

# THE FRONTLINE



FALL 2024

# EXECUTIVE DIRECTOR UPDATE

## A Note from Amber Duke

At a time when our national politics are so divided and chaotic, we are focused on what we can do to make Kentucky's future a bright one. We are always learning, planning, and strategizing how to leverage our resources to have the most impact.

This summer the entire staff and members of the Board of Directors participated in strategic planning work groups, to examine the goals we set during our retreat and pinpoint how to operationalize the strategies we identified. The work culminated in a complete draft of our five-year strategic plan, which we will present to the public when it is finalized.

The plan outlines our targets for strengthening the organization's capacity, increasing civic participation, continuing policy work, and building power for impacted communities, among others. We will continue to approach new and existing strategies through a racial justice lens.

We have also been deepening our connections with directly impacted people through the Smart Justice Advocates. Our smart justice funder, The Just Trust, partnered with A24 to bring their powerful film, *Sing Sing*, to Louisville for SJAs and VOCAL-Kentucky before the film's world premiere.

*Sing Sing* is the story of Divine G (played by Colman Domingo), who, while imprisoned at the Sing Sing Correctional Institute for a crime he didn't commit, finds purpose by acting in a theatre group with other incarcerated men. The film was a powerful and moving reminder that we must invest in ALL communities to realize the full potential of the commonwealth.

Thank you for continuing to support this work as we all grow together.



In solidarity,

A handwritten signature in black ink that reads "Amber L. Duke".

Amber Duke  
Executive Director



Board Member Sofia Calleja, Executive Director Amber Duke, and Senator Keturah Herron at the signing of the Executive Order banning conversion torture in Kentucky.

TEAM  
KENTUCKY™

TEAM  
KENTUCKY™





A group of volunteers and staff prepare to canvass one of the target districts for the Commonwealth Voter Campaign.

## ADVOCACY UPDATE

### Commonwealth Voter Campaign

This year is an important election year at both the Federal and State levels. In Kentucky, all state House seats, and half of state Senate seats, are up for election on Tuesday, November 5, 2024.

The ACLU of Kentucky is a nonpartisan organization - we don't advocate for or endorse political candidates. We do, however, educate voters about their rights and issue areas like reproductive freedom and smart justice.

In August 2024, we launched the Commonwealth Voter Campaign

(CVC). The campaign is focused on mobilizing high-opportunity voters in three key districts around Kentucky. We aimed to provide meaningful opportunities for volunteers to participate and stay involved in our organizing work in a transformative way. Volunteers helped educate fellow voters on criminal legal reform and reproductive freedom work, engaging directly with community members to have important conversations around voting.

“We want voters to be empowered with knowledge about issues that we know matter to them, like the freedom to



make their own reproductive health care decisions, and investments in communities rather than harsher punishments that tear families apart,” said ACLU-KY Campaign Coordinator Heather Ayer. “This campaign has been a great opportunity to engage volunteers and move toward our vision of a better future for our commonwealth.”

# DEVELOPMENT UPDATE

The Fall season marks the halfway point in our fiscal year, when we take time to review our progress and make any necessary planning adjustments. Our Development Team works daily to connect with Kentuckians who align with our values and are willing to participate and invest in our work in a significant and meaningful way.

We keep membership to the ACLU of Kentucky at \$5 annually to make participation easy – financial hardship should never be a barrier for the people we’re fighting for. Membership supports our 501c4. For those who are able, we ask for support beyond membership dues to support our 501c3.

The work of defending democracy never stops, and we must tap into every resource we have to move forward. Stand with us as we build a new future for Kentucky, where all Kentucky communities thrive together.

