

FREE FOR ALL



McKeesport Police Sued for Illegal Tactics – page 3

SPRING 2024

MEET MIKE LEE, ACLU-PA'S NEW EXECUTIVE DIRECTOR



**By Mike Lee
Executive Director**

For over 70 years, generation after generation of staff, volunteers, donors, and supporters have nurtured, protected, and grown the ACLU of Pennsylvania.

Over this passage of time, ACLU-PA has lit the path onward while each generation has faced threats to civil liberties that seemed insurmountable and achieved accomplishments that seemed unimaginable.

Today, the darkness of anti-democratic values clouds the hope and faith some people have in our democratic institutions' ability to recognize and protect civil liberties. But the darkness is not total. ACLU-PA continues to shine brightly, thanks to this and all the prior generations of ACLU-PA staff, volunteers, donors, and supporters.

My name is Mike Lee, and, as the new executive director, I am eager to lead

ACLU-PA into its next chapter. As a born-and-raised Philadelphian, the work we do is deeply personal for me.

As executive director, I am responsible for our organizational health. I promote team building, staff well-being, and ACLU-PA's growth. I want the ACLU-PA to be an organization that continues to do big things, defends, and enhances all of our rights, and is a place where our staff is both proud to work and feels supported in both their professional and personal lives.

We only need to look at the heightened and high-stakes struggles over voting rights to see the darkness of anti-democratic values overhead.

This year, our voting rights work will bring light to this darkness through integrated advocacy and litigation. We work to protect and expand voting rights and access, eliminate barriers that disenfranchise voters, and increase civic engagement for all Pennsylvanians. We want every

qualified voter to be able to cast a ballot and to have that ballot counted.

We also want to ensure that our election results are not subverted. We are working in coalitions across Pennsylvania to have the capacity to proactively identify and respond to conditions that may prevent an eligible voter from casting their ballot or having their ballot counted and to respond to rapidly emerging threats in nearly all 67 of Pennsylvania's counties.

With the emergence of more ways to cast a ballot like mail balloting, our voter protection work expanded to include more pre-Election Day advocacy and litigation to ensure that ballots are consistently counted across Pennsylvania. The very essence of our democracy - the principle that voters and candidates accept an election's outcome - is being undermined.

The ACLU-PA believes that all voters should have access to democracy,

Continued, pg. 4

LEBANON COUNTY RESIDENTS MOBILIZE TO PROTECT THE VOTE

In January, the Lebanon County commissioners voted to discontinue the county's one drop box for mail ballots, in a 2-1 vote that was not announced to the public in advance. Drop boxes are a critical component of mail voting, especially for voters who need to submit their ballot too close to Election Day to risk the postal service failing to deliver it on time.

ACLU-PA warned the county that their "under the radar" action in removing the drop box violated the Sunshine Act. As a result, the commissioners then scheduled another meeting of the board of elections in February.

ACLU-PA and multiple allies sprung into action to mobilize voters in favor of the drop box.



In March, ACLU-PA joined Pa. House Speaker Joanna McClinton and other advocates to announce the introduction of legislation to implement in-person early voting and same-day voter registration.

ACLU-PA, along with Disability Rights Pennsylvania, the League of

Women Voters of Pa., CASA, and the NAACP, began contacting members in the county to bring the actions of the commissioners to residents' attention. ACLU-PA hosted trainings for residents interested in taking action in support of the drop box and maintained communication with county officials - both directly and through constituent outreach - about the importance of maintaining the drop box to give voters another option for submitting their mail ballot.

It was a cross-departmental effort that included ACLU-PA's legal,

Continued, pg. 4

IN THIS ISSUE

Central Bucks Teacher Reinstated	3
New Coalition for Inclusive Schools	4
Meet Attorney Vanessa Stine	7

FROM THE PRESIDENT



The board of directors of any ACLU affiliate, including ACLU-PA, has a number of critical responsibilities.

