

# 50 YEARS OF DEFENDING YOUR FREEDOM



**ACLU** **50**  
YEARS

Arkansas

The 1960s were like an American powder keg, building up to the explosive change that punctuated the end of the decade. 1969 was not only the last year of a pivotal decade; it was also a year that ushered in sweeping cultural changes that touched nearly every aspect of American life – from what we wore and listened to, to how we felt about the military and the workplace.

It was in this maelstrom of social and cultural change that the ACLU of Arkansas was founded. In the Arkansas of 1969, abortion was still illegal, LGBTQ people were criminalized for being themselves, the teaching of evolution was banned, and the country was only beginning to free itself from the grip of racial segregation and oppression.

The American Civil Liberties Union was founded nationally in 1920, and by 1968 had established affiliates in many states, but Arkansas was not one of them. Thankfully, a group of forward-looking leaders, including Dr. Rosalind Abernathy, Herbert Bingaman, Dick Bennett, Jack Bodie, Rev. Fred Campbell, Elijah Coleman, Rev. Cecil Cone, Fred Darragh, Jr., Ernie Dumas, Morton Gitelman, John Norman Harkey, Phil Kaplan, Ted Lamb, Jack Lavey, Guerdon Nichols, Rabbi Zeke Palnick, Jim Ranchino, Betty Siegel, John P. Sizemore, Samuel Sizer, Lyell Thompson, Jim Guy Tucker, John Walker, Jim Youngdahl, and Otto “Bud” Zinke, recognized the need for an organization that would defend the promises of the Constitution for all Arkansans.

By January of 1969, Arkansas had an ACLU affiliate, and we haven’t slowed down since.

Over the years, we’ve safeguarded the freedom of speech, religious liberty and the right to privacy; we advanced criminal justice reforms and LGBTQ equality; we’ve battled to protect students’ rights and immigrants’ rights; and we’ve fiercely defended the rights of all Arkansans to make their own personal medical decisions.

Today this work is more important than ever before. The Trump administration’s extreme and racist agenda is tearing at the fabric of our country, testing our civic institutions, and hurting our most vulnerable communities. The ACLU sued the Trump administration on day one, and we have no intention of backing down – no matter who sits in the White House or other seats of power.

As always, this work depends on the fierce and fearless support of our members, supporters, and volunteers. Freedom can’t defend itself. It takes all of us: donating, advocating, marching, speaking, litigating, and, above all, daring to create a more perfect union. Thank you for all you’ve done, all you do, and all you will do to make America’s promises realities across Arkansas and across the nation.



Mike Cobb  
President  
ACLU of Arkansas

Dear Friends:

On February 21, 1969, two civil rights activists, Joe and Barbara Neal, were arrested for distributing information to students at Henderson State University. Joe and Barbara were organizers with the Southern Student Organizing Committee (SSOC), an organization of progressive people who promoted racial equality and civil rights. The authorities claimed they violated a state law prohibiting any speech that causes a “breach of the peace” on school property.

It became the ACLU of Arkansas’s very first case.

We didn’t even have an office back then – but we went all the way to the Arkansas Supreme Court to challenge their convictions and strike down the law that violated their First Amendment rights.

Fifty years later, we are still battling for a more just, free, and equal America.

We’ve stood up to oppose abortion bans and protect the rights of students, journalists, and people with disabilities. We fought back against unconstitutional police practices and shut down debtors’ prisons. We’ve safeguarded the freedom of speech and battled to protect the right to vote. And we’ve fought arm-in-arm to protect religious liberty, combat systemic racism, and defend immigrant communities.

For 26 of these last 50 years, the ACLU of Arkansas was led by Rita Sklar, a tenacious and fearless defender of civil rights who retired in 2019. Rita’s leadership helped strengthen the ACLU of Arkansas’s position as the state’s leading defender of equality and justice: not only in the courts, but at the state legislature and in the court of public opinion.

We’ve come a long way over the last half century – but the march for justice and equality is far from finished.

We have a criminal justice system that perpetuates racial oppression and devastates Black and brown communities. Arkansas legislators are constantly trying to turn back the clock on our rights. And immigrant families and communities are being torn apart and terrorized by the Trump administration’s mass deportation agenda.

This document highlights some of our key achievements over the past 50 years. It’s more than a resume or trip down memory lane. It’s evidence of why we continue to fight each and every day for the protections we hold dear, and a reminder to keep marching forward toward a future of true fairness and equality.



Holly Dickson  
Interim Executive Director & Legal Director  
ACLU of Arkansas



*The 2018 Women's March in Little Rock. Photo: Sydney Rasch*

## LEADING THE RESISTANCE

From the moment President Trump was elected in November 2016, the ACLU knew we were in for a fight. Having listened to his racist comments and analyzed his extreme positions, we saw Trump for what he was: a profound threat to Americans, our democracy, and the fundamental principles on which we stand. That's why the ACLU sued on the very first day of his administration, and it's why we haven't stopped suing since.

In courts, statehouses, and communities, we've been persistent and unwavering – taking more than 200 legal actions challenging the Trump administration's unconstitutional policies at nearly every turn. From the Muslim Ban and the border wall to family separation and the transgender military ban, we've stood up and fought back to protect our values and our democratic institutions from Trump's dangerous agenda.

