

NEWSLETTER

SEE FOR YOURSELF: CELEBRATING AND GROWING OUR COURTWATCH COMMUNITY



On July 9, ACLU-D.C. celebrated the official launch of Courtwatch DC. Founded and led by formerly incarcerated Black women, and powered by Black abolitionist group Harriet's Wildest Dreams, this community-based mutual aid program trains people to observe, document, and address injustice in local courts.

"Judges and prosecutors have more power than the president, if you ask me," Qiana Johnson of Harriet's Wildest Dreams told people gathered at the launch event. Johnson was speaking from experience. "As I was going through the criminal legal system, what I realized was that it had nothing to do with right or wrong, just or unjust. I thought, 'People are not going to believe what I'm going through. I have to find a way to let people see this for themselves.'"

At Courtwatch DC, people not only see for themselves but also join a community of watchers who aim to hold judicial actors accountable while providing support for people navigating the criminal legal system.

In District courts, prosecutors incarcerate people at a [substantially higher rate than their peers in both San Francisco and New York City](#).

Black people bear the brunt of this our punitive criminal legal system, making up nearly

90% of D.C.'s incarcerated population while comprising only 47% of the District's population.¹

Despite their vast power, prosecutors and judges face little to no accountability.

"Courtwatch DC hopes to change this power dynamic," explained ACLU-D.C. Managing Organizer Natacia Knapper at the launch event. "We're working

to expose abuses, to help the public understand how the legal system works, and to figure out ways that people can advocate for themselves and for each other."

The July 9th launch brought together a collective that included formerly incarcerated people, organizers, legal experts, and community members. Speakers shared moving accounts of the layered injustices that permeate the District's criminal legal system, and we discussed how courtwatching can prevent harm and spur change.

Between sharing stories of struggle and justice, we wrote letters to loved ones behind bars and dove headfirst into virtually watching the court live.

CONT....



¹<https://www.courtexcellence.org/news-events/district-task-force-on-jails-justice-publishes-phase-ii-report-with-10-year-implementation-plan-to-transform-justice-in-dc>

CONT....

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Together, we felt the anxiety, disorientation, and injustice of the court hearings. We saw the broken microphones and noted the lack of clarity about process. We even witnessed an elderly person being denied a chair to sit in.

This kind of cruelty is not unique. One court watcher recently watched an attorney ask the judge to schedule a hearing on a date that would allow their client to attend their first day of work. Instead of accommodating this modest request, the judge scheduled the hearing on the exact date of the person's first day at a new job. Courtwatch DC aims to prevent cruelties like this one, among others.

ACLU-D.C. Staff Attorney Michael Perloff explained at the launch event that court watching is our First Amendment right. "But that right only matters if movements actually use it to monitor the courts and press for change," he said.

From protecting this essential right to watching the courts and analyzing and sharing the data we collect, there are many ways to get involved with Courtwatch DC.

Learn more and get
involved at
courtwatchdc.org



DID YOU KNOW THAT LAW ENFORCEMENT HAS THE TECHNOLOGY TO MONITOR WHERE YOU GO AND WHO YOU SPEND YOUR TIME WITH?

Today, hundreds of surveillance devices record and share information about us without our knowledge or consent.

Closed-circuit TV cameras record what we do every day, especially in Black neighborhoods, which have 2.5 times as many of these surveillance cameras as whiter areas. The District also has StingRay technology, which can track our movements and intercept our cell phone messages.

What other technologies are District agencies using? What information are they collecting about us? And who are they sharing the information with? The problem is ... we don't know.



Unchecked surveillance endangers the civil rights and liberties of all District residents and visitors, and it puts Black, brown, immigrant, and other over-policed communities at even greater risk of harm. With the criminalization of abortion post-Dobbs, this technology could even be used to help other states prosecute people for seeking legal abortion care in the District.



That's why, as part of the Community Oversight of Surveillance DC Coalition (COS-DC), we are working to put power over surveillance technology into the hands of District residents. COS-DC aims to ensure that those who are most watched can themselves watch the watchers and decide how surveillance information is and is not used.



To that end, we've held listening sessions with impacted community members, including Black teens, who told us that between cameras on their blocks, their schools, and those on school-issued laptops, they feel watched all day long. We've also connected with sex workers and street vendors, who shared their complex experiences with surveillance and what they need to be safe in our communities.

This winter, we're scheduling more listening sessions, expanding the coalition's capacity, and pushing for legislation that would empower D.C. residents and the D.C. Council to decide which surveillance technologies District agencies use, what information they collect, and how they use what they know about us.

