



FACED WITH HISTORIC, urgent threats to our democracy, the ACLU and our supporters are fighting back.

From racist voter suppression laws to attacks on reproductive liberty, the dignity of trans youth, and the right to an equitable education, our democracy is



James Duff Lyall

under sustained assault nationwide. We are deeply grateful to you, our supporters – for investing in our work, advancing an alternative vision for this state and this country, and helping to create a more perfect union.

Thanks to your sustained support, we are expanding our litigation, policy, and communications programs with six new positions to increase our impact in Vermont. That includes four new hires, as well as the promotion of senior staff attorneys Lia Ernst and Jay Diaz to the roles of legal director and general counsel, respectively. Two of the new positions are two-year fellowships that will enhance our litigation and policy advocacy while providing frontline experience for the next generation of civil rights leaders.

These investments will bring the number of full-time ACLU of Vermont staff to thirteen people, up from five in 2017, allowing us to dial up our advocacy like never before.

That includes working to build a smarter criminal legal system and reimagine policing; defending Vermonters' privacy and safety from the U.S. Border Patrol; passing the Reproductive Liberty Amendment to explicitly enshrine reproductive freedom in our state constitution; and winning racial and economic justice in our schools, housing, and places of employment.

In the wake of the 2020 election and in the midst of concerted efforts to undermine American democracy, we are doubling down in the fight for democratic values, racial and economic justice, and the rights and liberties of all Vermonters.

With your support, we will continue to lead with creative, collaborative, high-impact solutions – strengthening our democracy and winning justice for our communities, together. Thank you for making this work possible.

James Duff Lyall
Executive Director

Join us! 54th Annual Membership Meeting

Save the Date: October 26, 2021 at 5:00pm (via Zoom)

We are thrilled to announce that ACLU President Deborah Archer will join us as keynote speaker at our (virtual) membership meeting on October 26th. Archer is an accomplished civil rights lawyer, professor, and director of the Center on Race, Inequality, and the Law at NYU School of Law, and was elected to lead the National ACLU in February 2021.



Deborah Archer

We will also have remarks by ACLU of Vermont President Bill Boyd and ACLU staff will discuss our priority initiatives

for the coming year and talk about how you can get involved. This year's meeting will be held via Zoom.

Current ACLU members are eligible to vote for new Board members and on proposed bylaws changes.

To register for the meeting and to vote, please visit www.acluvt.org/2021annualmeeting starting on September 9th. Voting will remain open until October 26th.

If you would like to request a paper ballot, email info@acluvt.org or call 802-223-6304. Please save the date, don't forget to register and vote, and we'll see you on Zoom in October!

Advancing a Bold Agenda in 2022

FOLLOWING A LEGISLATIVE session centered on Vermont's response to COVID-19, we look forward to returning in January with an ambitious policy agenda for 2022. Now more than ever, we will be relying on our supporters to help us pass groundbreaking legislation and counter emerging threats to our rights and liberties.

SMART JUSTICE

One silver lining of the pandemic in Vermont was the acceleration of criminal law reforms we have been championing for years. Faced with the reality that COVID-19 puts incarcerated Vermonters at heightened risk of harm, Vermont's police, prosecutors, judges, and prison officials made a concerted effort to reduce the number of people in our prisons.

It worked: as a result of lower admission and re-admission rates, through the kinds of reforms we have long advocated, Vermont's prison population decreased by 30% in just over a year, to a low of 1,222 people – a 45% reduction from the peak just over a decade ago, confirming that Vermont really can be smarter about criminal justice.

Unfortunately, we have already seen these gains eroding as the system reverts to “business as usual,” and the prison population has increased steadily over the past several months. Additionally, there are proposals under consideration to build new prisons to incarcerate even more Vermonters.

If adopted, those proposals would undo much of the progress we have made. We cannot allow that to happen, and will be calling on our supporters to insist

on alternatives to incarceration that have proven effective when we invest in people over prisons.

RACIAL JUSTICE

Vermont needs to invest in identifying the sources of racial disparities if we are going to fulfill our commitment to ending them. H.317, which we worked to introduce, would help to remedy the glaring racial disparities in our prisons and bring transparency to the criminal legal system by requiring police, courts, and prisons to provide reliable data to policymakers and the public. With your support, 2022 will be the year this foundational racial justice reform makes it over the finish line.