In many cases, the courts have served as a critical bulwark against Trump's damaging and un-American policies. In others, like family separation, it was a groundswell of grassroots opposition that stopped Trump in his tracks.

What 50 years of freedom fighting have taught us is that we cannot do this alone. We need agitators and activists, politicians and protesters, and, most importantly, everyday people taking action to defend fairness and justice in our communities.

Thanks to our dedicated supporters, members, and activists, the ACLU is now 1.5 million members strong and more committed than ever to building a more just and perfect union.



*Former ACLU of Arkansas executive director Rita Sklar speaks at a rally against the Trump administration's Muslim Ban.*



## FREEDOM OF SPEECH

*Photo: Sydney Rasch*

The freedom of speech is fundamental to a vibrant democracy and the foundation on which many other rights depend. Throughout its history, the ACLU of Arkansas has tenaciously defended the First Amendment rights of all Arkansans, beginning with our very first case.

In 1969, the ACLU of Arkansas successfully challenged a law that had led to the convictions of two civil rights activists for sharing information on the campus of Henderson State College. Representing Joe and Barbara Neal of the Southern Student Organizing Committee (SSOC), the ACLU of Arkansas went all the way to the Arkansas Supreme Court to strike down this unconstitutional law and overturn their convictions.

Since then, we have continued to uphold and extend the protections of the First Amendment, especially on behalf of vulnerable communities whose rights are often the first to be infringed. We represented a history professor who was fired from the University of Arkansas for allegedly promoting communist values. We overturned book bans, protected people distributing leaflets and collecting petition signatures, and defended the

rights of demonstrators protesting police brutality.

We've fought cities that tried to ban speech and the formation of new groups. When two veterans were discharged and faced reduced pensions for complaining about treatment by VA Hospital physicians, we sued. We've repeatedly protected parents and children who have been retaliated against for pushing back against school officials' illegal actions. We fought censorship of art by the Arkansas Arts Council, criminal penalties imposed by the National Park Service for leafletting, and censorship of a theater production by Arkansas Tech University. When public officials fired employees for not supporting them in elections, we've sued. We successfully sued to help the Arkansas Society of Freethinkers install their temporary solstice display on state capitol grounds.

And because we believe that even unpopular speech must be protected or everyone's speech is at risk, the ACLU of Arkansas successfully sued for the KKK to participate in the Adopt-A-Highway program and we've successfully challenged laws that criminalize Arkansans who are poor or homeless

and asking for help. Currently, we are challenging a state law that requires government contractors to pledge not to boycott Israel or to forfeit 20 percent of their compensation and another state law that prohibits plant-based food manufacturers from using terms like “veggie burger” or “tofu dog” to describe their products.

Today we remain committed to upholding the fundamental First Amendment rights of every Arkansan, and we frequently provide information and legal advice to individuals and to groups about their rights to free speech, association, and assembly.

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GRIEVANCES.”**

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## POLICE ACCOUNTABILITY

On September 13, 2011, Eva Robinson and her then sixteen-year-old son Matthew were walking their dog on the sidewalk outside their home in Dover, Arkansas. Matthew raised his arm to wave at a nearby police officer, but it was interpreted by the officer as something more sinister. What came next would change their lives forever.

The officer stopped and detained them in the back of his police vehicle. Matthew was ordered out of the car, but his feet got tangled under the front seat. When he tripped, the officers tazed him repeatedly, throwing him to the ground and brutally beating him. Eva was slammed into the trunk of the police car as she was handcuffed, hurting her and breaking her glasses. No criminal activity was ever suspected and no evidence of criminal activity was ever found. The ACLU of Arkansas fought for their liberty and filed suit on behalf of the family and was able to successfully resolve some of their claims.

Today, the ACLU of Arkansas continues to combat the deadly epidemic of police violence that disproportionately impacts people of color and makes everyone less safe. Here in Arkansas and across the country, Black people are far more

likely to be harassed, brutalized, and even killed by the police. And unlike almost every other profession, Arkansas has no professional standards state board that the public can turn to for help when their rights are violated by law enforcement.

Moving forward, the ACLU of Arkansas will continue to fight to hold police accountable for excessive force and for refusing to treat all people with the respect and dignity they deserve.

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**THE RIGHT OF THE PEOPLE TO BE SECURE IN THEIR PERSONS, HOUSES, PAPERS, AND EFFECTS, AGAINST UNREASONABLE SEARCHES AND SEIZURES, SHALL NOT BE VIOLATED, AND NO WARRANTS SHALL ISSUE, BUT UPON PROBABLE CAUSE, SUPPORTED BY OATH OR AFFIRMATION, AND PARTICULARLY DESCRIBING THE PLACE TO BE SEARCHED, AND THE PERSONS OR THINGS TO BE SEIZED.”**



## CRIMINAL JUSTICE REFORM

People, not prisons. This simple refrain encapsulates our vision for a future where people can thrive in their communities rather than needlessly languish in cages. Throughout the ACLU of Arkansas's history, we have fought for a justice system worthy of the name: from suing to end the shackling of incarcerated pregnant women during labor to shutting down debtors' prisons.



*ACLU of Arkansas plaintiff Shawanna Nelson, who was shackled in prison during childbirth.*

In 2009, we scored a victory on behalf of Shawanna Nelson, who was shackled in prison during childbirth. The Eighth Circuit Court of Appeals agreed with us that shackling women during childbirth is tantamount to cruel and unusual punishment and a violation of the Eighth Amendment. In 2019, we were proud to see state legislation pass (HB 1523) that ended this barbaric practice once and for all.

