

We dare to create a more perfect union — beyond one person, party, or side.



ACLU OF OKLAHOMA • YEAR IN REVIEW

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MESSAGE FROM THE EXECUTIVE DIRECTOR

After almost two years in my role at the ACLU of Oklahoma, I am forever thankful for our members and supporters across the state. We could not keep afloat without your continued generosity. Our staff, board members, and interns continue to show professionalism, dedication, and passion for defending Oklahoma's constitutional rights.

In 2022, Oklahomans faced some of the harshest legislation in the entire nation. Our state recklessly planned an execution spree of 25 inmates on death row over the next two years. On both a national and federal level, Oklahomans seeking abortions were further denied the right to medical care. Transgender and non-binary Oklahomans were denied common access to school restrooms and evidence-based medical care. Additionally, public schools continued to feel the waves of HB 1775, as educators faced book restrictions and harsh punishments for teaching certain material on race and gender.

However, these perilous times showed just how resilient Oklahomans truly are. In the wake of the total abortion ban, we saw networks of activists come together and share valuable and life-saving resources for those who do not have access. We saw educators protest for clear guidance on HB 1775 and advocate for transgender students at their schools. We witnessed grassroots organizing protesting the death penalty and addressing the systemic barriers in capital punishment rulings.

Our team has worked tirelessly in the courts to ensure the rights of Oklahomans across the state. October 2022 was the one-year anniversary of our SB 1775 filing, as we wait for a judgment in our request for a preliminary injunction. We filed a case alongside local organizers to defend the First Amendment right to protest racial inequity in Oklahoma City. Lastly, we put forward litigation with ACLU National against SB 615, as the law is discriminatory towards transgender people and violates Title IX.

We are more committed than ever to defend civil liberties in Oklahoma and fight against the most urgent social injustices across the state.

In Solidarity,
Tamya Cox-Touré

Photo credit: Stephanie Montelongo



MISSION AND VISION

The ACLU of Oklahoma is an affiliate of the American Civil Liberties Union, a national organization founded in 1920. We dare to create a more perfect union — beyond one person, party, or side. Our mission is to realize this promise of the United States Constitution for all and expand the reach of its guarantees.

For over 100 years, the ACLU has been our nation’s guardian of liberty, working in courts, the legislature, and communities to defend and preserve the individual rights and liberties that the Constitution and the laws of the United States guarantee everyone in this country. The Oklahoma affiliate was established in 1964 and opened its first headquarters in 1973 with the same dedication and goals of the National ACLU.

Whether we are fighting for a more just criminal legal system, demanding accountability of law enforcement, addressing white supremacy, working on full equality for the 2SLGBTQ+ community, preserving the right to vote, or protecting abortion access, the ACLU takes up the toughest civil liberties cases and issues to defend all people from government abuse and overreach.

BOARD OF DIRECTORS

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ABORTION ACCESS IN OKLAHOMA

The year 2022 will be marked in history as the year the Supreme Court overturned *Roe v. Wade*, removing protections on abortion and immediately jeopardizing access to essential healthcare. But Oklahoma had already taken the extreme action of banning access to abortion prior to a final decision in *Dobbs v. Jackson Women's Health Organization*.

Oklahoma legislators followed through on their threats and passed one of the harshest abortion bans in the country, House Bill 4327. This ban mirrors Texas' Heartbeat Act, which makes performing an abortion illegal, except for major medical emergencies. Additionally, the bill allows private individuals to sue anyone seeking or helping with an abortion – from a provider to a patient.

Many Texans seeking abortion had turned to Oklahoma providers for care, with some providers reporting a nearly 2500% increase in Texas patients compared to 2020. Access across the country is at a tipping point, and the ripple effect of Oklahoma health centers going dark in providing abortion, has been felt throughout the region.

The ACLU of Oklahoma acknowledges both the micro and macro effects that abortion access creates. Oklahoma's total abortion ban directly hurts those who already face systemic healthcare obstacles, including low-socioeconomic status Oklahomans, immigrants, young people, people with disabilities and the 2SLGBTQ+ community. Our work focuses on protecting access to affordable contraception, safeguarding a person's ability to make informed, private decisions about their body, and fighting against pregnancy discrimination.



POLICY AND ADVOCACY DEPARTMENT

The 2022 legislative session was one of the most difficult and least transparent sessions our affiliate has ever faced. We saw attacks on transgender and gender diverse youth, the censorship of teachers and librarians, a complete loss of abortion access, and further attempts to curb the initiative petition process.

