

2021 HIGHLIGHTS

TOGETHER, WE ENACTED CHANGE.

ACLU
Arizona

A LOOK BACK AT 2021 WINS IN ARIZONA

Here is a recap of noteworthy accomplishments in 2021 – wins that would not have been possible without our community partners, hard-working volunteers, dedicated staff, and YOUR partnership.



LAWSUIT FILED: SHINING A LIGHT ON MCAO'S RETALIATION POLICY

In a first-of-its-kind lawsuit, the ACLU and ACLU of Arizona are challenging the Maricopa County Attorney's Office (MCAO) policy of making plea offers "substantially harsher" if people assert their rights to a preliminary hearing or a trial. This retaliation policy, enforced in Early Disposition Courts (EDCs), coerces thousands of guilty pleas per year and violates the Constitution. EDCs stated purpose – to divert drug offenders away from incarceration and toward treatment – is being sabotaged by MCAO so their agency can secure quick and easy convictions. Our lead plaintiff is a 34-year-old man who felt threatened by MCAO's coercive policy and felt he had no choice but to waive his right to a preliminary hearing to get more information on his case. The complaint also details the story of a man who was innocent of his charges but was pressured into a guilty plea by MCAO anyway. We are hopeful that this lawsuit stops MCAO's retaliation policy and that people's constitutional rights are protected.

VICTORY! ONE STEP CLOSER TO ENDING THE CRIMINALIZATION OF STUDENTS

Across Arizona, students as young as five years old can be suspended and expelled from schools. Studies show that these harsh disciplinary policies disproportionately affect Black, brown, and Native American students, as well as students with disabilities. These policies have dire consequences: it pushes students out of school, disrupts their education, and lead to a greater risk of dropout, which in turn leads to a greater likelihood of interacting with the juvenile justice system. In June, with the help of our community partners, HB 2123 passed in the Arizona Legislature, limiting expulsions and suspensions for students in kindergarten through fourth grade. The bill also allows schools to explore alternate behavioral and disciplinary interventions and to create a pathway for the potential readmission of a suspended or expelled student.



PROTECTING A PERSON'S RIGHT TO CHOOSE

In partnership with the Center for Reproductive Rights and the ACLU's Reproductive Freedom Project, we filed a lawsuit challenging SB 1457—a sweeping anti-abortion bill that criminalizes physicians and other medical providers who provide abortions if the reason for the abortion is based on a fetal diagnosis. This law also includes a provision that would classify fetuses, embryos, and fertilized eggs as people starting at the point of conception. A federal district court judge granted our request to temporarily block part of this anti-abortion law that was scheduled to take effect on September 29, 2021. This fight isn't over yet, but this ruling is a victory for Arizonans and their ability to communicate with their physicians and access abortion care if they need it. We will continue to fight this law, and similar laws around the nation, to protect people's reproductive freedom.

STANDING UP FOR IMMIGRANTS' RIGHTS

The ACLU of Arizona has long prioritized immigrants' rights and border issues. We continue to hold Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP) accountable for the unconstitutional detention conditions in their facilities. Throughout the COVID-19 pandemic, we advocated for the release of vulnerable populations most susceptible to the virus, as well as ensuring the government provided COVID-19 vaccine access and information. This year, we also focused significantly on ending abusive policies, like Title 42, which misuses public health authority to violate humanitarian protections enshrined in U.S. and international law guaranteeing people the right to seek asylum.



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LOOKING AHEAD TO 2022, WE HAVE MANY CHALLENGES AND DEMANDS IN FRONT OF US.

Many of the issues below consist of our focus areas but we will continue our important work in many other key areas we've made long-standing commitments to defend throughout our history such as: protecting our First Amendment rights, reproductive rights, the rights of incarcerated people, the elimination of the death penalty, and much more.



FIGHTING FOR HUMANE BORDER POLICIES AND REIMAGINING OUR IMMIGRATION SYSTEM

- Stop the unlawful expulsions of migrant families and rebuild the asylum process to reflect our laws and values.
- End the abuses against immigrants at the border, including their indiscriminate detention.
- Expose, oppose, and challenge laws and policies that discriminate against segments of the population based on actual or perceived race, ethnicity, or national origin.
- Support a pathway to citizenship for immigrant communities.

REFORMING OUR CRIMINAL JUSTICE SYSTEM

- Work to cut the incarcerated population by 50%.
- Reduce racial disparities at every level of the criminal legal system.
- Advocate for meaningful sentencing reform and fight for prosecutorial accountability across Arizona.
- Pass proactive criminal justice reform measures like the defelonization of low-level drug possession.



ENSURE EDUCATIONAL EQUITY AND A SAFE LEARNING ENVIRONMENT FOR ALL STUDENTS

- Advocate for police-free schools that employ mental and behavioral health professionals like counselors, social workers, nurses, and psychologists, to keep students safe and boost student achievement.
- Ensure bigoted measures that perpetuate discrimination against LGBTQ people and inhibit HIV/AIDS instruction do not become law.
- Fight back against attempts to censor discussions about race and gender in the classroom and ensure that every student receives an equitable education.

DEFENDING THE LGBTQ+ COMMUNITY

- Protect trans youth from being singled out and excluded from participating in everyday school activities with their peers.
- Guarantee that trans people have access to gender-affirming care.
- Ensure LGBTQ people aren't discriminated against or denied services because of someone else's religious belief.



PROTECTING OUR DEMOCRACY

- Protect the integrity of our democracy by combatting misinformation about our election process.
- Fight back against discriminatory voter suppression efforts.
- Reduce the role registration plays as a barrier to voting and increase voter registration opportunities.
- Ensure a fair redistricting process to protect our rights to fair representation in our government, including challenging widespread prison gerrymandering.