Through the years, we've sued the Arkansas Department of Correction for violating due process and equal protection rights, and we've represented incarcerated people who were denied adequate food and medical care. We've sued for incarcerated people left chained to a tree in 105-degree heat, challenged unconstitutional religious proselytization in state prisons, and campaigned to ensure fair and humane treatment for people with mental illness. We've fought for the rights of imprisoned women to reproductive choices – to have or not have a child.

In 2002, the ACLU of Arkansas won a legal challenge to the state's practice of violating the rights of mentally ill inmates by forcing them to languish in jails without court-ordered evaluations and treatment. Later, working together





*In 2017, the ACLU of Arkansas fought against Governor Asa Hutchinson’s plan to execute 8 men in 10 days.*

with defense attorneys, prosecutors, judges, and mental health providers, the ACLU of Arkansas helped pass a law (Act 423 of 2017) to address these challenges by establishing crisis stabilization units to protect the rights of people with mental illness who would otherwise be caught up in the criminal justice system.

We helped bring reform to Sherwood’s “hot check” court, which operated as a modern-day debtors’ prison. Thanks to our lawsuit, people who bounce a check will no longer be jailed for court fines and fees they can’t afford to pay. And most courts across the state are now inquiring about ability to pay before imposing fines.

Today, the fight for fairness is far from finished. Racial disparities continue to pervade every aspect of our justice system, including the death penalty, which the ACLU of Arkansas continues to fight to abolish.

Our Smart Justice Blueprint outlines a comprehensive plan to reduce the number of people incarcerated in the state by half by

2025 and reduce racial disparities in the criminal justice system. Arkansans can count on the ACLU of Arkansas to continue to work tirelessly to combat mass incarceration and advocate for policies that will make our communities stronger and safer.

“ EXCESSIVE BAIL SHALL NOT BE REQUIRED, NOR EXCESSIVE FINES IMPOSED, NOR CRUEL AND UNUSUAL PUNISHMENTS INFLICTED.”



The ACLU of Arkansas's work to defend reproductive freedom began early on, and in 1985 we successfully challenged a state law which restricted access to contraception (*Jane Doe/John Doe v. State of Arkansas*). And through the 1980s, 1990s, and 2000s, we were often able to keep extreme anti-abortion legislation off the books through vigilant work in the state capitol.

But recent years have seen an unprecedented attack on abortion access and reproductive rights as Arkansas politicians have intensified their efforts to intrude on people's personal autonomy and their most private medical decisions. In the last few years, anti-abortion politicians in Arkansas have passed 25 restrictions targeting abortion providers. We've filed suit after suit to challenge and — in nearly all cases — block these harmful laws from taking effect.

In 2013, the ACLU of Arkansas joined the Center for Reproductive Rights to successfully strike down an extreme abortion ban that would have prohibited women from obtaining abortions after 12 weeks of pregnancy.

We have challenged laws that restrict or even ban women's access to abortion, target their providers with punitive and medically unnecessary

regulations and criminal penalties, and deny low-income Arkansans' access to life-saving health care services. In the past two years, we've filed five lawsuits challenging ten different laws, restrictions, or bans on the right to reproductive health care.

Seven in 10 Americans oppose overturning the basic guarantee enshrined by the U.S. Supreme Court in *Roe v. Wade*: that women, not politicians or government bureaucrats, have the right to control their own personal medical decisions. But too many politicians haven't gotten the memo, and even worse, they seem to be in a race to pass the most draconian and demeaning restrictions possible — devising new and ever more sinister ways to undermine reproductive rights.

Sometimes the only way to get politicians out of the exam room is to take them to court. Here in Arkansas, we'll keep fighting in the courts and the capitol to defend women's reproductive rights.



## PRIVACY AND SURVEILLANCE

As the government and corporations gain access to new technologies that can track nearly every aspect of our daily lives, the ACLU of Arkansas has continued to fight to protect the fundamental right to privacy.

We worked with legislators to pass policies that restrict the storage of data from automatic license plate readers and we fought against the recording of people's private conversations on public buses. To protect people's privacy against police surveillance, we have advocated for sensible policies for police use of unmanned aerial vehicles (drones) and police-worn body cameras.

For Arkansas students, we have fought against illegal searches of students' backpacks and cell phones. And we have sounded the alarm about the use of facial recognition technology in public schools.

To protect Arkansans' privacy in the workplace, we successfully worked with legislators to pass laws protecting employees' privacy on social media from their employers and supported legislation that would prohibit companies from implanting their employees with microchips as a mandatory condition of employment.

Americans should not have to choose between using new technologies and protecting their civil liberties. We work to ensure a future in which the Fourth Amendment ban on unreasonable searches extends to digital property and your data is your own.



## LGBTQ EQUALITY

*ACLU of Arkansas plaintiffs Curtis Chatham and Shane Frazier, who challenged Arkansas's ban on same-sex couples fostering or adopting children.*

The ACLU of Arkansas has long fought for the rights of LGBTQ people to be themselves, free from harassment, stigma, or discrimination. The 50th anniversary of the ACLU of Arkansas coincides with that of the Stonewall Uprising, marking the beginning of the LGBTQ rights movement that continues to this day.

