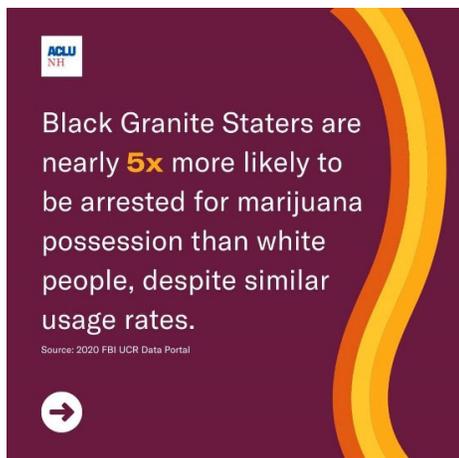


ACLU NEWS

American Civil Liberties Union of New Hampshire SPRING 2023



MAKING NEW HAMPSHIRE SAFE AND EQUITABLE



Ever since President Nixon declared war on drugs in 1971, the U.S. government's primary response to drug use has been more policing and more incarceration. There is a mountain of evidence showing that prison sentences do not improve safety, they do not save lives, they do not help people recover from substance use disorder, they do not keep us safe from or reduce the supply of dangerous drugs, and they do not save lives in the event of an overdose.

New Hampshire's crime rate has decreased by over 31% in the last decade, though you would not know it from the fear-based rhetoric dominating criminal justice debates at the New

Hampshire legislature. As we should have learned long ago, policies that rely on fear rather than fact can have devastating human and economic consequences.

Between 1970 and 2015, New Hampshire's jail population increased 448 percent. Between 1983 and 2018, New Hampshire's prison population increased 432 percent. Until 2018, New Hampshire regularly incarcerated people not because of what they did, but simply because they could not afford their bail. Punishment-centered drug policies led overdose deaths in New Hampshire to peak at 490 in 2017, but have fortunately begun to come down because of the availability of harm reduction tools like naloxone.

Even today, New Hampshire stands alone in New England as the only state that still criminalizes adults for the mere possession of marijuana. Political leaders have used coded phrases like "law and order" and "tough on crime" to justify this agenda, one that disproportionately targets Black, Latinx, Indigenous, and poor white people. For example, while Black and white people use marijuana at roughly the same rate, Black people are 4.6 times more likely to be arrested in New Hampshire.

Government has consistently presented these policies in the name of public safety but in reality they have proven to make us less safe. The ACLU of New Hampshire is working to embrace an evidence-based harm reduction-centered approach to people who use drugs.

This legislative session elected officials have multiple opportunities to move us down a new path. We are urging legislators to expand harm reduction strategies such as decriminalizing the distribution of life-saving drug testing equipment, legalize the possession of marijuana by adults, and defelonize the possession of drugs.

It's time for our communities to define and advance our vision for what a safe and equitable New Hampshire should look like. Your voice can make a difference! Please visit our legislative page (aclu-nh.org/2023-legislative-session) to learn more and take action!

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18 Low Avenue, Concord
603-225-3080

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The American Civil Liberties Union of New Hampshire (ACLU-NH) is a nonpartisan, non-profit organization that protects, defends, and extends the civil rights of people in New Hampshire at the state house, in the courtroom, and in our communities and to fight discrimination against targeted and vulnerable populations. The ACLU-NH was founded in 1968 and is one of 53 affiliates of the ACLU Nationwide.

The ACLU-NH engages with the community through:

Litigation, representing those whose rights have been violated;

Legislative advocacy, challenging laws that infringe on freedom and supporting laws that expand our civil liberties;

Education campaigns to ensure residents know their rights;

Grassroots organizing, mobilizing people to be advocates for themselves and others.

COMINGS AND GOINGS

NEW TEAM MEMBERS



Courtney Reed (aka Court, she/her/hers) joined our team as our new Policy Advocate in January. Court will be working with our Policy Director and community partners at the State House with a focus on LGBTQ+ equality and reproductive rights.



In October, we welcomed **Helen Mrema** (they/them/theirs) as our Community Organizing Advocate. Their top priority is advocating for community representation at every level of decision making.



Kaitlyn Lambert (she/her/hers) joined as Communications Manager last fall. She will be working with our Communications Director to develop and lead key communications strategies and campaigns to advance policy, legal and development goals.



Heather Holt Totty (she/her/hers) became our first Associate Director of Philanthropy. She will be working with the Director of Philanthropy to strengthen support for the affiliate's critical work.

NEW BOARD MEMBERS



Stephanie Bramlett is the inaugural Director of Equity and Inclusion at Phillips Exeter Academy and board member of BLM Seacoast & the New England chapter of People of Color in Independent Schools.



Manny Espitia is the Regional Director of Run for Something and a prominent leader in Nashua with an extensive background in policy and politics.



Evenor Pineda is a gifted advocate committed to working on behalf of justice impacted and formerly incarcerated individuals in the Granite State.



Quinci Worthy is the Director of Diversity, Equity, Inclusion and Justice for the Concord School District.

