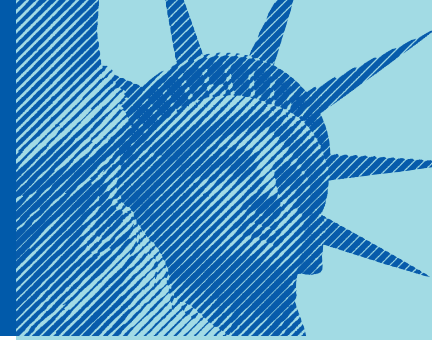


ACLU NEWS

American Civil Liberties Union of New Hampshire FALL 2025



A LEGACY OF DEFENDING ACADEMIC FREEDOM

One hundred years ago, as America emerged from a deadly pandemic, and experienced both a swell of immigration and deep political divisions, regressive lawmakers attempted to censor the materials and topics public schools could teach and discuss. Fighting back against those restrictions, in what became known as the Scopes “Monkey” Trial, was an organization then in its infancy: the American Civil Liberties Union.

A Tennessee court upheld those restrictions in 1925, but the national spectacle of the trial drew public attention to the ACLU’s commitment to free speech. The ACLU continued to advocate for academic freedom, and eventually succeeded in a separate case in 1968. That same year, a small group of devoted civil libertarians banded together to form the New Hampshire Civil Liberties Union here in the Granite State.

Today, 100 years after “Scopes”—and as New Hampshire recovers from a different pandemic, rapidly becomes more diverse, and endures ongoing political polarization—the ACLU is no infant, and the ACLU of NH is stronger than ever.

As they began the school year this fall, New Hampshire students and their teachers enjoyed their right to free speech, thanks to the quick and effective action of the ACLU of NH and partners across the state.

THE NEWEST BATTLES FOR OUR CLASSROOMS

This year, as part of the state budget, Governor Kelly Ayotte signed a classroom censorship law that threatens to strip public funds from New Hampshire K-12 public schools if they pursue diversity, equity, and inclusion programs pertaining to race, gender, sexual orientation, gender identity, and disability.

We filed suit this summer alleging the provision radically contradicts civil rights laws protecting students with disabilities, violates the First Amendment rights of educators and students, and is unlawfully vague and ambiguous. A federal judge promptly issued a preliminary injunction blocking the law.

This is the third attempt in recent years to attack diversity, equity, and inclusion. So far, the ACLU has stopped these efforts each time.

In February, the federal Department of Education threatened to cut federal funding for schools that engage in diversity, equity, and inclusion efforts. Alongside our national office and local partners, we filed a lawsuit on this as well, contending that the federal government cannot usurp the authority of our local schools to shape their own curriculum, including programs that reflect and celebrate the diversity of our communities and our world.

We won a preliminary injunction against these restrictions in April.

And we already won a victory for teachers in New Hampshire last year, against the state’s 2021 “banned concepts” law. We won this case at the trial court, and are awaiting a decision on appeal.

For 100 years, the ACLU has opposed anti-liberty efforts that censor our schools and public entities. We will continue to defend the right of all students in America to discuss complicated, difficult topics with their peers and their teachers.

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

The ACLU of 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.

PROTECTING FREE SPEECH

From the very early days of 2025, the Trump Administration has abused its power to intimidate critics of its policies and silence those who refuse to fall in line—arresting and threatening to deport student activists Mahmoud Khalil, Rümeyya Öztürk, and Mohsen Mahdawi.

Since Charlie Kirk's killing, government officials have threatened to punish anyone who speaks ill of the conservative activist.

These actions violate the First Amendment.

For 105 years, the ACLU has defended the First Amendment as a cornerstone of our democracy. Even in times of crisis, the government cannot censor views it doesn't like.

Our dogged, nonpartisan history of protecting civil liberties for all allows us to speak with authority and raise the alarm

about the Trump administration's censorship campaign against the American public.

Suppression of free speech is profoundly harmful to the public discourse of a free society—but we can resist it together.

Nearly 500 members of the entertainment industry—and thousands more people across the country—signed a petition and open letter criticizing ABC/Disney's decision to suspend talk show host Jimmy Kimmel after he questioned the administration's politicization of Kirk's death. When the company reinstated Kimmel, he thanked his colleagues, and the ACLU, in his first post-suspension monologue.

Visit aclu-nh.org/actions to stay up to date with ACLU efforts to amplify the voices of We the People.

FIGHTING FOR BODILY AUTONOMY

During this year's legislative session, lawmakers voted on dozens of policy proposals that would restrict Granite Staters' bodily autonomy, especially of transgender people.

Lawmakers chose to ban all medical interventions for gender dysphoria for minors, including hormone treatment, puberty blocking treatment and surgical interventions. This removes the rights of families to make the medical decisions that are right for them and their children in consultation with their children's own doctors.

And we know from battles in other states, once gender affirming care has been banned, the door is open for regressive policies to restrict more rights around bodily autonomy, including reproductive health care such as contraception and abortion.

If our lawmakers take such steps, we know Granite Staters will stand up to protect reproductive freedoms.

The two bright lights in this fight came as the result of thousands of people working together to hold state policy makers accountable for efforts to roll back rights.

Early drafts of one bill threatened confidential access to birth control for minors without parental consent. The ACLU and our supporters worked with allies and partners across the state to vocally inform Governor Ayotte that we would be holding her accountable for her campaign pledge not to roll back any reproductive rights for Granite Staters, and she pressured legislators to remove that provision from the bill.

And when lawmakers attempted to roll back our state's anti-discrimination protections for gender identity, we again worked with thousands of people across the state to defend those protections, which had been hard won in 2018. At that time, New Hampshire was the first U.S. state under an entirely Republican-controlled state government to update its nondiscrimination law to include transgender people.