In the face of all of these attacks, we worked with countless coalitions, supporters and volunteers, and we refused to allow the Oklahoma Legislature, the State Board of Education, and local city councils to pass these policies without a fight. We planned rallies, attended town halls, sat through countless committee meetings, and even offered a dedicated space for advocates to grieve, heal, and most importantly, rage!

Our advocacy and organizing department not only coordinated a “Bans Off Our Bodies” rally at the state capitol, but we also hosted an overwhelmingly successful “Smash the Patriarchy” event, which started with a panel that answered misconceptions around abortion bans and ended with a “Rage Room” to take a bat to all our frustration, anger, and grief.

We showed up to the Enid Public Library Board meeting to speak out against the censoring of programs and displays related to gender identity and sexuality.

We took part in Freedom Oklahoma’s 2022 Leadership Summit to provide a space for new organizers to learn how to re imagine and advocate for a better world.

We supported legislative efforts to reduce and completely eliminate fines and fees for children involved in the criminal legal system, as well as pass an automatic expungement bill.

We fought back and defeated a racist and dangerous risk assessment tool proposed by the Office of Juvenile Affairs, despite being one of the only organizations to take a stance.

With the help of our supporters, we sent hundreds of public comments to the State Board of Education not to implement HB 1775, which censors classroom conversations on gender, race, and sexuality.

And lastly, we renewed our efforts to continue showing up with the Justice for Julius Coalition and the Coalition Against the Death Penalty to call for an end to capital punishment.

2022 LEGISLATIVE SESSION OVERVIEW

Classroom Censorship: This school year, we saw the implementation and chilling impact of HB 1775 in classrooms. Teachers and librarians were told to remove entire book collections and modify their course curriculum. Furthermore, we saw over 25 additional classroom and library censorship bills introduced in the legislature. Although most of these bills did not pass, we saw local library boards and school districts attempt to use similar language from these bills to restrict access to an equitable and inclusive education.

Criminal Legal Reform: In spite of a particularly difficult session, we managed to see several advancements in the criminal legal realm. We worked with coalition members to pass an automatic expungement bill, a bill to reduce and eliminate juvenile fines and fees, and a bill to allow courts to establish standardized procedures for a defendant's ability to pay. However, the ongoing crisis of inhumane conditions at the Oklahoma County Jail serves as a reminder that our work is far from over.

Reproductive Freedom: 2022 was a devastating year for bodily autonomy. Oklahomans lost complete access to abortion on May 25, 2022, a full month before the overturning of *Roe v. Wade*. We were the first state in the nation to ban access to abortion starting at fertilization with no exceptions for rape or incest. With every abortion ban introduced, we fought back alongside reproductive justice coalitions, including Oklahoma Call for Reproductive Justice, The Center for Reproductive Rights, and Planned Parenthood.





2SLGBTQ+ Rights: During the legislative session, we saw three separate attacks on transgender Oklahomans, with most of these bills aimed at transgender youth. Lawmakers banned trans women and girls from playing school sports with their peers. They banned trans students from using school restrooms which align with their gender identity. Finally, they passed a ban preventing non-binary, Two-Spirit, and gender diverse Oklahomans from updating their birth certificate to match their gender identity. We worked closely with Freedom Oklahoma to track these bills, inform the public, and provide talking points to lawmakers during debate. Although we continue to see relentless attacks on trans youth, the fight is far from over.

Voting Rights: We saw countless attempts to curb the initiative petition process. With some of the most progressive advancements in our state coming from citizen-led petitions, whether it be medical marijuana, criminal legal reform, or the expansion of Medicaid, voters are able to make our voices heard when politicians choose to ignore our wishes. Lawmakers introduced bills ranging from requiring campaigns to collect signatures in all 77 counties, to requiring a 55% voter approval for any initiative petition to pass. Thankfully, all of the bills restricting this process failed in the legislature.

Photo credit: Allie Phillips-Shinn

OKLAHOMA'S STATE SANCTIONED KILLINGS

Oklahoma's Capital Punishment is at a crossroads, as the state continues their reckless execution spree. However, the ACLU of Oklahoma has been on the front lines of this fight to end this dangerous practice in our state once and for all. We know death sentences are predicted not by the heinousness of the crime, but by the quality of the defense, the race of the accused or the victim, and the state in which the crime occurred.

