

ACLU Minnesota CIVIL LIBERTIES NEWS

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ROE IS GONE.

On June 24, the U.S. Supreme Court overturned five decades of precedent in overturning *Roe v. Wade*. In a single moment, the court decided women do not have the right to decide what to do with their own bodies. Half the states are expected to outlaw or severely restrict abortion. That means up to 36 million women and people who can become pregnant will be forced to stay pregnant and give birth.

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OVERTURNING OF ROE SETS THE NATION BACK 50 YEARS



The U.S. Supreme Court just overturned *Roe v. Wade*, ignoring 50 years of precedent and the constitutionally protected rights of half the country. The majority decided that women do not have a federal right to abortion, to decide what to do with their own bodies, to choose their own health care.

This is unprecedented. It is the first time a civil right has been rolled back like this, stripping millions of their basic civil liberties and control over the most private of decisions. This ruling clears

the way for the government to delve into the very bodies of women and others who are pregnant. It will create a patchwork of rights that vary by state, and a maze of bureaucracies and barriers, with the threat of criminal charges and incarceration hanging over anyone who even offers assistance. The result is a country set back 50 years and the rise of an archaic era of invasive government intrusion, forced pregnancy, and forced childbirth.

A devastating 26 states are expected to ban or severely restrict abortion. And this is just the beginning – an effort to create a nationwide abortion ban is underway.

Here in Minnesota, abortion remains legal. Case law enshrines it in our Constitution, and we are grateful. We Minnesotans like to think of our state as a bastion for civil rights and liberties. But we are always just an election away from a very different state Supreme Court, governor and state Legislature. Minnesota could very quickly find itself like many other states – besieged by an onslaught of state laws redefining civil liberties and what it means to live in America.

Across the nation, state legislators are introducing measures restricting not just abortion, but the right to marry the person you love, to vote in fair elections for the officials you choose, to learn biology and American history without censorship, and to raise your voice in protest. It's essential to note legislators have introduced some of these terrible bills in Minnesota, too.

Here at the ACLU, we've been fighting for your rights and the rights of the most vulnerable among us for 100 years. Against the greatest of odds, in even more hostile times, the ACLU has stood up so that our constitutional rights extend to all.

If those in power keep trying to roll back our country's rights, the ACLU is ready to fight a century more.

Deepinder Singh Mayell
 Executive Director

FAQ ON SUPREME COURT OVERTURNING ROE

...CONTINUED FROM PAGE 1



Minnesota is surrounded by states that have outlawed abortion or are expected to do so soon. Providers who were stretched thin will get even busier.

What will happen next?

Half the states are expected to ban abortion. Anti-abortion politicians won't stop here. They are drawing up plans to ban abortion nationwide the moment they take back control of Congress and the presidency. We know they keep trying to chip away at our rights in Minnesota: The ACLU-MN has to stop attempts at the Legislature every year. We must keep up pressure on politicians to ensure they keep abortion legal.

Other rights are vulnerable, too, and we'll have to keep fighting hard. The same politicians behind overturning *Roe* passed a wave of laws against transgender people. They want to control our bodies, our families, our schools, and who we love. These decisions belong to us, not the government.

What is the ACLU-MN doing?

The ACLU-MN is prepared to fight to protect constitutional rights in Minnesota. We are educating voters about the rights that are at stake in the 2022 elections. A state district court judge handling the Gender Justice lawsuit just struck down several abortion restrictions - our legal team plans to file an amicus brief if the case is appealed. We will keep fighting

legislative attempts to outlaw or restrict abortion. We will stand up for individuals whose rights are violated, including incarcerated people who need abortion care.

What can I do?

Be visible. Organize or attend rallies and protests.

Be loud. Call and write your state and federal lawmakers.

Be an educator. Write letters to the editor. Talk to family and friends. Spread @aclumn social content.

Donate to aclu-mn.org and other organizations protecting our right to control our own bodies.

Vote your values, including abortion, immigrant, LGBTQ and voting rights, racial justice and more.

Vote like your rights depend on it — they do.

What does the Dobbs ruling mean?

The court's *Dobbs* opinion overturning *Roe v. Wade* means there is no longer a federal constitutional right to an abortion. States now will decide for themselves whether abortion is legal or not. Rights will begin and end at state lines.

Thirteen states had trigger laws to outlaw or severely restrict abortion within 30 days. The ACLU has joined lawsuits in several of those states to halt the laws.