In 1987, though it was widely unpopular, we took on the University of Arkansas for denying funds to the Gay and Lesbian Student Association. Nan Hunter, head of the ACLU's Gay and Lesbian Task Force, represented the student association at the Eighth Circuit Court of Appeals in a case the ACLU eventually won.

The ACLU of Arkansas sued the Pulaski County Special School District for the harassment and abuse of Thomas McLaughlin, a junior high school student who was punished for speaking to other students about his sexual orientation and forced to read from the Bible. Under a court-approved settlement, the school district agreed to end its discriminatory policies and issued an apology to McLaughlin and his parents.

Among the battles we are most proud of winning is our fight on behalf of LGBTQ Arkansans seeking to foster

or adopt children. LGBTQ Arkansans were banned from becoming foster parents by a hateful and discriminatory state regulation. In 1999, we sued and successfully had that ban struck down. In 2011, we scored another resounding victory when Act 1, a discriminatory ballot measure that prevented LGBTQ couples from fostering or adopting children, was unanimously overturned by the Arkansas Supreme Court.

Unfortunately, here in Arkansas the fight for LGBTQ rights is far from won. As attacks on the rights of transgender Arkansans intensified, we stood arm-in-arm with LGBTQ advocates to stop

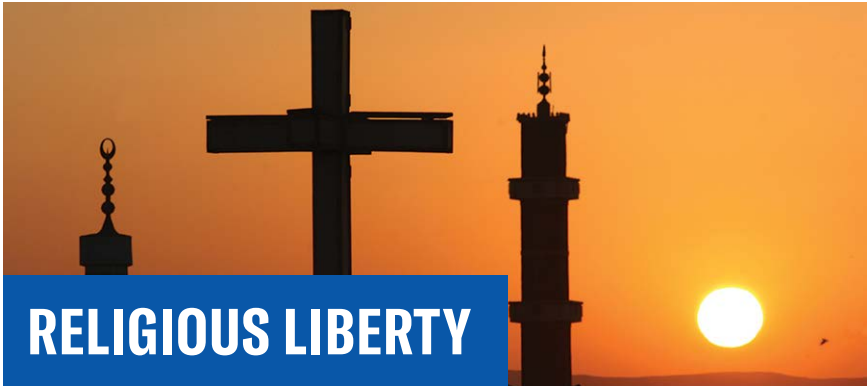


*ACLU plaintiff Patricia Dawson, who was fired after she made her transition from male to female apparent at her workplace.*

a harmful “bathroom bill” that would have criminalized people for their gender identity. We called out the Trump administration for attempting to roll back nondiscrimination protections which have been life saving for many transgender and non-binary people. And we fought alongside the city of Fayetteville to defend its nondiscrimination ordinance against state attempts to nullify it. We will not stop defending and fighting for the rights of LGBTQ Arkansans until there is full equal protection under the law.

“ **NO STATE SHALL MAKE OR ENFORCE ANY LAW WHICH SHALL ABRIDGE THE PRIVILEGES OR IMMUNITIES OF CITIZENS OF THE UNITED STATES; NOR SHALL ANY STATE DEPRIVE ANY PERSON OF LIFE, LIBERTY, OR PROPERTY, WITHOUT DUE PROCESS OF LAW; NOR DENY TO ANY PERSON WITHIN ITS JURISDICTION THE EQUAL PROTECTION OF THE LAWS.**”





## RELIGIOUS LIBERTY

In 1994, a 13-year-old student at Morrilton Junior High asked to be excused from cheerleading practice for religious observances of the Worldwide Church of God, a Sabbatarian Christian Sect. Instead of respecting the right to religious liberty, the school denied the request, criticized her faith, and condemned her parents. The ACLU of Arkansas intervened, and successfully worked to end the school's practice of broadcasting prayers over the public address system and secured for the student the same religious accommodations as others.

Throughout the last 50 years, the ACLU of Arkansas has fought tirelessly for the rights of all Arkansans to practice their religion, or none at all, without being discriminated against or subjected to unconstitutional religious proselytization by the government.

In 1981, Arkansas passed a bill to require schools to teach "creation science" alongside evolution, a flagrant violation of the First Amendment's religious liberty guarantee. That same year, the ACLU of Arkansas sued in a case that drew nationwide attention and comparisons to the Scopes monkey trial. Our lawsuit, *McLean v. Arkansas*

*Board of Education*, struck down this backward and unconstitutional law and ensured students were no longer subjected to government-imposed religious indoctrination in public schools.

Years later, in 2005, we successfully pressed the Beebe School District to remove "evolution disclaimers" from science textbooks. We forced a county to choose between opening up the county courthouse lawn to all free speech or taking down "Jesus is Lord over Malvern" signs. (They removed the signs.) We often challenge public school officials who proselytize to students and, in so doing, also protect the rights of parents to control the religious upbringing of their children.

Today, the ACLU of Arkansas remains vigilant against threats to religious liberty, as Arkansas politicians continue to use their official positions to promote their personal religious agenda. After Arkansas legislators erected another unconstitutional shrine to the Ten Commandments on the grounds of our State Capitol in 2018, the ACLU of Arkansas sued on behalf of four Arkansas women who identify as agnostic or atheist and whose rights

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were violated by this overt display of religious favoritism on government property. The ACLU of Arkansas has also continued to advocate in the state capitol against bills that would mandate the teaching of “intelligent design science” or use religion as an excuse to discriminate.