In June, Attorney General John O'Connor called for 25 executions over the course of two and a half years, approximately one person per month. The Attorney General requested these executions, even though the state had just completed multiple executions in less than a year, administered four consecutive flawed executions in the recent years, and was still awaiting a final decision on the federal trial that challenged Oklahoma's lethal injection protocols.

Unfortunately, the federal courts ruled that the three-drug lethal injection process in Oklahoma is constitutional, giving the state permission to move forward with more executions despite thousands of calls and emails to the Governor to stop killing in our name. Executions have continued.

Every person scheduled for execution has gone before the Governor-appointed Pardon and Parole Board for one last chance to plea for their life and be granted clemency. In these hearings, the board reviews their case and may hear from the alleged person incarcerated, as well as the victim's family. The Board then has the power to make a recommendation to the Governor's office. In almost every case, the defendant has experienced severe mental health disabilities all of their life. These are people who suffered from physical, drug and alcohol, and sexual abuse at an early age. Many have experienced homelessness as early as 3 years old. Because of these clear deficiencies in our system, the Pardon and Parole Board has voted to save many



people from execution. However, Governor Stitt has only accepted one recommendation, Julius Jones. While we are thankful to the governor for allowing Julius to live another day, he still chose to take the life of a Black man by sentencing him to life without the possibility of parole. Time and time again, the criminal legal system fails to protect the innocent and those with serious mental health disabilities from execution.

The ACLU of Oklahoma has taken a stand. We launched a campaign to ask Governor Stitt to reinstate the moratorium on executions. With this campaign, our office was able to engage our supporters and many other Oklahomans to join this fight. We received 1800 signatures, worldwide, on a letter to the Governor, completed 6000 calls to Oklahomans in targeted cities, including McAlester (500 of which were patched through to the Governor's Office), thousands of texts to supporters and a tool kit that provided advocacy resource such as phone banking scripts, letters to the governor, facts on the death penalty in our state and so much more. These efforts, paired with the amazing work and mobilization of organizations like Death Penalty Action and The Coalition to Abolish the Death Penalty, we have ignited a fire in Oklahomans to call for an end to capital punishment in our state.

Our fight is not over anytime soon. We will continue to work with our partners and coalition members to stop this racist, arbitrary, costly, and error prone practice. We will continue to show up at vigils and rallies. We will encourage our supporters to oppose EVERY execution until they stop this inhumane execution spree. The continued use of the death penalty has no place in any society that values human dignity and justice. Every Oklahoman must ask themselves not whether they support the death penalty, but rather, do they trust their government with the power to kill its citizens.

Photo credit: Jasmine Brown-Jutras



LEGAL DEPARTMENT

This year, the ACLU of Oklahoma has fought back against classroom censorship, asserted the rights of protesters standing up for Black lives and police accountability, and ended indefinite solitary confinement for people on Oklahoma's death row. Through a strategic combination of litigation, advocacy, and negotiation, the ACLU of Oklahoma Legal Department has worked alongside dedicated community partners to fight government overreach and discrimination while boldly building toward a more just, inclusive, and compassionate community.

Black Emergency Response Team, et al. v. O'Conner, et al.

In October 2021, we became the first in the nation to challenge a law restricting conversations around race, gender, and sexuality in the classroom. After Trump's Executive Order prohibiting implicit bias training for federal employees, states across the country passed their own versions of restrictions on conversations about race. Oklahoma's 2021 House Bill 1775 restricts

the presentation of different concepts related to race, gender, and sexual orientation in K-12 and at the university level. We, alongside ACLU Speech, Privacy, and Technology Project; ACLU Racial Justice Project; Lawyers' Committee for Civil Rights; and the law firm of Schulte, Roth & Zabel, challenged the law on First and Fourteenth Amendment grounds on behalf of individual students and teachers, the Black Emergency Response Team, the University of Oklahoma Chapter of the American Association of University Professors, the Oklahoma State Conference of the NAACP, and the American Indian Movement Indian Territory. We continue to fight to protect robust and nuanced class discussions, and ensure classrooms can continue to serve as the foundation of a free, democratic society.