POLICE ACCOUNTABILITY

As part of a nationwide movement to transform policing, a growing number of states are putting an end to qualified immunity, a deeply problematic legal doctrine that shields abusive police from accountability, even in egregious cases of misconduct.

As part of our 10-part action plan and working in broad coalition with local and national partners, we will advocate for legislation to allow Vermont courts to hold cops accountable when they violate people's rights, while advancing other measures to reduce the footprint of law enforcement and win racial justice in our communities.

REPRODUCTIVE LIBERTY

Working with our colleagues at Planned Parenthood, we will advocate for final passage of the Reproductive Liberty Amendment in the Vermont House, giving voters the opportunity to make Vermont the first state in the country to explicitly safeguard reproductive freedom in its state constitution in 2022.



ACLU of Vermont Staff Retreat, 2021.

Top row (left to right):
Shabnam Beth Nolan, Lia Ernst, Jay Diaz, Falko Schilling, Andrea Warnke

Bottom row (left to right):
Maroni Minter, James Duff Lyall, Victoria Jones, Stephanie Hunt, Emily Hagan-Howe

Featured Case: West v. Smith

A Victory for
Incarcerated
Vermonters
and Public Health

THE PANDEMIC HAS shown us that taking care of each other is important not only because of how interconnected we all are, but also because our collective health and well-being depends on it. The same can be said of our recent class action settlement with the Vermont Department of Corrections (DOC), which improves and expands access to the Hepatitis C cure for hundreds of people in DOC custody and furthers the health and safety of everyone in our communities.

Hepatitis C (HCV) is an infectious viral disease that affects hundreds of incarcerated Vermonters as well as thousands more people across the state.

A cure for Hepatitis C is widely available, but for years state officials refused to provide the cure to incarcerated Vermonters, needlessly endangering people's lives and allowing a curable disease to spread, thereby putting the wider community at risk as well.

We filed this case in May 2019 on behalf of two plaintiffs, Richard West and Joseph Bruyette, both of whom have been incarcerated in Vermont's prisons. The Plaintiffs argued that DOC's policy and practice of denying lifesaving medical care to hundreds of incarcerated Vermonters was unconstitutional.

Pending final court approval, the settlement will feature several important provisions to ensure that

incarcerated Vermonters will have expanded access to the Hepatitis C cure, including:

- Under a newly adopted, written treatment policy, DOC will provide treatment to sentenced people with Hepatitis C, unless they are soon to be released;
- People refused Hepatitis C treatment in DOC custody can much more easily appeal the denial and seek a resolution; and
- DOC will provide us with regular reports and the Court will maintain jurisdiction to ensure that DOC follows through on the agreement.

This settlement agreement represents an important step towards addressing DOC's past failures and the state as a whole recognizing the health care rights and human dignity of people in our prisons.

With this settlement, and thanks to the courageous plaintiffs and other Vermonters willing to challenge an unjust policy, the people in our prison system who are impacted by this disease have access to treatment, and we will keep working to ensure that Vermont respects the rights and dignity of everyone in its custody, and the health and well-being of all.

Read more about our litigation docket at www.acluvt.org/cases.

Meet Our Digital Communications Strategist

Emily Hagan-Howe



Emily joined the ACLU of Vermont in June as our first digital communications strategist. In this role, she creates

content for our social media and website, connects our supporters to engagement opportunities, and supports our strategic communication efforts.

What drew you to the ACLU of Vermont?

I am so inspired by the mission of the ACLU, and I am grateful for the opportunity to work for an organization that is committed to protecting and advancing our civil rights and civil liberties.

What role does communications play in the ACLU of Vermont's work?

I believe that digital communication plays a key role in facilitating education, action, and community connections. Thoughtful and effective communications enable us to tell the story of why this work matters, uplift the voices of those impacted by injustice and oppression, educate Vermonters about critical local and national issues related to civil rights and civil liberties, and activate our volunteers to make real change in the state.

What's one thing people can do right now to support the ACLU of Vermont?

Follow us on social media! Search for @acluvermont on Instagram, Facebook, and Twitter and stay tuned for updates about our work.

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Last year, more than **600 Vermonters** made a gift to the ACLU Foundation of Vermont. Your support of the ACLU is a testament to a shared passion for justice and equality, and a desire to make a lasting impact in our state and country. **You make this work possible at such a critical time and we can't thank you enough!** To learn more about our impact, visit www.acluvt.org.

To explore ways to give, visit www.acluvt.org/give. To become a card-carrying ACLU member, join us at www.acluvt.org/join.

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