The bill Governor Ayotte ultimately vetoed would have rolled back some of those protections and opened the door to discrimination against transgender people in public spaces, including restrooms.

Defending these protections was an uphill fight: Three separate bills with similar language targeted our transgender community, and lawmakers even tried to write this discriminatory proposal into the budget itself.

Together, we not only defeated this bill via the Governor's veto, but we also defeated this same proposal **three additional times** this year.



THE FREEDOM TO READ

Despite the barrage of legislative attacks on our rights this session, we're taking a moment to celebrate the preservation of academic freedom.

This victory is the result of the work of all of us. It took emails, phone calls and messages from everyday Granite Staters, urging Governor Ayotte to veto this extreme legislation passed by the N.H. House and Senate.

The bill would have been a drastic step backwards for free speech and created a chilling effect for educators across New Hampshire by making it easier to ban books in classrooms and school libraries across the Granite State. In her veto message, Governor Ayotte warned it could invite

“unnecessary litigation from out-of-state groups,” but Granite Staters showed up en masse to oppose the bill, and prove that we hold dear our freedom to read.

Thousands of Granite Staters opposed this book-banning bill during legislative hearings, via emails and postcards, and dozens even sat in the State House hallways quietly reading banned books outside of Governor Ayotte's office doors.

We are so proud to share this victory with our partners in advocacy across the state, and with you, who called, sent messages to your lawmakers, and supported our persevering work against these regressive policies.



ACLU supporters sent hundreds of postcards to Governor Ayotte's office, and after our silent read-in, they delivered a basket of frequently banned books, which the proposed ban's author had admitted he had not read.

PROTECTING DUE PROCESS FOR PEOPLE HELD BY ICE

Starting this summer, the federal government abruptly and unlawfully reversed decades of settled immigration practice in order to deny crucial court hearings to potentially millions of people in immigration proceedings nationwide, including to potentially thousands in New England.

The right to a hearing before a judge where someone can hear and potentially contest the charges against them is a fundamental American right. People being arrested by ICE or the Department of Homeland Security (DHS) are being denied these hearings in many cases, or if they are granted them, the government is continuing to jail them, even though they are eligible for release by a judge's order.

In late September, the ACLU of NH filed a class action lawsuit challenging this practice with our colleagues at the ACLU National office, ACLU of Massachusetts, ACLU of Maine, the Harvard Immigration and Refugee Clinical Program at Harvard Law School, and attorneys at a private firm in Boston.

This lawsuit comes at a critical time, when many detained people are being quickly boarded onto vans and planes and sent to far-off locations before they have a chance to seek legal help to defend their rights.

The same day as the filing of the class action suit, the ACLU of NH secured release for two people being held at the Strafford County Detention Center, despite having already been granted release by an immigration judge.

For almost 30 years, individuals who have won this type of hearing before immigration judges have been allowed to post “bond” payment and be released. This enabled

immigrants and asylum seekers to live in their communities, building lives and providing for their families—rather than being jailed while they waited, sometimes years, for their immigration hearings.

ACLU of NH staff attorneys have been aggressively defending the rule of law—winning release for nearly a dozen people held after a judge has ordered they can be released on bond. Across the country, dozens of federal judges have described the practice as a flagrant perversion of long-standing law, policy and common sense.

Nevertheless, DHS and the U.S. Department of Justice continue to violate the law and detain people without due process in violation of their statutory, regulatory, and constitutional rights.

COMINGS AND GOINGS

THE ACLU OF NH WELCOMES TAYLOR MAINE



Taylor Maine (she/her) joins the ACLU of NH as the new Regional Campaign Manager for the North Country. She lives in Campton, NH, where she grew up, and enjoys hiking in the beautiful White Mountains. Taylor previously worked with SNHU's center for civic engagement, The Chandler Center, where she coordinated Get Out the Vote efforts and helped connect college students to southern New Hampshire organizations focused on equity and justice initiatives. She also worked with ACLU National's advocacy team to help streamline volunteer processes and trainings.



A LETTER FROM THE EXECUTIVE DIRECTOR



Devon Chaffee

The most fundamental pillars of our democracy are under assault by this administration—and the situation is more dire than many realize.

Our First Amendment freedoms are under grave threat.

Lawmakers have bullied schools, police departments and federal agencies into firing public employees for their political views. Government officials have pressured journalists and entertainers, and the media companies they work for.

Beyond silencing public criticism, the hoped-for effect of these public threats to speech is to make everyday people think twice before speaking, and even stay silent in the face of injustice.

Many Granite Staters have asked us at the ACLU in recent weeks if they still have the right to free speech. The answer is of course a resounding “yes”—but I implore us all to think about how we as individuals and community members are exercising that right.

Dissent is patriotic, and it’s our constitutional right to freely express ourselves. In times like these, we protect our rights only when we use them and fight for them.

At the same time the administration is trying to stifle our ability to condemn its actions, it is accelerating some of its most condemnable priorities, including arresting, detaining and prosecuting immigrants—some who have legal status, such as refugees and visa holders.

President Trump has also deployed thousands of military troops to American cities, in an egregious abuse of power. He is continuing his pattern of targeting his political “enemies”—among them, those American cities where the majority of voters and residents disagree with his policies and conduct.

The U.S. Constitution means something because we the people make it mean something. Our rights are protected only because everyday people stand up for them. And today, there is a role for all of us in the fight for our rights.

That’s why the ACLU of New Hampshire is working every day to monitor and take legal action if needed on events happening on the ground, combat state policy attacks, and doing everything we can to be in community and help Granite Staters make their voices heard.

The power ultimately lies with We The People, and together, we protect the rights of all of us.