Learn more and get
involved at
www.takectrldc.org





TALKING D.C. STATEHOOD WITH DC YOUTH MAYOR ADDISON ROSE

We spent some time catching up with Addison Rose, a youth mayor for the [Marion Barry Youth Leadership Institute](#) on the role of young people in the campaign for D.C. statehood. Addison is a high school senior, activist, and public speaker who advocates for voting rights, gun violence prevention, improving schools, and mental healthcare access for young people in the District. She has been an advocate for D.C. statehood since her freshman year of high school.

When and why did you first start getting involved in the campaign for D.C. statehood?

I started getting involved in the campaign for D.C. statehood around the same time I entered high school four years ago. At that time I became more aware and involved in student government and local politics. Understanding that statehood was an issue that affected youth across the District pushed me to learn more and advocate for myself and my peers.

Can you give an example of how the lack of statehood impacts your life and the lives of people you care about?

Having a voice and utilizing it to help others is one of the greatest gifts you can give to those in need. By not being a state, the things D.C. citizens want to see and care so much about are not always heard. Being a state would grant us control over our own budget to address issues plaguing our most vulnerable residents, such as providing affordable housing for the homeless, ensuring we have mental health professionals in each District of Columbia Public School, and having anti-gun and weapon prevention programs for our youth. There is so much that could be done if we were a state!

Do you think more young people should join the campaign for D.C. statehood? If so, why?

I believe that it's imperative more young people join the campaign for statehood! ALL D.C. youths have a vested interest

in ensuring D.C. becomes a state. History has shown that demonstrations, rallies, and marches can move the needle. Gen Z can use this opportunity to impact our society, government, and country by speaking up and having our voices heard. By coming together and demanding D.C. be granted statehood, I have no doubt that we can make a difference in the fight. It is equally important that every young person who is of voting age vote for representatives who share their values and passion for pushing for statehood.

How do you recommend people get involved?

There are so many ways people can get involved in the fight for statehood, but nothing is more important than exercising the right to vote. If you're someone who lives outside of Washington D.C., you can always reach out to your representatives in Congress and demand they use their voice. Spread the word. There are still so many people who are uneducated and don't know much about D.C. statehood or the importance it holds for the citizens of D.C. Be creative with these tactics and act in the way you feel is best. Though it may feel like a small step in a long journey, it is still moving us closer to realizing our ultimate goal ... D.C. statehood!

Learn more about the D.C. statehood effort and how to get involved at dcstatehoodnow.org.



ACLU DC

61 YEARS

BILL OF RIGHTS CELEBRATION

SAVE the DATE

Tuesday, May 2, 2023

6:00 pm - 9:00 pm ET

Join us in person to celebrate our 61st anniversary at the Atlas Performing Arts Center.

Registration information to follow.

D.C. COUNCIL UPDATES

LATEST VICTORY IN THE D.C. COUNCIL

Thanks to our collective efforts alongside partners like Tzedek D.C. and the DC Fiscal Policy Institute, the D.C. Council unanimously passed **The Clean Hands Certification Equity Amendment Act of 2021 (Bill 24-237)** in July. Among other things, this bill allows residents to renew their driver's licenses regardless of their debt status. With the final vote, the Council recognized that the current law unjustly burdens low-income residents and that an inability to pay fees and fines does not make people dangerous drivers. The passage of this bill is one step to moving the District toward greater racial and economic justice. Thank you to everyone who took part in our Action Alert to get this bill passed.

RACIAL AND ECONOMIC JUSTICE

The ACLU-D.C. is urging the Council to pass the **Street Vending Decriminalization Amendment Act (B24-49)**. This bill would remove the criminal penalties that our neighbors face for trying to make a living. Whether it's sharing flavors from Latin America or the Caribbean, or offering clothing, lotions, and art, street vendors add to the vibrant cultural landscape in the District. But street vendors face an uphill battle in getting expensive and elusive permits and in complying with the often-bewildering laws. Most alarmingly, the criminalization of street vending has exposed vendors and their families to harassment and arrests by D.C. police. Criminalization also goes against D.C.'s values as a "sanctuary city." Many of our street vendors are immigrants and such interactions with law enforcement place them at greater risk of violent interactions with Immigration and Customs Enforcement (ICE). In some cases, they are faced with deportation proceedings. Along with our partners and with the street vendors leading the campaign, we're pushing the Council to decriminalize this part of our rich District culture.

CRIMINAL LEGAL REFORM

Further tackling criminal legal reform, we're urging the Council to address inhumane conditions at the D.C. Department of Corrections (DOC). As members of Unlock the Box, the national movement to end solitary confinement, we're supporting **The Eliminating Restrictive and Segregated Enclosures ("ERASE") Solitary Confinement Act of 2022 (B24-0946)**. This bill would ban this form of torture at DOC facilities and would require finding alternatives to isolation, while providing some limited exceptions to mitigate the spread of disease. Decades of experience and studies have shown that long-term isolation increases the chances of violence, addiction, and harm for the people who have been isolated. Banning solitary confinement will be a much-needed step toward safety at DOC facilities.