Arguably, the two most important are ensuring the organization's continuing financial stability and selecting (and then regularly evaluating) the affiliate's executive director.

After 11 remarkably successful years under the leadership of Reggie Shuford, the board in 2023 had to step up to find a new leader. That search ended with the selection of Mike Lee as our new executive director.

I chaired the search committee, populated by a diverse array of dedicated board members from all around the

state. We conducted a national search that was rigorous, thorough, and time consuming. While the search continued, Deputy Director Claire Landau did an amazing job as acting executive director to keep the ship steady and on course.

Now it is time to get into the groove of a working relationship between the board and the new executive director.

The board of directors consists of 25 active ACLU volunteers selected from throughout Pennsylvania. Thirteen of the 25 are delegates from our chapters, thus ensuring that the board is geographically representative. The remaining 12 seats are selected for the excellent skills and energy they bring, ensuring a diversity of backgrounds, expertise, age, and other characteristics.

As board president, I have begun meeting regularly with Mike. Although we had known each other previously, we are developing a working relationship that is close and ongoing. The executive director, not the board, supervises and guides our talented staff of 40 or more, both as to internal matters and in terms of the powerful fulfillment of our mission.

Continuing consultation will ensure that the transition in leadership works as seamlessly as possible, and that the successes of the last decade serve as a jumping off point for an even more effective and impactful ACLU-PA in the years to come.

Peter Goldberger
President, ACLU-PA

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HOLDING MCKEESPORT POLICE ACCOUNTABLE FOR ABUSIVE, ILLEGAL TACTICS

The city of McKeesport is just outside of Pittsburgh in western Pennsylvania. On December 20, 2020, police from the city of McKeesport and other officers from across Allegheny County were searching for a suspect in the shooting of a police officer.

During their search, the police targeted Black residents of McKeesport with abusive tactics that left those in their path terrorized. Residents reported police demanding entry into homes at gunpoint without a warrant. There were also reports of officers using excessive force during traffic stops. White residents of McKeesport reported being treated far less harshly.

After a lengthy investigation, the ACLU of Pennsylvania took legal action late last year. We sued the city of McKeesport, Allegheny County, and a number of other police departments and officers. The lawsuit alleges that the actions of police that day violated both the Fourth Amendment to the U.S. Constitution and the Pennsylvania Constitution.

In a statement, ACLU-PA Staff Attorney Solomon Furious Worlds observed that “due process and the constitutional right to privacy were tossed aside by police during numerous unlawful searches. Police can’t use a shooting as an excuse to just pick and choose which elements of the Constitution they want to follow.”



ACLU-PA Staff Attorney Solomon Furious Worlds (left) with (left to right), Tanisha Long of Abolitionist Law Center, Courtney Thompkins, and Fawn Walker-Montgomery of Take Action Mon Valley. Ms. Thompkins is one of three McKeesport residents suing the city.

The lawsuit seeks to hold line officers and high ranking decision-makers in McKeesport and in other Allegheny County police departments accountable for their unnecessary, unlawful, and unconstitutional actions. ■

BELOVED TEACHER TO RETURN TO THE CLASSROOM AT CENTRAL BUCKS



Elections matter. And one place where that has been apparent is the Central Bucks School District, where school board candidates supporting inclusive education soundly defeated a slate of Moms For Liberty-supported incumbents in last year’s election. The change helped spur the district to settle a lawsuit brought by the ACLU of Pennsylvania on behalf of teacher Andrew Burgess in 2023.

Mr. Burgess was suspended by the district in 2022 after he filed a complaint with the U.S. Department of Education Office for Civil Rights at the behest of one

of his students and the student’s family. The student is transgender, and school administrators had repeatedly failed to address targeted harassment by the student’s classmates.

The district responded by suspending Mr. Burgess in May of that year, informing him that his employment status was under review. The district then hired lawyers with a history of anti-LGBTQIA+ statements and work from the law firm Duane Morris LLP to conduct an “investigation” into the events leading to Burgess’ suspension. The Duane Morris lawyers never spoke to any students, but their report, which was published in April 2023, included numerous false allegations about Mr. Burgess’ support of his students.