## STUDENTS' RIGHTS

Photo: Sydney Rasch

In a 1969 case involving students wearing black armbands to protest the war in Vietnam, the U.S. Supreme Court held that students do not leave their constitutional rights at the schoolhouse gate. Throughout its 50-year history, the ACLU of Arkansas has been a fierce advocate for students' rights to speak their minds, practice their religion (or none at all), protest injustice, and exercise their constitutional rights.

When Southern Arkansas University tried to censor its student newspaper, *The Bray*, we fought back and won a 1981 settlement affirming that First Amendment rights apply to the student press. When students at Central High were not allowed to hand out flyers opposing tax credits during Nancy Reagan's visit to the school, we filed suit to protect their rights. In 2012, we successfully challenged the Valley View School District when it tried to ban the critically acclaimed book "The Kite Runner" because it included references to Allah. We defended the rights of Watson Chapel students to protest the school's draconian dress code and filed suit when the district suspended students for wearing black armbands in protest of the policy.

School officials' unconstitutional restrictions on students' hair, clothing, and messages on T-shirts is a trend that seems to never go out of style.

The ACLU of Arkansas has also been vigilant against threats to students' privacy. In 1985, our lawsuit against the Arkadelphia School District was successful in striking down the district's intrusive and unconstitutional drug policies, including blood tests, breathalyzer tests, urinalysis and polygraph tests, and even unannounced drug dog visits. We've also challenged other drug testing policies and practices both in and out of court. In 1997, the ACLU of Arkansas won a jury decision in a case in which 13 Conway High School students were strip searched over a missing wallet.

Representing the parents of students with disabilities, in 1982 the ACLU of Arkansas sued in a statewide class action suit over the failure to provide their children with an adequate education. The lawsuit resulted in a settlement agreement that required the Little Rock School District to make significant changes at two public schools for children with disabilities.



The ACLU of Arkansas also intervened in the Lakeview school funding disparity case to prevent approval of an inappropriate settlement between the plaintiffs and the state that would not have cured the unequal funding of Arkansas’s public schools. Our intervention was the catalyst for keeping the case alive for full litigation and relief which required equitable funding for all public schools in Arkansas.

In addition to litigating in court and advocating in the capital, the ACLU of Arkansas regularly advises students, parents, school administrators, and educators on the constitutional rights

of students and distributes Know Your Rights materials to ensure that parents and students have the tools they need to assert and defend their constitutional rights.

The ACLU of Arkansas is passionate about protecting our students so that each child feels safe and secure and can exercise the freedoms granted to them by the Constitution, including their right to receive a free and appropriate public education.



*ACLU of Arkansas cooperating Attorney John Burnett with Mary Beth Tinker, the plaintiff in Tinker v. Des Moines, a historic Supreme Court ruling from 1969 that cemented students’ rights to free speech in public schools.*

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**STUDENTS DO NOT “SHED THEIR CONSTITUTIONAL RIGHTS TO FREEDOM OF SPEECH OR EXPRESSION AT THE SCHOOLHOUSE GATE.”**

*- Tinker v. Des Moines*

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## WOMEN'S RIGHTS



It was just two years after the ACLU of Arkansas was founded that Ruth Bader Ginsburg established the ACLU's Women's Rights Project – an initiative that would secure sweeping legal victories for women's rights across the country. The ACLU of Arkansas has been active in this fight from the beginning.

Following the U.S. Supreme Court's 1977 ruling in *Califano v. Goldfarb* that found state workers' compensation laws cannot discriminate between male and female beneficiaries in death benefit provisions, a study by the ACLU's Women's Rights Project found nearly half of the laws in Arkansas contained discriminatory distinctions.

In 1981, the ACLU took on a number of sexual discrimination or harassment cases, including *Lovelace v. Arkansas Modification*, in which the employer, Arkansas Modification, banned women from working on airplane interiors with male employees. The case helped expose systemic sexual discrimination and harassment, including the fact that hirings and firings were based on employees' willingness to exchange sexual favors.

In 1984, groups from across the mid-south joined the ACLU of Arkansas for a Sex Equality in

Education conference in Little Rock. Topics covered ranged from sexual harassment and gender discrimination to health care and athletics, among others. We've recently fought for the rights of pregnant high school students to remain in school and for girls' rights to participate in athletics.

Today, as women and girls still face violence, discrimination, and institutional barriers to equal participation in society, the ACLU of Arkansas will continue to combat gender discrimination and press for systemic reform in institutions that perpetuate discrimination.





## VULNERABLE POPULATIONS

The ACLU of Arkansas often defends the rights of vulnerable populations. When the government has the power to violate the rights of one vulnerable group, everyone's rights are at risk.

From defending immigrants and asylum-seekers from the Trump administration's mass deportation agenda to fighting a ban that prohibited deaf people from serving on juries, the ACLU of Arkansas has always defended the rights of those who are too often left behind.

Our fight against local panhandling bans is a prime example of our commitment to defending the rights of all Arkansans, especially the most vulnerable among us. We took on the state twice for criminalizing the poor by making panhandling a crime, and when local officials in Rogers and Hot Springs tried to score political points by banning panhandling on city streets, we took them to court, too, and won. Panhandling may never be popular, but that's no excuse for trampling on the First Amendment or criminalizing people who ask for help.