**Thanks to your support we were able to raise **\$79,030** during Give For Good Louisville this year!**

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HOW TO SUPPORT  
OUR WORK**



# LEGISLATIVE PREVIEW

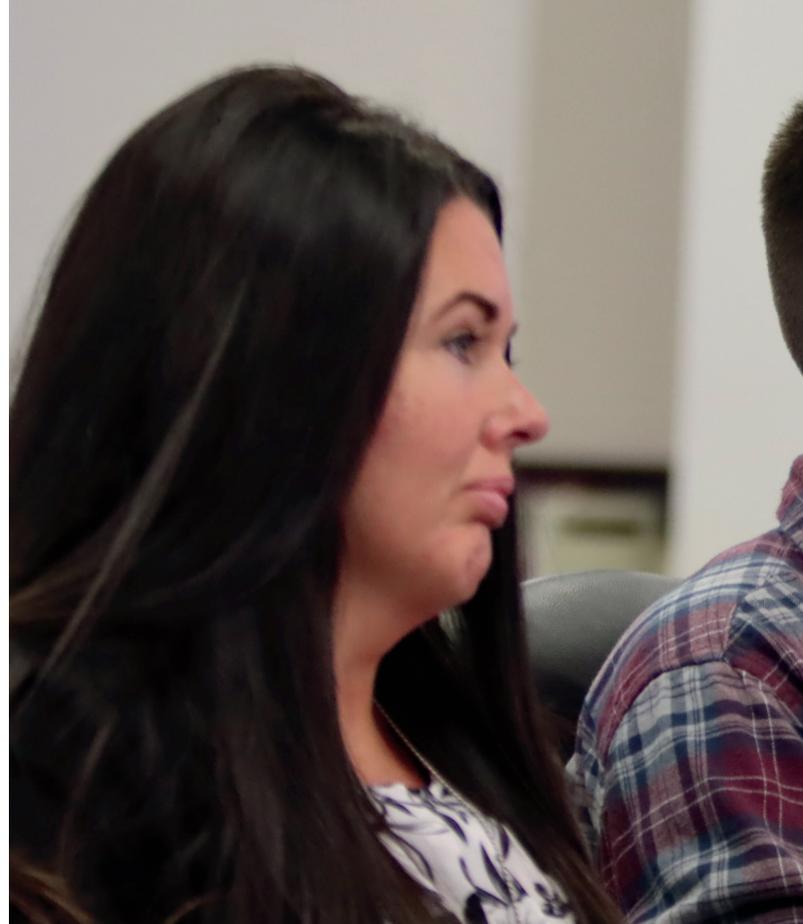
## KYGA 2025

Although Kentucky has a part-time legislature, and the 2025 General Assembly is a “short” session that only meets for 30 days, our team works all year to prepare for session. This year, we are continuing our focus on policies that address our state’s reproductive rights and incarceration crises, and we’re excited to introduce a policy that embraces both issue areas: preserving families by providing alternatives to incarceration for Kentucky caregivers.

Kentucky is a unique state with many civil liberties challenges, and often the problems facing Kentucky families overlap. Our team has researched ways to impact more families and address more than one issue at a time, resulting in a bill that combines reproductive freedom issues with criminal legal reform.

In addition, we’re continuing our work to bring paid leave to more Kentuckians — because no one should have to choose between a child and a paycheck — and we continue to partner with the Clean Slate Initiative to automate portions of the expungement process for eligible Kentuckians.

Your participation is integral to our work. We hope you’ll join us in Frankfort this year at one of our Lobby Days, as a volunteer with our statewide Reproductive Freedom campaign, or as a Smart Justice Advocate.



## LEGISLATIVE PRIORITIES

### Caregiving and Incarceration

Having a parent or caregiver who is incarcerated has detrimental impacts on a young person. Low self-esteem and symptoms of post-traumatic stress disorder are among the lifelong challenges children can suffer from having an incarcerated parent. These problems are most acutely felt by incarcerated women, LGBTQIA+ individuals, birthing people, and caregivers, and (as with many punitive criminal legal measures) disproportionately impacts Black Kentuckians.