In March, the newly configured board agreed to the settlement with Mr. Burgess. Terms of the settlement include correcting the false allegations in his personnel file, removing the Duane Morris report from all district-maintained websites, and immediately reinstating Mr. Burgess. The district also agreed to pay \$425,000 to settle Mr. Burgess’s damages and pay attorneys’ fees.

Learn more about this case at aclupa.org/Burgess. ■

Meet Mike Lee Continued, pg. 1

whether they vote by drop box, by mail, or in person at the polls. We will stay in the struggle to ensure that voters decide the winners of elections.



Lebanon County Continued, pg. 1

advocacy and policy, and communications departments.

At the rescheduled meeting, in a packed conference room, nearly a dozen residents spoke their mind about why keeping the drop box was so important. Ultimately, the commissioners voted again to remove the drop box. But before they did, the commissioners discussed a potential alternative, a staffed drop off location in the parking lot of the county building and committed to investigating the feasibility of such a plan.

Several weeks later, again with residents present and in support of the drop box, the commissioners approved the staffed drop-off location plan, with dates and hours that closely resemble the hours that the drop box had been available. ACLU-PA and its allies ultimately supported this alternative, as it provides effectively the same service as the drop box.

What happened in Lebanon County is an example of why it is so important to keep an eye on our local governments. In Pennsylvania, counties have a lot of power to determine election-related policies. As ACLU-PA has been strengthening our organizing work this year, we offer trainings to volunteers to monitor their county governments and advocate for pro-voter policies. This work will be critical as we get closer to November's general election. If you're interested in volunteering, visit aclupa.org/volunteer. ■

ACLU-PA HELPS TO LAUNCH NEW COALITION FOR INCLUSIVE SCHOOLS



After two years of working together informally, 17 advocacy organizations in January formally launched Pennsylvanians for Inclusive and Welcoming Schools, or PAWInS, a new coalition to advocate for school policies that support all students.

The advocacy team at ACLU-PA has co-led this work since 2022, when we received intake from two school districts where extremist board members were implementing policies to discriminate against particular students, especially LGBTQIA+ students and Black and brown students.

The mission of the coalition is to support all students so that they can succeed and thrive, to push back against discrimination in districts, and provide students, parents, teachers, and concerned residents with the resources they need to successfully advocate for best practices in their schools. PA-WInS also monitors legislation at the Pennsylvania General Assembly that threatens students' ability to be their authentic selves at school.

The work also includes raising awareness of proposed book bans. Over the last three years, Pennsylvania has consistently ranked as one of the top states in the country for district-level policies that make it easy to ban library materials. The targets of these policies are consistently resources by and about Black and brown people and LGBTQIA+ people. Students thrive when they can access materials about their experiences and created by people who can relate to them.

To learn more about PA-WInS, visit www.pawins.org. ■

ICE OUT OF COURTS!



In December, ACLU-PA joined the ICE Out of Courts Coalition to demand that ICE stop arresting people at or near courthouses in Philadelphia. Fellowship Attorney Viktoria Zerda (center) spoke on behalf of ACLU-PA.

WELCOME NEW STAFF TO THE ACLU OF PA

Since the last issue of this newsletter, ACLU-PA welcomed five new staff members to our team.



Keith Armstrong (he/him) joined the ACLU of Pennsylvania in October as a fellowship attorney for immigrants' rights. Prior to joining ACLU-PA, he spent two years working on the litigation team at RAICES, a Texas-based immigrant rights organization, where he handled a varied docket of cases including a wrongful death tort suit, Freedom Of Information Act litigation, and petitions for review before appellate courts. Keith graduated from Northwestern Pritzker School of Law with a J.D. and an LL.M. in international human rights and holds a B.A. in English/international studies from Macalester College. When he is not fighting for the civil and human rights of noncitizens, he enjoys birdwatching and photography.