Arkansas continues to be woefully behind on racial justice and equality, as well. We successfully litigated at-large elections instead of ward elections in West Helena because the

system was blocking Black residents from serving on the City Council and in other city offices. We've filed suit against police for deadly and excessive force against Black Arkansans. We've fought the unfair treatment of Black Arkansans in schools, at work, and by public officials, including legislation that would most negatively impact Black Arkansans. And we served on the steering committee for research conducted by the UALR Institute on Race and Ethnicity that illustrated a clear racial disparity in our criminal punishment system.

Similarly, we've fought efforts to discriminate against and criminalize people believed to be immigrants. We've combatted stop and identify policies, roadblocks, and local measures and state laws that criminalize people of color. Our work is far from over in achieving racial equality and protection for all vulnerable Arkansans. And we will not rest until we see the promises of equality realized for all people.



## VOTING RIGHTS

*Photo: Sydney Rasch*

Our democracy depends on the right of citizens to participate in the electoral process. But here in Arkansas and across the country, the right to vote has come under increasing threat from policies that block access to the ballot box and make it harder for people to make their voices heard.

In 1980, we challenged City of West Helena's at-large elections system for diluting the votes of African Americans, who made up 40 percent of the population but only two members of the City Council. The court agreed.

In 1993, following passage of the Americans with Disabilities Act, the ACLU filed a successful class action lawsuit to make polling places more accessible to the elderly and people with disabilities. Around 75 percent of the polling places in Arkansas at the time were not accessible, making it difficult or impossible for many people with disabilities to cast a ballot.

Finally, we have repeatedly battled against harmful "photo ID" requirements that disproportionately impact minority communities as well as Arkansans who are elderly or low-income. In 2014, we successfully blocked the enforcement of a voter ID law when the Arkansas Supreme Court

agreed with us that the law violated the Arkansas Constitution. While a similar law later passed, our lobbying efforts ensured that voters in Arkansas who lack a photo ID retain the right to cast a provisional ballot that should be counted if the ballot is provisional only due to lack of ID.

In 2016, we reached out to over 7,000 voters who were purged from the rolls due to flawed information and were successful in having voters' rights restored. And in 2018, we learned that polling place data was not updated in the statewide system accessible online for finding a polling place, and that numerous counties in Arkansas had closed about half of their longstanding polling places. Our work ensured that the county clerks obtained updated information and submitted it so that voters would have accurate information on Election Day.

One of the most powerful tools we have to protect our democracy is voters themselves. That's why each election year we work to ensure people know their voting rights and partner with advocates to respond to reports of voter suppression at the polls.



## ORGANIZERS, INCORPORATORS & FOUNDING BOARD

### SIGNERS OF ARTICLES OF INC., AMERICAN CIVIL LIBERTIES UNION OF ARKANSAS, INC. (1969)

Mort Gitelman

John P. Sizemore

John Norman Harkey

### SIGNERS OF ARTICLES OF INC., ARKANSAS CIVIL LIBERTIES UNION FOUNDATION, INC.

Robert J. Brown

Catherine “Kay” L. Lavey

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Lyell Thompson  
James G. “Jim Guy” Tucker  
John Walker  
Otto “Bud” Zinke

### OTHER ORGANIZERS

Phil Kaplan  
Jack Lavey

Jim Youngdahl

Dick Bennett

# ACLU OF ARKANSAS 50 GREATEST HITS 1969-2019

Prevails in court for two people arrested for leafleting on a public college campus

1969

Successfully challenges the firing of a history professor for his membership in the Progressive Labor Party

1975

Successfully challenges the state's involuntary commitment laws

1977

Secures access to medical care for people incarcerated at the White County Jail by filing suit

1978

Successfully represents inmates who had taken the vow of the Nazarite and were denied their religious freedom

1979

Successfully challenges West Helena's at-large voting system for diluting the power of Black voters

1980

Successfully sued a manufacturing company that banned women from working on airplane interiors alongside men