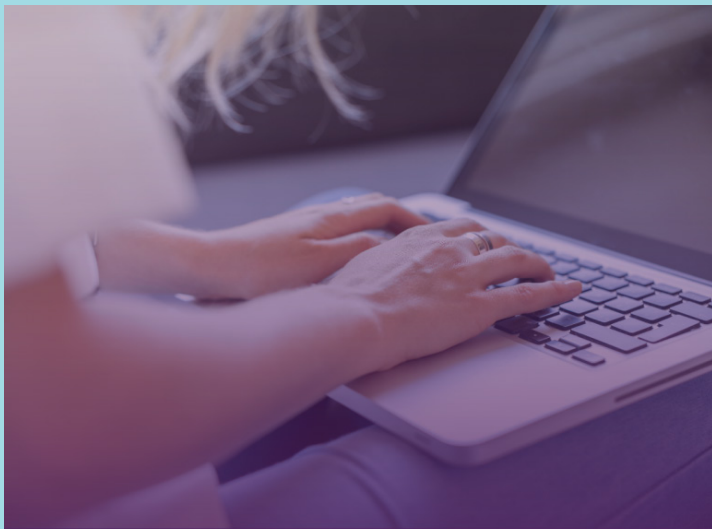
What's the law in Minnesota?

Abortion will stay legal in Minnesota. It's in our case law due to a 1995 state Supreme Court case that the ACLU-MN filed an amicus brief in called *Doe v. Gomez*.

The right is vulnerable, though. The Minnesota Constitution is easy to amend — it only takes a simple anti-choice majority in both houses of the Legislature to put an amendment on the ballot. Minnesota Supreme Court justices are elected, so the court could change in the future.

visit aclu-mn.org for more information

ENSURING STUDENT DATA REMAINS PRIVATE



VICTORY!

THE STUDENT DATA PRIVACY ACT HAS PASSED IN BOTH CHAMBERS & HAS BEEN SIGNED INTO LAW BY THE GOVERNOR

Passing this law was crucial because schools and their tech providers collect an appalling amount of data on students and their families through these school-issued devices and programs. This technology can surveil students, track their computer activity, and gather data ranging from web searches to photos and videos inside students' homes. Plus, it is often unclear exactly what data the schools and tech companies do gather, or what they do with it.

"The constitutional right to privacy does not end at schoolhouse doors, or when lessons go online. Children go to school to learn, not to be spied on," said ACLU-MN Executive Director Deepinder Singh Mayell.

While this surveillance by the government and tech companies was an issue long before COVID arrived, the problem exploded in scale when schools suddenly closed during the pandemic. The move to remote learning opened a window — quite literally — for private companies and schools to peer into our homes and personal lives.

That's why the ACLU of Minnesota made student data privacy its key legislative priority this year. In May, the Minnesota House and Senate unanimously passed the Student Data Privacy Act, and Governor Walz signed it into law.

The bipartisan nature of this achievement represents a win in and of itself. Political polarization is one of the most significant threats facing our democracy, and it only looks to be increasing. This is a tremendous victory for student privacy rights and for so many of the other values we are fighting for.

Learn more at: aclu-mn.org/en/press-releases/studentdataprivacy-law. ■

ACLU of Minnesota had a big win this year at the state Legislature: Our push to protect student and family data was passed and signed into law. This victory is the culmination of seven years of hard work by our team.

The Student Data Privacy Act prohibits schools and tech providers from using online learning and school laptops and tablets to monitor kids and their families via tools such as webcams and location tracking. It also bars tech providers from selling or disseminating educational data or using it for commercial purposes like marketing or advertising to a student or parent. That's a partial list of the protections the bill provides.

LEGAL WINS

CASE UPDATES

A BLOW AGAINST HOUSING DISCRIMINATION

The national ACLU and ACLU-MN just settled a lawsuit with the city of Faribault over its unconstitutional housing rental ordinance, which encouraged landlords to discriminate and limited housing opportunities for people of color. The \$685,000 settlement includes reforms designed to end this discrimination in housing and can provide a model to help strike down similar housing programs across the country. Learn more in the next newsletter or at aclu-mn.org.



"The city of Faribault forced me, my children, and my grandchildren out of our home. Instead of being able to enjoy my grandchildren playing in our backyard and sharing meals together, now we're scattered across the Twin Cities.

I didn't feel safe staying in Faribault.