WITH PROFOUND APPRECIATION TO



Susan W. Almy for her extraordinary commitment and distinguished service as a Board member from 2001-2022 and as Board Chair from 2004-2010.



Theodore H. Parent for his dedicated service as a Board member from 2009-2022.



Leonard M. "Skip" Small, MD for his extraordinary commitment as a Board member from 2010-2022 and as Board Chair from 2020-2022.

HOLDING POLICE ACCOUNTABLE



In a legal victory for policy transparency and accountability, the NH Superior Court ordered the release of the names of two Manchester Police Department supervisors who received a text message from a fellow officer depicting a racist meme.

The lawsuit, filed by the ACLU of NH and Black Lives Matter Manchester, concerns the Manchester Police Department's investigation into Officer Christian Horn's sustained misconduct where, while on duty, he texted other officers a meme that made a "joke" out of the May 2020 murder of George Floyd. Mr. Horn admitted to

"conduct unbecoming of an officer," was suspended for 3 days, and ordered to undergo sensitivity training. As we explained and the Court agreed in our lawsuit, police officers have no privacy interest in records implicating the performance of their official duties—in this case, the apparent failure, whether justified or not, to report racist behavior.

The Court held that:

the facts of this case strongly favor disclosure of the supervisors' names. At issue is an assessment of how the public perceives the Manchester Police Department as well as the public's opinion of how the police themselves view this incident. The plaintiffs are public servants and have voluntarily submitted to greater public scrutiny; the supervisors even more so. The public has a strong interest in knowing the types of individuals that are in leadership roles within the police force.

Ronelle Tshiela, co-founder of Black Lives Matter Manchester, and Gilles Bissonnette, Legal Director of the ACLU of New Hampshire, commented, "The public must be able to hold any and all law enforcement officials accountable for the harmful choices they make, and deserves to know who these supervisors are... We will continue to advocate and fight for New Hampshire to commit to a zero-tolerance standard when it comes to racism and prejudiced actions within policing."

LGBTQ YOUTH AND PEOPLE BELONG

During this year's state legislative sessions in many states around the country, politicians have come after transgender rights at unprecedented levels. Utah, Arkansas, Tennessee, and Mississippi are four of the many states to escalate attacks on the right to gender-affirming health care and the right of transgender people to live their lives on their own terms.

These anti-trans bills are being written and pushed by the same powerful lobbies banning abortion, censoring books, and threatening teachers. They are denying the reality of who trans people are and the fundamental rights we all should have.

Here in New Hampshire, lawmakers are considering several bills this legislative session that could impact



LGBTQ rights. Among these are bills that would: disallow students from using a bathroom consistent with their gender identity; ban gender-affirming healthcare for minors; ban LGBTQ affirmation and education in public schools; and repeal the state's ban on conversion therapy.

We and our allies are working to oppose these bills as well as the one that frames "parental rights" as a way to introduce more classroom censorship through vague language. This bill would subject transgender students to a special level of surveillance, where they could be forcibly outed if they use different pronouns or go by a name different from those used when first enrolled. It would subject educators and school staff to litigation or criminal penalties if they don't meet the disclosure requirements of this legislation.

We are optimistic that with bipartisan support and the community's involvement we can defend and advance the rights of trans youth and people in New Hampshire.



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MESSAGE FROM THE EXECUTIVE DIRECTOR



Devon Chaffee

Since the November elections, we have been battling to protect our most fundamental civil liberties, which continue to be under attack from opponents on a range of core issues. Members of the majority political party at the New Hampshire State House continue to pursue legislation that would severely restrict or remove some of our most basic rights, such as reproductive autonomy, immigrants' rights, free speech, LGBTQ+ justice, voting rights, and racial justice. In the current climate, we all must be vigilant and ready to protect and defend our rights.

In recent months, we secured major court victories on a number of priority issues. In a case pushing for increased police accountability, we successfully sued for the release of the names of two Manchester Police Department supervisors who, after receiving a message containing a racist meme from a fellow officer, apparently did nothing about it. In another major case, our legal department saw a crucial first procedural victory when the court allowed it to proceed to challenge the harmful banned concepts law that attempts to censor classroom discussions around gender, race, and equity.



Credit: Denise Baffrey/The Brownville Herald via AP, File

At the State House this legislative session, we are fully engaged on fights to advance and protect our rights on major bills ranging from abortion, to LGBTQ+ rights, to immigrants' rights, to protecting bail reform, and legalizing marijuana. Your voice carries weight with elected officials so please consider emailing your state reps and senators on specific bills. When lawmakers hear directly from their constituents, it has a real impact on how they will consider voting.

Unfortunately, the political landscape around the country and in New Hampshire is still fertile ground for anti-civil rights efforts. We are collaborating with over 50 community groups and institutional allies in the fight to defend our freedoms and our democracy. Thanks to your involvement and support, we are confident that we can succeed in making progress in New Hampshire.