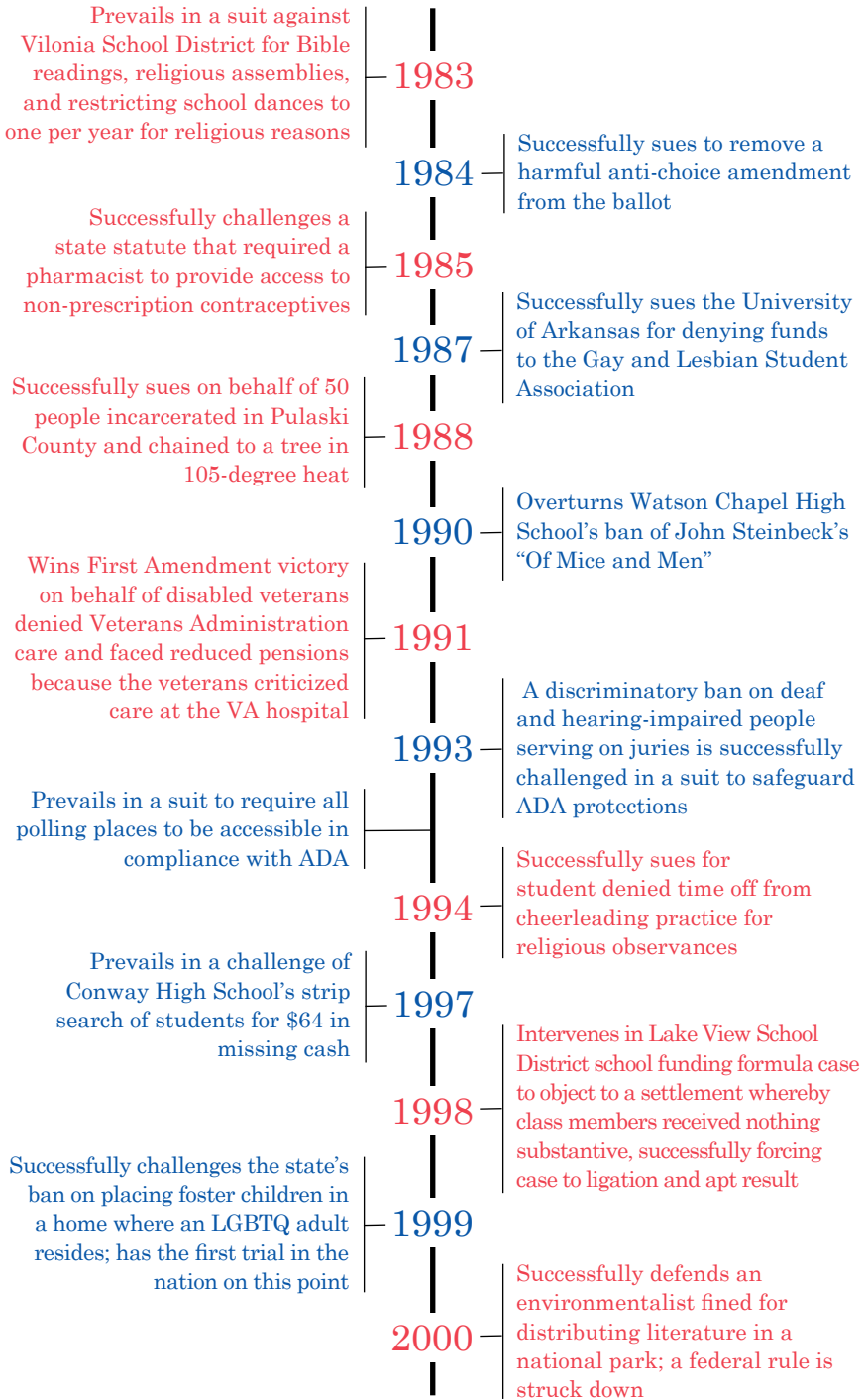
1981

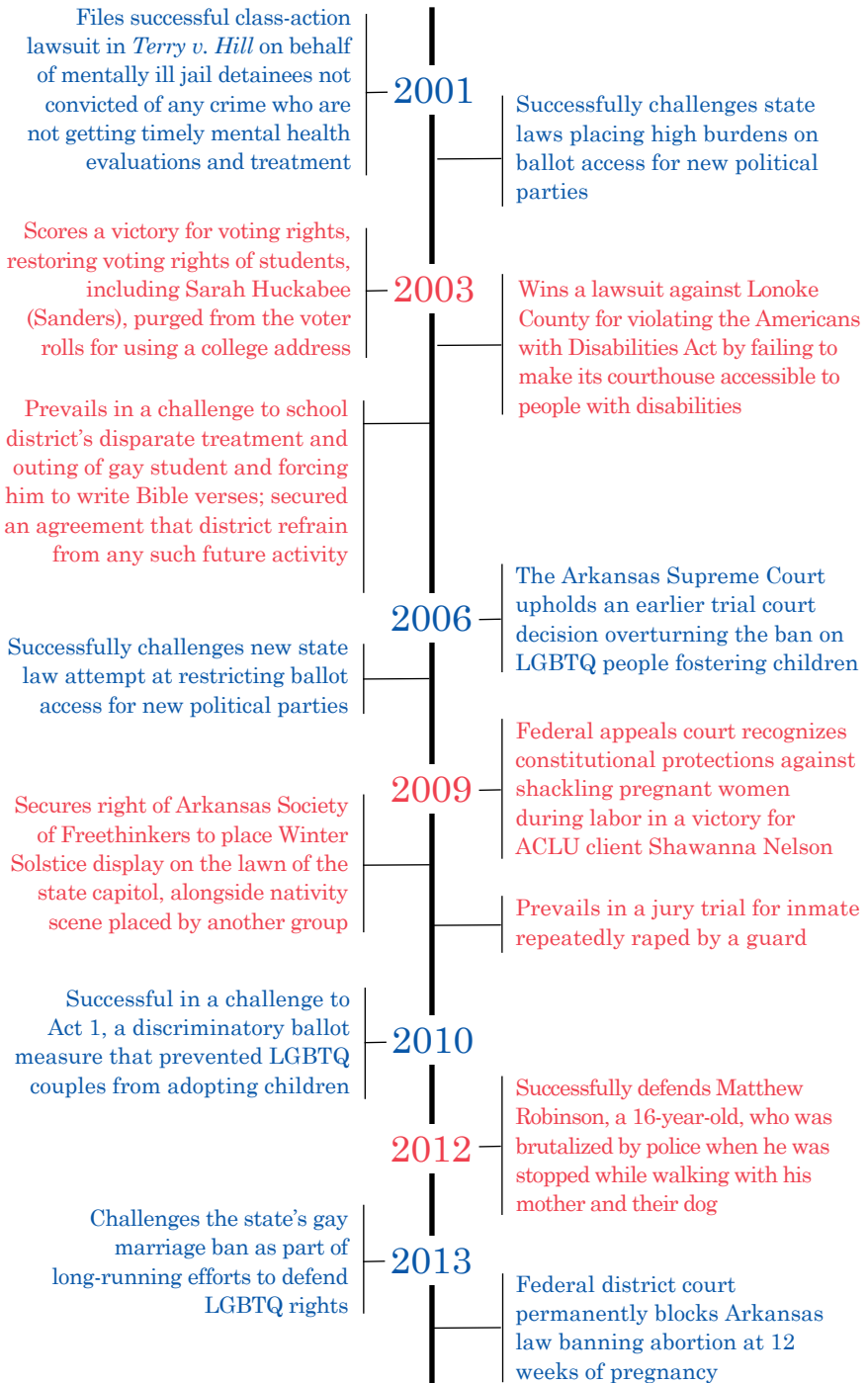
Prevails in a suit for student journalists for *The Bray*, Southern Arkansas University's student newspaper, ensuring that First Amendment rights apply to student press