While I can never replace the togetherness my family lost, **I hope this settlement prevents discrimination like this from happening to other Black families."**

PLAINTIFF THELMA JONES

CBP'S RELIGIOUS QUESTIONING VIOLATES CONSTITUTION



The reality of international travel is a hassle for most of us. But for Imam Abdirahman Aden Kariye, it's a nightmare. When he gets home from his travels and exits his plane, Kariye finds an agent from U.S. Customs and Border Protection waiting to escort him to an isolated room where he'll sit alone in a chair while his belongings are searched.

Eventually CBP agents join him and they pepper him with questions: Where did you travel? Why did you go there? The questions quickly become even more invasive, and they can last for hours.

*What kind of Muslim are you?
What type of lectures do you give?
Are you Sunni or are you Shi'a?
What type of Islamic lectures do you give?
Where did you study Islam?*

"I have a lot of bad experiences traveling," said Kariye. "There is a psychological and traumatic experience before I travel, as well as after I have left detainment and go home."

Such questioning is not unique to Imam Kariye, a respected leader at the Bloomington mosque. Countless other Muslim Americans have faced similar mistreatment from CBP.

This practice of targeting Muslims based on their faith violates one of the foundational principles of the American Constitution. It communicates that the U.S. government believes there is something inherently suspect about Islam as a religion and the individuals who practice it.

That's why in March of 2022, the ACLU of Minnesota, along with the ACLU of Southern California and national ACLU, filed a lawsuit against CBP and Homeland Security Investigations on behalf of Imam Kariye and two other plaintiffs.

The suit seeks a court order barring CBP from asking our clients about their religious beliefs, practices, and associations, and declaring that CBP's singling out of Muslims for religious questioning violates the Constitution. Muslims, like all Americans, have a First Amendment right to practice their religion in peace, free from unwarranted government scrutiny. They also have the right to equal protection under the law and cannot be singled out for differential treatment.

Yet the ACLU and other organizations have been hearing stories like Imam Kariye's for the past two decades. What we have not heard are stories of CBP asking people "What kind of Christian are you?" or how often they attend church.

This religious questioning that Muslim Americans like Imam Kariye face has consequences. Isolation and interrogation are stressful experiences. Kariye has been detained so long, he has missed flights, and rescheduling is costly. He even missed saying the Eid prayer at his mosque to mark the end of Ramadan.

The Imam is a proud Muslim. However, because of CBP's scrutiny and religious questioning, he doesn't feel free to fully express his faith while traveling. Instead, Kariye feels forced to repress outward expressions of his faith. He removes his kufi — or religious headdress — in airports. He no longer carries a Quran when traveling. He avoids kneeling in prayer at airports and the border.

These cautionary measures are taken by Kariye and many other Muslims because they want to avoid unconstitutional scrutiny applied by their own government.

It's disgraceful that the U.S. government makes it necessary for any American to feel pressured to hide their faith to feel safe when they're just trying to come home. ■

LEGAL WINS

CASE ENDS DEPORTATION PIPELINE

Our legal team previously won a judge's ruling that Nobles County's policy of holding immigrants for ICE was unconstitutional. Before the injunctions obtained in this case, Nobles County regularly refused to release individuals in detention even after they posted bail, completed their sentencing, or their cases were dismissed. A recent \$200,000 settlement for our plaintiffs will permanently stop the county and its sheriff's department from this unlawful detention.

MONITORING LIKELY MINNEAPOLIS POLICE CONSENT DECREE

A two-year investigation into the Minneapolis Police Department arrived with damning results.

The Minnesota Department of Human Rights found that MPD engaged in “a pattern or practice of race discrimination in violation of the Minnesota Human Rights Act.” This practice of discrimination was evident in police behavior and tactics, from offensive language to traffic stops to the use of physical force.

The MDHR already has indicated it plans to pursue a consent decree, one of the tools the department possesses to ensure the protection of our human rights. A consent decree is a court order that the parties agree upon that sets forth specific changes. In this case, the city and MPD would have to agree to make changes to end these racially biased policing practices. Federal consent decrees have been used to make systemic changes in policy in several cities including Baltimore, Seattle and Ferguson, Mo.

At the same time, the U.S. Department of Justice is pursuing its own investigation, and we expect similar findings about misconduct at MPD.

The city and police department could end up with a rare situation – separate federal and state consent decrees.

For the last several years, the ACLU-MN has been at the forefront of the fight for police accountability. We have sued over police brutality in Worthington, public body-cavity searches in Rock County, police attacks on protesters and journalists during protests, Minneapolis police disguising discipline as “coaching” to avoid accountability, and much more. We have pushed for full transparency and independent investigations in numerous killings by police.

