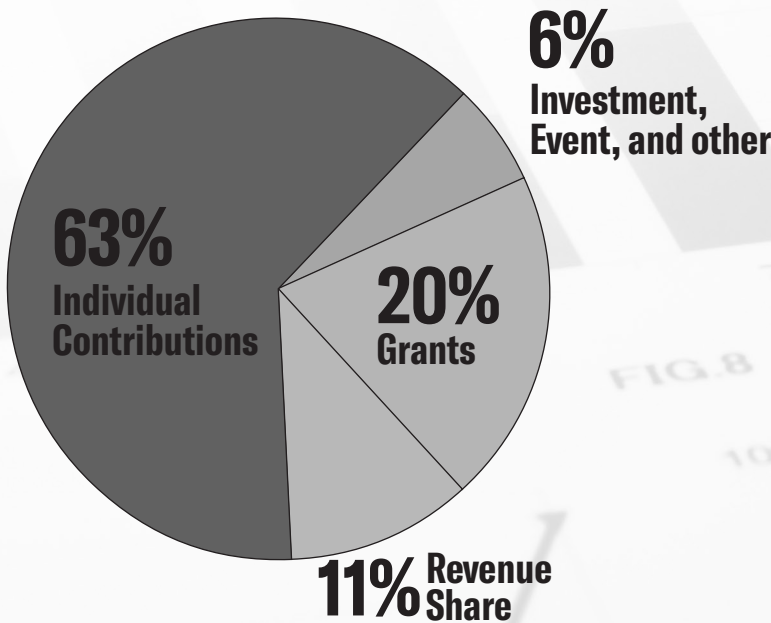
Revenue: Fiscal Year 2019



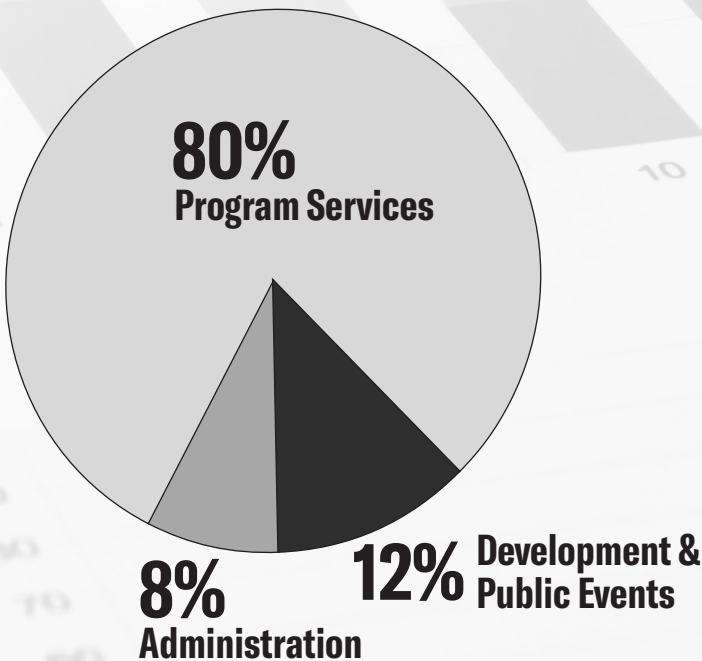
Expenses: Fiscal Year 2019



Revenue: Fiscal Year 2020



Expenses: Fiscal Year 2020



Thank you to our 43,000 Members, Guardians of Liberty and Donors
Thank you to our 2,500 individual donors and foundation grantors

Annual Meeting 2019



Top left photo, left to right: Monica Pearson, Carol Anderson, Andrea Young | Top right photo, left to right: Sean J. Young and Honoree Maria Del Rosario Palacios | Middle left photo, left to right: Honoree Stephanie Cho Executive Director Asian Americans Advancing Justice - Atlanta & colleagues | Bottom photo, left to right: Honoree Gail Podolsky, Atlanta Mayor Keisha Lance Bottoms, Andrea Young

Photo credit: Kim Link Photography

Dare to Create 2021 Honorees



Top photo, left to right: Dare to Create Honorees Sally Q. Yates, Charles S. Johnson, III, and Sherry Frank with Executive Director Andrea Young | Bottom photo: Andrea Young presenting an award to Congresswoman Nikema Williams who attended virtually

Photo Credit: Richard DuCree Photography

From our interns...

"I was always challenged to dig deeper, to concretely identify the mechanisms behind oppression and to name specific actions that we all can take to further civil liberties in Georgia."

Kelsey Brown,
Summer '20 to Spring '21

"The ACLU of Georgia was the beacon of social change and equity that I had been seeking."

Nneka Ewulonu, J.D.,
Spring '21

"My time working with the ACLU of Georgia taught me so much about fighting for justice in the legislative process. I got to see firsthand and participate in the necessary energy, detail, and thoughtfulness that it takes to defend civil liberties."

Max Tinter, Spring '21

"My internship at the ACLU of Georgia in the summer of 2019 cemented my desire to be a civil rights lawyer and pursue a career that protected the interests of the little guy."

Joy Lorine Holden, J.D.
Candidate (Harvard Law
School '21), Spring '19



Photo credit: AjWhytePhoto

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For volunteer opportunities, go to: **acluga.org/volunteer**

To become a member, go to: **acluga.org/joinus**

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