1982

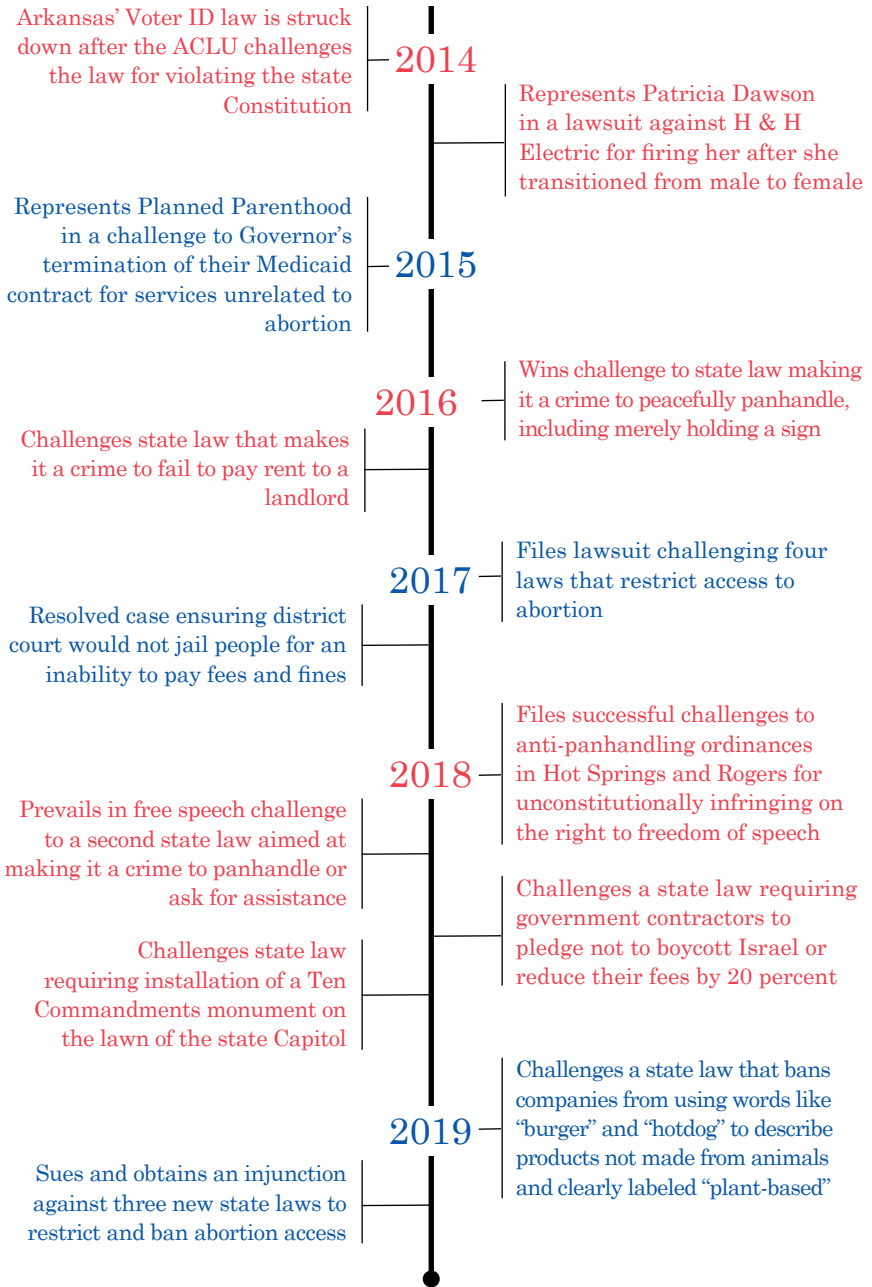
Overturns the Arkansas law requiring the teaching of religious-based "creation science" alongside evolution

Secures judicial protection of rights of Little Rock Central High students to hand out flyers opposing tax credits during Nancy Reagan's visit to the school









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