To provide relief to Kentucky families, we are proposing legislation that would decrease the number of primary caregivers who are incarcerated, keeping them

Community members Amanda Hall and her son Jayden Spence, Kentucky Youth Advocates' Cortney Downs, and Right on Crime's Joey Comley testify at the Interim Joint Committee on Judiciary.



with the children who need them. Many Kentuckians who are incarcerated have been imprisoned for crimes related to substance use or property theft and are well-positioned to participate in community-based alternatives to incarceration.

We were able to meet with lawmakers and helped arrange testimony at the September Interim Joint Committee on Judiciary. This proposal has strong bipartisan interest, and we look forward to carrying it forward in the 2025 legislative session.

## Paid Parental Leave

Kentucky lags far behind our peers in paid parental leave policies. Since 2021, Georgia, Tennessee, South Carolina, and North Carolina have enacted legislation guaranteeing paid family leave for state employees and public-school educators. This summer, we successfully

campaigning the Jefferson County Public School Board to pass a six-week paid leave policy for all new parents, a historic victory for Kentucky's largest school district.

During the 2025 session, we hope to add Kentucky to the list of Southern states with paid parental leave policies for state workers.





Policy Strategist Kungu Njuguna speaks at a press conference in Frankfort about House Bill 5.

Photography, design, and layout by Kira Meador @meadormadecreative.

## CLEAN SLATE

The criminal record expungement process is prohibitively lengthy and expensive. It's time to automate portions of that process to give eligible Kentuckians access to employment, housing, and other resources required for success.

We worked with the national Clean Slate Initiative last legislative session to bring Senate Bill 218 and House Bill 569 to Frankfort, which would have modernized Kentucky's expungement process.

We had a lot of bipartisan support for these bills, and we plan to capitalize on last year's momentum to make Clean Slate laws a reality and allow housing, education, and employment opportunities for thousands of Kentuckians.



# OTHER CIVIL LIBERTIES WORK

In addition to our proactive legislative priorities, we will continue to monitor legislation that threatens Kentuckians rights, including:

- **anti-privacy laws,**
- **anti-LGBTQ+ laws,**
- **laws that threaten diversity, equity, and inclusion,**
- **anti-immigrant measures, and**
- **any other attempts to erode the civil liberties of ALL Kentuckians, especially the most vulnerable among us.**

## GET INVOLVED

We rely on our volunteers and members like you during the legislative session to tell us, and our legislators, what matters most to Kentuckians. For more information and to sign up to volunteer, scan the QR Code.

SCAN  
HERE



# SOUTHERN LEGAL INTERNSHIP PROGRAM

The ACLU has partnered with the National Black Law Students Association to deepen the bench of talented, passionate, and committed civil rights and social justice attorneys in the South. The Southern Legal Internship Program (SLIP) places legal interns at ACLU affiliates in each of the 13 states in the ACLU's Southern Collective. SLIP interns contribute to crucial legal, policy, and organizing campaigns in the issue areas that most affect Black and Brown communities in the region, including voting rights, educational equity, gender justice, and criminal legal reform.

This summer, Kentucky was proud to host SLIP Kyle Smith for a 10-week SLIP internship. Kyle is pursuing a J.D. at Vanderbilt Law School to fulfill his goal of leading a career in public interest law in the South.

We also had the pleasure of employing Andrew Brennen as a legal intern. Andrew is a first-year law student at Columbia University and an NAACP LDF Marshall Morley Scholar whose interest in civil rights law stems from his deep-seated commitment to racial justice, specifically promoting more just and democratic Kentucky public schools.

Kyle and Andrew were able to join ACLU-KY legal staff in conducting legal, policy, and regulatory research, drafting legal documents, contributing to an organizing campaign, and participating in client intake. Both interns are incredibly dedicated advocates for civil rights, and we know they will achieve great things in their careers.