Brenda Austin (she/her) has more than 20 years of nonprofit accounting experience providing financial integrities by ensuring compliance with accounting standards, internal controls, and audits. Prior to joining ACLU-PA in October as the financial operations manager, she worked as a grants financial analyst at the National Comprehensive Cancer Network, developing and reconciling various grant budgets. Brenda studied accounting at Montgomery County Community College. In her free time, she spends time with her three granddaughters and socializes with family and friends.



Mike Lee (he/him) joined the ACLU of Pennsylvania as executive director in January. A born and raised Philadelphian, Mike served for six years in the administration of Philadelphia District Attorney Larry Krasner and also founded and served as executive director of Philadelphia Lawyers for Social Equity, a nonprofit legal aid firm that helps Pennsylvanians expunge their criminal records. In his early years practicing law, he specialized in criminal defense and had a number of clients who had been prosecuted during the Occupy protests. Mike is a graduate of George Washington University with a degree in communications and the Drexel University Thomas R. Kline School of Law, where he co-founded an ACLU chapter.



Lindsay Poulos (she/her) joined the ACLU of Pennsylvania in February. She has worked in the nonprofit field for 10 years, managing various cross-organizational community initiatives and volunteer programs dedicated to youth advocacy, educational equity, and criminal justice reform. She received her master's in social work - macro practice, focusing in research, policy analysis, and systems-level intervention strategies. Lindsay enjoys finding local music, dancing, and trying new recipes.



Jessica Riestra (she/her) joined ACLU-PA in January as the organizing director. Jessica has seven years experience working in the nonprofit sector and political arena, with a background in gun violence prevention, disability rights, and immigration rights. Jessica previously served as the policy and advocacy manager for Make the Road PA, statewide youth representative for the California Foundations for Independent Living Centers, and as the constituency organizing director for the Democratic Congressional Campaign Committee. She received a bachelor's degree from Sacramento State University in political science and ethnic studies. Jessica is currently pursuing a master's in international studies, and she loves traveling and exploring new languages.

REVISED WEBSITE FROM ACLU-PA PROVIDES RESOURCES FOR CHALLENGING THE SCHOOL-TO-PRISON PIPELINE

For years, ACLU-PA has maintained a “microsite,” a website separate from the organization’s main site, at EndZeroTolerance.org. Under the guidance of Nationwide Education Equity Coordinator Harold Jordan, the site provides a vast collection of resources for anyone who is energized to challenge police in schools, “zero tolerance” policies, and other forms of discipline that undermine students’ education.

In recent months, the website has undergone a vast overhaul to provide users a better browsing experience. We look for the most helpful and informative resources. Endzerotolerance.org contains presentations, sample materials, media stories, and links to articles, videos, podcasts, policy statements, and research reports about school discipline, policing, and climate issues. If you want to research the issues, learn about successful campaigns, prepare testimony, prepare a media story, or work to improve school communities, this site is a great place to start. The site includes “how to” resources on best practices for improving school environments and helpful resources produced by the federal government.

Whether you’re a parent, a student, an educator, or a concerned resident, you can find the information you need to advocate for challenging the school-to-prison pipeline at EndZeroTolerance.org. ■



VOLUNTEER PROFILE: JULIAN GOLDMAN

Name: Julian Goldman

Hometown: Lititz, Lancaster County

What do you do as a volunteer for the ACLU of Pennsylvania?

Board member, research, tabling, anything else that pops up I can help with.

Why is volunteering with the ACLU of Pennsylvania important to you?

I want to be able to do what I can to help my community and make our world a place where everyone’s rights are protected.

What civil liberties issue(s) are you most passionate about and why?