Oklahoma State Conference of the NAACP v. O'Connor

In the wake of George Floyd's murder by Minneapolis police in 2020, Oklahomans took part in the nationwide reckoning with systemic racism and police brutality. Across the state, Oklahomans took to the streets to stand up for Black lives and challenge police misconduct. In response, the Oklahoma Legislature passed an anti-protesting bill, House Bill 1674, which expanded existing riot-related crimes, enhanced the available punishments for riot-related behavior, created organizational liability for groups conspiring to engage in riot-related behavior, and eliminated criminal and civil liability for drivers who injure pedestrians in the street



Photo courtesy of Lilly Amechi

while driving away from a riot. The Institute for Constitutional Protection and Advocacy at Georgetown College of Law challenged the law on First and Fourteenth Amendment grounds on behalf of the Oklahoma State Conference of the NAACP. We worked with the Cornell Law First Amendment Clinic to file an amicus brief before the Tenth Circuit Court of Appeals on behalf of the Collegiate Freedom and Justice Coalition supporting the NAACP's First Amendment claim against the law's prohibition of unreasonably inconveniencing the flow of traffic, illustrating for the Court how the prohibition was a targeted attack against racial justice protesters.

Death Row Conditions

Since 2017, we have investigated and worked to improve confinement conditions for people serving death sentences in Oklahoma. Together, with ACLU National Prison Project, ACLU Freedom of Religion and Belief Project, the Prison Law Office, and Sidley law firm, we submitted a demand letter to Oklahoma Department of Corrections in July 2019, offering to negotiate and announcing our intention to litigate should negotiations prove fruitless. In response to our letter, the DOC moved death-sentenced people from H Unit to A Unit. On A Unit, people have a window to the outdoors in their cell, are able to go to yard outside, and have contact visits with their family and friends. People on death row are now able to feel the grass under their feet and see the open sky, some for the first time in a decade. One person was able to hold their grandchild for the first time. Oklahoma State Penitentiary also re-instated group religious services for all people incarcerated in maximum security, including people with death sentences. In March 2022, DOC began group yard for people with death sentences housed in A Unit. Group yard is offered five days a week, and includes a basketball court, picnic table, dominos, and other opportunities for communal activities. This is the first time people with death sentences in Oklahoma have access to the outdoors outside of a small, caged environment. Should this practice continue, it will functionally end solitary confinement for the vast majority of people with death sentences in Oklahoma. We continue to visit our clients every month and push DOC to open more communal activities. With executions resuming, the need to allow space for community and support for people with death sentences is especially urgent.

THE RIGHT TO LEARN

In 2021 Oklahoma joined eight other states across the country who passed similar laws aimed at censoring discussions around race and gender in the classroom with House Bill 1775. Lead authors of the bill in the Oklahoma State House and Senate declared the intent was to prohibit conversations related to ‘implicit bias,’ ‘systemic racism’ and ‘intersectionality,’ among other concepts. These concepts were directly excerpted from President Trump’s failed Executive Order 13950 that similarly sought to restrict speech of government contractors.

From the beginning, HB1775 caused confusion in our classrooms, with an immediate impact on students and teachers. Multiple Oklahoma school districts have faced accreditation downgrades due to alleged HB1775 violations. At the same time, politicians and school boards are making moves to ban books—predominately those by Black and 2SLGBTQ+ authors— from public schools and libraries.

In October of 2021, the American Civil Liberties Union, ACLU of Oklahoma, the Lawyers Committee for Civil Rights Under Law, and pro bono counsel Schulte Roth & Zabel LLP filed on behalf of several plaintiffs, including the Black Emergency Response Team (BERT), the University of Oklahoma Chapter of the American Association of University Professors (OU-AAUP), the Oklahoma State Conference of the National Association for the Advancement of Colored People (NAACP-OK), the American Indian Movement (AIM) Indian Territory on behalf of itself and its members, a high school student, and Oklahoma public high school teachers Anthony Crawford and Regan Killackey. The lawsuit argues HB 1775 not only chills students’ and educators’ First Amendment right to learn and discuss these issues, but it also prevents students from having an open and complete dialogue about American history – one that includes the experiences and viewpoints of all historically marginalized communities in this country.

The ACLU of Oklahoma is continuing to fight against classroom censorship in our state, and we will continue to advocate for a holistic education on important history, perspectives, and social issues. Educators should not be afraid of losing their jobs over teaching sensitive but important concepts with students. We will continue to preserve the integrity of Oklahoma public schools in the courtroom.