Unfortunately, we have seen that without strict oversight, DOC will not follow their legal mandate to keep residents safe. That's why we're also pushing the Council to create a strong, permanent, and independent oversight body to review DOC facilities and practices. An independent oversight body with unrestricted access to the Jail would help address the egregious and inhumane conditions at the facilities and notify both the Council and the public of their findings.

In addition to criminal legal reform, we are supporting bills that advance reproductive, privacy, and youth rights in the District.

Visit our website
www.acludc.org/legislation
to learn more and to do
your part to get these
critical bills passed.



IT'S TIME TO END QUALIFIED IMMUNITY

In ACLU-D.C. cases where we seek compensation for people whose rights have been violated, one of the most powerful defenses raised by government officials is “qualified immunity.”

Under qualified immunity, when a person sues an official for damages for violating the Constitution, the official gets off the hook if the law was not “clearly established” beforehand. Under this doctrine, courts commonly hold that government agents did violate someone’s rights, but that the illegality of their conduct wasn’t well-established enough for them to be held liable. In practice, “clearly established law” is a very hard standard to meet. It generally requires civil rights plaintiffs to show not just a clear legal rule but a prior case with very similar facts. The practical effect is that public officials—particularly law enforcement—routinely get away with unconstitutional misconduct, simply because no one else has committed that precise kind of misconduct before.



Our clients face this defense regularly. For instance, our client Mbalaminwe Mwimanzi sought damages against an MPD officer who searched him unjustifiably in an aggressive and demeaning manner. In our class action on behalf of civil rights demonstrators who were tear-gassed while calling for justice at Lafayette Square across the street from the White House in the wake of the murder of George Floyd, officers invoked this defense to excuse their unlawful behavior.

We’re fighting back against the rights-diminishing doctrine of qualified immunity. Not only do we oppose it in individual cases, but we are also fighting for systemic change. In 2019, we petitioned the Supreme Court to reform the doctrine in the case of Alexander Baxter, who was bitten by a police dog that two officers sicced on him even though he had his hands in the

air and posed no threat. The Supreme Court refused to hear the case, so we turned to legislative reform, both locally and nationally. Here in D.C., we’re pushing the Council for a new law that would allow plaintiffs to assert their rights in court unencumbered by qualified immunity. And we’re working with the National ACLU’s congressional advocates to push for comprehensive qualified immunity reform as part of national legislation on justice in policing.

The Constitution provides some of our most important rights, but when authorities don’t respect them, those rights are only as strong as the ability to enforce them in court. The ACLU-D.C. is fighting every day to eliminate barriers to enforcement, so our constitutional rights don’t become empty promises.

NEED LEGAL ASSISTANCE FOR A CIVIL RIGHTS OR CIVIL LIBERTIES VIOLATION?



If your **civil liberties or civil rights were violated**, the best way to request help from the ACLU-D.C. is online at www.acludc.org/help. You may also leave a voicemail at 202-601-4269, although response times are slower for voicemails.

Unfortunately, our office has limited resources, so we cannot take every case we are contacted about, even if a grave injustice has occurred. We take cases that we think will help clarify the law so that civil liberties are better protected across the board. For examples of cases we do not take, please visit www.acludc.org/help.



SCAN TO SEEK
LEGAL HELP

If we cannot help you, we will do our best to suggest a different organization or law firm that might be able to assist. *(Note that we cannot guarantee that they will be able to take your case.)*

If you have a case not involving **civil liberties or civil rights**, please see our resource guide for help with other legal problems in the DC area: www.acludc.org/resource-guide.

Also, visit our website to learn more about your constitutional rights! Check out ACLU-D.C.’s easy-to-use resources: www.acludc.org/kyr.

VOLUNTEER ROUNDUP

This year, ACLU-D.C. volunteers have shown up across the District to build a more just and free D.C. Here are some volunteer highlights to celebrate as we round out 2022:

Volunteers spread the word about civil liberties and our campaigns at District events, including the DC Organizing Fair and Next Fest DC, among others. At Christopher Brown Day, a back-to-school event, we provided backpacks filled with school supplies and Know Your Rights pamphlets for over 150 youth.

Volunteers assisted in legal research. Students and people with or without legal experience trained with Staff Attorney Michael Perloff so that they could undertake critical research for our legal team.



Volunteers seeded student clubs at American University, George Washington University, and Howard University. Volunteers also continued to maintain the existing chapters at Georgetown University and the School without Walls High School.