The ACLU-MN is working with our allies and the community to ensure that any consent decree between MDHR and the city:

- Includes robust changes to policies, procedures, discipline and training that will be effective in eliminating racially discriminatory policing.

- Considers the needs of the community and incorporates community input into both the consent decree’s terms and how it’s implemented and enforced.
- Is open and transparent so that the community can fully understand the entire process, including the rationale behind what’s included or not.
- Includes independent monitoring and enforcement mechanisms that stay in place regardless of changes in state leadership.

Racial discrimination in policing is unacceptable. It hurts everyone. In addition to the harm inflicted on Black, Native and community members of color, discriminatory policing undermines trust in police, which in turn undermines public safety.

For a consent decree to be successful at eliminating discriminatory policing practices and restoring community trust, it is critical that community voices are heard. The department is seeking this input in a variety of ways.

Please consider weighing in on the MDHR website: <https://mn.gov/mdhr/mpd/contactus/>. ■

KEY FINDINGS OF THE DEPARTMENT OF HUMAN RIGHTS INVESTIGATION INTO MPD

- MPD was more likely to use force, stop and search vehicles, issue citations, and arrest people of color and Indigenous individuals than white people.
- Officers used covert and fake social media accounts to target Black leaders, organizations, and elected officials.
- Widespread use of racist and misogynistic language.
- Department still holding paramilitary-style training that encourages officers to be aggressive and escalate situations.
- Allowed police with substantiated claims of excessive force to remain as training officers.

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REMINDER

THE PRIMARY ELECTION IS ON TUESDAY, AUGUST 9

Go to <https://www.sos.state.mn.us/elections-voting/whats-on-my-ballot> to learn more about what’s on your ballot.

A CONVERSATION WITH SONJA MYDELL



Sonja is one of our lead volunteers. She has volunteered 400 hours across ACLU-MN departments and helped lead efforts including Lobby Day, our Twin Cities Pride booth, and the Minnesota State Fair.

Describe your background. This can be anything from where you grew up, your family, career, etc.

My career background is as a dietitian, but I am currently pivoting to public health and starting a master's degree in public health at the University of Minnesota - Twin Cities this fall.

What made you become a volunteer with the ACLU of Minnesota?

I had recently moved back to Minnesota after living abroad and was looking to get more involved locally. I saw the power the ACLU has in protecting human rights and the opportunities available to be a part of that. It was exactly what I was looking for in a volunteer opportunity.

What ACLU-MN volunteer opportunities have you felt had the most impact?

Lobby Day. This event allows volunteers to talk directly with their state representatives about issues they care about that directly impact their lives. Whether in person or virtually I have felt an actual connection with my representatives. I appreciate that if there are issues they currently

aren't supporting, they are open to discussing them, and in my experience, tend to sign onto the bill under discussion.

Which opportunities have been the most memorable for you?

Lobby Day, for all the reasons I mention above, but also because it pushes me outside of my comfort zone. Conversing with legislators and working with people that have decades of experience with this type of work can feel intimidating. The ACLU-MN provides ample education and guidance to ensure everyone is comfortable.

What skills do you often use as an ACLU-MN volunteer?

Communication skills have been very important, whether it's discussing bills and issues with legislators or providing voting resources to voters to empower them to vote. I also use critical thinking skills. ACLU-MN provides a lot of great resources and education, which empowers me to dig further into issues and better understand them. This allows me to show up informed and helpful when providing education to others.

Are there issues that overlap with ACLU-MN and in your personal life?

Yes, the issues that directly impact my life right now are reproductive freedom and voting rights.

Where do you see ACLU-MN heading in the future and what would you like to see?

I foresee ACLU-MN to continue to be a bright spot in the community. An organization that advocates for all people and fights for our rights. ■

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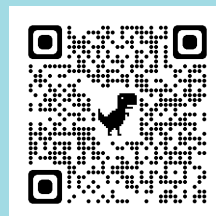
GIVING

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Immediately support our work by making a tax-deductible donation to the ACLU of Minnesota Foundation. Tax-deductible 501(c)3 donations keep our lights on and support a wide variety of legal and organizational work.

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Civil Liberties News
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SAVE THE DATE

Aug. 16 - 20: Steele County Free Fair

1525 South Cedar Ave, Owatonna, MN 55060

Aug. 25 - Sept. 5: Minnesota State Fair

1265 Snelling Ave N., Saint Paul, MN 55108

Oct. 12 @ 8 AM: Breakfast With A Side of
Dissent - ACLU-MN Annual Fundraiser

McNamara Alumni Center, Minneapolis, MN 55455

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