Kyle Smith  
Vanderbilt Law School



Andrew Brennen  
Columbia University

# LEGAL UPDATE

## DOE V THORNBURY AND THE US SUPREME COURT

Kentucky parents of transgender children and a wide array of civil rights groups filed an amicus, or “friend of the court,” brief as the Supreme Court prepares to hear *U.S. v Skrametti*, the challenge to Tennessee’s ban on healthcare for transgender youth. The Kentucky families are plaintiffs in *Doe v Thornbury*, our challenge to a similar law in the Commonwealth known as Senate Bill 150. The justices’ ruling could have a direct impact on Kentucky’s case, because they will decide whether the Sixth Circuit Court of Appeals ruled appropriately when it allowed both Tennessee and Kentucky’s laws to go into effect.

The brief argues that the bans in Tennessee and Kentucky, like those passed in other states, intentionally discriminate against transgender youth by denying them medications that are prescribed for other youth. These laws do not ban these medications for all minors - only when they are prescribed for transgender minors. As a result of this discriminatory treatment, transgender youth are unable to obtain the only effective treatment for the severe distress caused by gender dysphoria.

Across the country, federal district courts have held that bans like those in Tennessee

and Kentucky single out transgender youth to deny them safe, effective, and well-established medical care. In *U.S. v. Skrametti*, the Supreme Court agreed to review the Sixth Circuit opinion which reversed district court decisions blocking these bans in Tennessee and Kentucky. The U.S. Department of Justice intervened in the Tennessee case (originally brought by private individuals) and the U.S. Solicitor General will argue against the ban when the Supreme Court hears the case later this year, along with ACLU attorneys representing those private individuals.

The Kentucky families’ brief is among over 30 friend-of-the-court briefs filed in September. Bioethicists, medical providers, medical historians, family law professors, additional families in states where care has been banned and more are urging the Supreme Court to rule against bans on essential medical care for transgender youth so that families can make the health care decisions that are best for their children.

## FREE SPEECH ON COLLEGE CAMPUSES

Executive Director Amber Duke and Legal Director Corey Shapiro co-signed an open letter to Kentucky college and university presidents reminding them of their obligation to uphold students’ free speech rights. The letter reminds school officials that the First Amendment directly protects students at public higher education institutions and urges these institutions



to demonstrate their adherence to the values of free speech, academic freedom, and civil discourse by avoiding any escalation on campus, while at the same time upholding their duty to protect all students from discriminatory harassment and violence. Most importantly, school officials should refrain from involving any outside law enforcement except as an absolute last resort.

## KNOW YOUR RIGHTS

Since House Bill 5, erroneously referred to as the “Safer Kentucky Act,” went into effect on July 15, we have observed precisely the impact we expected on the ground. Already, houseless individuals are receiving citations with fines they cannot pay and court dates they cannot attend, resulting in bench warrants and senseless arrests.

To help those who may encounter law enforcement officers bent on enforcing the criminalization of homelessness, we updated our “Know Your Rights When Interacting with Law Enforcement” brochure, including an abbreviated, printable pocket version. Scan the QR code below to access the brochure.



# MEET OUR SENIOR STAFF ATTORNEY

Bill Sharp



Bill Sharp is no stranger to the ACLU of Kentucky. In fact, he served as the organization’s legal director from 2007 to 2017. Bill brings nearly 25 years of experience as a litigator,

having served as both trial and appellate counsel at every level of the state and federal court systems in Kentucky. His career has been primarily devoted to public interest litigation and the defense of others’ rights, either as a public defender representing indigent clients accused of serious offenses or as a civil rights attorney.

After detouring into private practice for a few years, Bill returned to his public interest roots as an appellate attorney in the Louisville Metro Public Defender’s appellate division, where he also assumed lead counsel duties for several trial-level cases. He now relishes the chance to return to the ACLU of Kentucky to help promote and defend all Kentuckians’ rights.



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**INSIDE: OUR 2024 ELECTION WORK AND PREPARATION FOR THE 2025 GENERAL ASSEMBLY**

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- Heather Ayer, Campaign Coordinator
- Jackie McGranahan, Senior Policy Strategist
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- Kate Miller, Advocacy Director
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