I would say I have two core focuses: transgender rights and antiracism. Transgender rights are important to me very personally since I’ve been fighting for those since I was a high schooler who needed somewhere to change for P.E. and wanted my library card to have a name that didn’t make my skin crawl. In fighting for those for myself, I wanted to change the systems in place and make being trans easier for the next student in my shoes.

As for antiracism, with civil liberties in the United States, I think it all so often traces back to institutionalized racism, and, consequently, people of color (particularly Black, Indigenous, and Latine people) experience the brunt of the injustice.



Julian Goldman (right) with ACLU-PA Policy and Engagement Associate Rebecca Cusumano-Seidel and Advocacy and Policy Strategist Alex Domingos at Banned Books Bingo at Twisted Bine Beer Company in Mount Joy, Lancaster County, in January.

Who is your civil liberties hero and why?

There are a lot that come to mind, and it is hard to choose just one. That said, I’ll go with Malala Yousafzai for sheer bravery, determination, and eloquence.

What do you do when you’re not volunteering for ACLU-PA?

I enjoy spending time with my partner and our cats (both permanent residents and fosters), being involved with the local LGBTQ+ community, and playing tabletop games. ■

FAQ WITH VANESSA STINE



Vanessa Stine is a senior staff attorney for immigrants' rights with the ACLU of Pennsylvania. Before joining ACLU-PA in 2018, Vanessa was an attorney with Justice At Work, formerly known as Friends of Farmworkers.

The current state of immigration law and politics feels, at best, challenging and, at worst, grim. What do you feel are the most significant priorities right now in advocating for immigrants' rights?

We're focused on challenging unlawful detentions and/or deportations, documenting civil rights abuses people suffer while in Immigration and Customs Enforcement (ICE) detention, and limiting the ways people end up in ICE detention. We're also keeping an eye on police turning traffic stops into immigration enforcement actions, which is unlawful (more on that below). Finally, we're working with Driving PA Forward, which is a coalition working to expand standard issue drivers' licenses for all Pennsylvanians regardless of immigration status.

ACLU-PA has been very focused on the situation at Moshannon Valley Processing Center, a privately-run ICE detention center near State College. What are the problems there? And how is ACLU-PA addressing it?

There are unfortunately, but not surprisingly, a lot of problems at Moshannon Valley, which is the largest immigration detention center in the Northeast. We've heard about people being placed in solitary confinement in the middle of a mental health crisis, who cannot access necessary and critical medical care, or who are not able to meaningfully participate in their removal proceedings because of a lack of language access.

Zooming out, though, the cruelty of immigration detention—apart from the horrible conditions people face—is that it is entirely unnecessary. People in removal proceedings do not have to be detained; they could go through removal proceedings in their communities. That is why we're working

with community partners, including Juntos, to end ICE detention in Pennsylvania.

Two years ago, ACLU-PA settled a case with Pennsylvania State Police in which we sued because troopers were detaining Latine people to investigate their immigration status. Why was it important to bring a case like that and to challenge local police cooperation with ICE?

Police in Pennsylvania do not have the authority to enforce civil immigration law. This means that it is unlawful for police to prolong a traffic stop to question a person about their immigration status. Challenging police collaboration with ICE is important to both hold police accountable for unlawful actions and to prevent it from happening to more people.

You've been working on immigrants' rights for a long time. What keeps you going in this work?

I really value both the long-term vision of our work and the nimbleness we have to spring into action quickly. It allows for space to do meaningful work with clients to expand and protect immigrants' rights while also allowing for collaboration with community partners who have such great heart and vision. ■



Vanessa Stine (right) with the team that challenged Pa. State Police cooperation with ICE in 2019.

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MEDICATED ABORTION IS HEALTHCARE



In March, ACLU-PA joined with Planned Parenthood to organize three buses of people from the Philadelphia area to take action at the U.S. Supreme Court. That day, the court heard oral argument in a case challenging the Food and Drug Administration's approval of mifepristone, one of the two drugs used for medicated abortion. According to the Guttmacher Institute, 63 percent of abortions are performed through the use of medication. ■

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