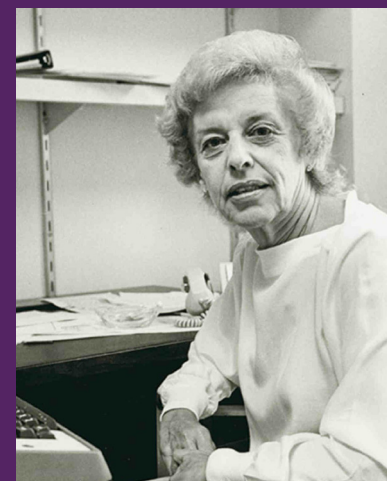
We'd love for you to join our community of volunteers! Ongoing opportunities include canvassing or phone banking around our issues, court monitoring with Courtwatch DC, and more. Whether you have one free hour or many, have specific skills or are just discovering your talents, you can volunteer in person or online.

Go to www.acludc.org/volunteer to complete our volunteer form, and we'll find the perfect fit for you.



REMEMBERING FLORENCE ISBELL

With sadness and gratitude, we honor the life of ACLU legend Florence Isbell, who passed on recently at the age of 99. Florence started at the ACLU in 1943 as Roger Baldwin's secretary, co-founded the ACLU's Georgia affiliate, and served as Executive Director of both the ACLU of Maryland and the ACLU of the National Capital Area (now ACLU-D.C.). Florence led our affiliate until the mid-1970s, when she became the Associate Director of the National ACLU until her retirement.



MEET ORGANIZING DIRECTOR MAXINE DAVIS



This fall, we welcomed Maxine Davis as our first Organizing Director.

Davis is a native Washingtonian who most recently served as a Summer Fellowship Program Coordinator with Harriet's Wildest Dreams, a Black-led community defense hub centering Black lives most at risk for state-sanctioned violence. Beforehand, Davis served as Lead Field Organizer for DC Working Families Party and as Campaign Manager for Rev. Wendy for Congress. Prior to those positions, Davis provided

instruction on the role of civil liberties and civil rights in our democracy as a Program Instructor at the ACLU Summer Institute with the Close-Up Foundation. Davis brings more than a decade of experience in public health, including focuses on black health, maternal and child health, and reproductive and sexual health. She comes to ACLU-D.C. with a Bachelor's degree from American University and a Master's Degree in Public Health with a concentration in Community Health and Prevention from Drexel University.

“WHEN WE RIGHT
HISTORICAL
WRONGS, WE MOVE
TOWARD FREEDOM,
TOGETHER.”



As we move into a new year, we at the ACLU-D.C. are recommitting ourselves to building a more just and free D.C.

To do this work means understanding that freedom and justice aren't about "just us." It is not about our individual experiences or our ability to access our individual civil rights and liberties. When we work directly with our neighbors whose civil rights and liberties are most endangered, we see how our systems are failing to advance freedom and justice for District communities as a whole. Our work together brings to light the systemic failures. We work to fix them because if some of us aren't free, none of us are free.

Court watching with Courtwatch DC is a great example of bringing systemic failures into the light. This work, which is led by formerly incarcerated Black women, allows us as individuals and as a community to experience and document how the criminal legal system works beyond our individual experiences with it. Together, we get to paint a broader picture of how our system builds barriers to freedom based on race, gender, sexuality, wealth, immigration status, and other factors. Then, together, we get to work fixing it.

Justice is our path forward; when we right historical wrongs, we move toward freedom, together. Removing systemic barriers and securing our civil rights and liberties helps everyone in D.C. because the lines of criminalization and discrimination are constantly shifting.

We need look no further than the Dobbs decision, which opened the door to making abortion—once a right—into a crime. And now we are reeling and reacting to secure this fundamental healthcare. Moving forward, we must both continue to react to such assaults and also be proactive in bolstering and expanding our rights and liberties before a crisis hits.

Every one of us can do our part, and we are excited and honored to take this journey toward justice and freedom together.

Monica Hopkins
Executive Director

ACLU

District
of Columbia

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To curb the spread of COVID-19, our office operations are currently remote. We accept contributions the following ways:



Through your donor-advised fund (DAF).

Choose “American Civil Liberties Union Foundation of the District of Columbia” and EIN 52-6070446 with your DAF provider.



With a gift of stock or for wiring instructions.

Please contact development@acludc.org for our account and DTC number.



By phone.

Call our Donor Services at (212) 549-2543.



With a gift through a bequest or charitable trust.

Visit www.aclu.org/legacy to see how gifts through your will, retirement plan, life insurance, or trust can provide for both your loved ones and ensure our ability to fight for civil liberties in the future.



Through the mail. Please note that mail is delayed by at least 4 weeks and receipt may be delayed. Mail may be sent to:

Monica Hopkins
ACLU of the District of Columbia
529 14th Street NW,
Ste 722,
Washington, D.C. 20045



Via mobile device.

Access our donation page here via QR code or at acludc.org/give