Photo credit AJ Stegall



FINANCIAL INFORMATION

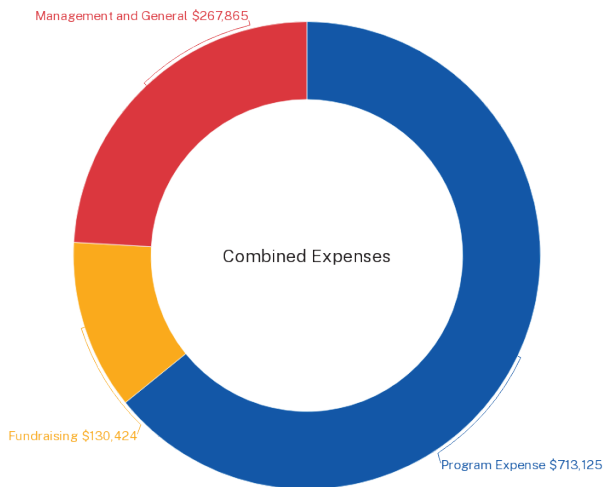
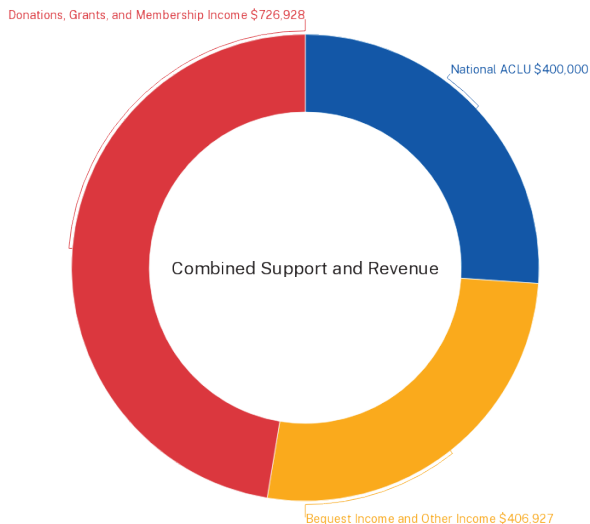
The ACLU of Oklahoma is comprised of two organizational entities: the ACLU of Oklahoma and the ACLU of Oklahoma Foundation. Together, these two entities allow the ACLU to advance civil rights through a three-pronged approach, using litigation, public education, and advocacy.

American Civil Liberties Union

ACLU membership dues fall under Union funding, so when you receive your trusty ACLU membership card, those dues have supported legislative advocacy and lobbying. The Union is registered as a 501(c)4, and as such donations to the Union are not tax deductible.

American Civil Liberties Union Foundation

All of the ACLU's litigation work and public education falls under the Foundation. The Foundation is registered as a 501(c)3, therefore all gifts to the Foundation are tax deductible.



JOIN THE FIGHT

Every day across the nation, the ACLU is called on to defend all freedoms guaranteed in the Constitution and the Bill of Rights. There's never been a more important time for freedom-loving people to support the ACLU and our successful work to protect civil liberties. Take your stand and help us defend people's rights. For more information on ways to give, contact our Director of Development, Lisa Pitsiri, at 405-520-6431 or lpitsiri@acluok.org.

Planned Giving: Providing a future gift to the ACLU can be an opportunity to advance the values that have been most important to you in your life. You can continue the fight for justice, equality, and fairness for future generations.

Guardians Of Liberty: By joining the Guardians of Liberty program, monthly gifts can provide the support we need to continue to fight for all our freedoms.

Leadership Giving: Putting the essential mission of the ACLU into action is only possible with the support of those who are willing to invest in the fight for freedom. By making a significant tax-deductible gift you can help us create a powerful force for change that impacts the lives of millions of people across Oklahoma and across the nation.



Become a Volunteer: No matter where you live in Oklahoma, we need your help. Volunteer opportunities include legal observing and holding elected officials accountable. Registration is available on the main page of our website under the “Take Action” section.

Become an Intern: Our paid internship opportunities range from legal intake to communications and legislative work. Most internship opportunities do not require applicants to be a student. Our legal department has opportunities specific to law students every semester. More information can be found on our website under the “About Us” section.

Join Our Board: This diverse group has representation from around our great state and helps guide the affiliate. Board members are elected each spring at the organizational annual meeting, but we accept applications year-round. Job descriptions and application information can be found on our website under the “About Us” section.

Join the Conversation: Like, follow, and share our social media channels. All pages have the same handle: @acluok.



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