



THE STATE OF D.C. STATEHOOD

Momentum is building for the campaign to grant statehood and full voting rights to the 690,000 people of D.C.

On April 22, the House of Representatives voted 216 to 208 to pass H.R. 51, the Washington, D.C. Admission Act, the bill to turn D.C. into the 51st State. The corresponding bill in the Senate, S. 51, now has 44 co-sponsors, the most ever Senate co-sponsors for D.C. statehood.

The ACLU and ACLU-DC submitted testimony before a House committee hearing on March 22. In it, we described how the COVID-19 pandemic, protests in D.C. after the killing of George Floyd, and the January 6 insurrection attempt at the U.S. Capitol all highlighted how the lack of state rights continue to cause serious harm to the health and safety of D.C. residents. We also emphasized Congress's racist rationale in denying local autonomy to the people of the District after the Civil War.

At that hearing, opponents of D.C. statehood floated an array of preposterous arguments. U.S. Rep. Jody Hice (R-Ga.) stated D.C. does not deserve to become a state because it "would be the only state in America without a car

dealership, without a landfill." Zack Smith of The Heritage Foundation said that D.C. residents don't need voting representation in Congress because they can put yard signs up on their lawns. These embarrassing arguments echoed comments made by Sen. Tom Cotton (R-Ar.) last year when he said that D.C. residents cannot have statehood because far fewer people in D.C. work in mining and logging. Last we checked, there were no mentions of car dealerships, landfills, yard signs, mining, or logging jobs listed in the U.S. Constitution. (It should also be noted that D.C. does, in fact, have several car dealerships.)

Most strikingly, numerous representatives in Congress continue to cite the political party most D.C. residents would likely support, which is a blatantly partisan reason to deny D.C. residents full voting rights. A person's political or party affiliation has never been and should never be a reason to deny them the right to vote.

Nationwide, a recent survey from DATA for Progress shows 54 percent of Americans now support statehood, a dramatic increase from prior years. Across the country, state legislators in Alabama, Hawaii, Illinois, Maryland, Minnesota, Missouri, North Carolina, Rhode Island, Vermont, Washington State, and West

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CONT....

Virginia have introduced resolutions in support of D.C. statehood, signaling an important increase in the kind of nationwide support we need to make D.C. statehood a reality.

Voting is among our most fundamental civil rights. The ongoing denial of local autonomy over our laws, full control over our criminal justice system, and full voting rights to the 690,000 residents of D.C., the majority of whom are Black and Brown, is an egregious example of voter suppression. The ACLU-DC will continue our campaign alongside D.C. residents, local organizational partners, and ACLU affiliates across the country to correct this historical wrong and achieve full voting rights for all residents of D.C.

STATEHOOD: FACTS

689,816

Population of the District of Columbia in the 2020 census

2

States with smaller populations than D.C. (Wyoming and Vermont)

22

States pay less in total federal taxes than D.C. residents

\$775 MILLION

Amount delayed to D.C. residents because Congress treated D.C. as a territory instead of a state in the March 2020 COVID-19 relief bill.

0

Voting representatives and senators D.C. residents have in Congress

IN MEMORIAM: FRANCEL TROTTER BELLINGER

Board member and fierce civil libertarian Francel Trotter Bellinger passed away in December of 2020.

From the age of 10, when she testified before Congress on securing funds for a D.C. library, Francel was a passionate, lifelong advocate for equity and justice. While simultaneously caring for her oldest child, she graduated from University of Maryland and Fordham University School of Law. Francel served in the District Attorney's offices for Kings County and Summit

County in New York as well as was senior attorney for the town of Babylon. In 1991, Francel was appointed as a judge for the New York District Court, becoming the first female Black judge in New York state.

After returning to D.C. in her retirement, Francel served not only on the Board of the ACLU of the District of Columbia, but was active in the National Cathedral School's Black alumni association and the Friends of the Library. Francel's generosity was



Francel Bellinger standing next to the article about her testifying before Congress when she was 10 years old.

profound: she raised funds for Cathedral renovations, gathered back-to-school supplies, and sewed quilts for children in D.C. shelters. Her spirit and fierce passion for the rights and well-being of her community was profound. She will be deeply missed.

WHEN CALLING 911 ISN'T THE SOLUTION

When Acting D.C. Police Chief Robert Contee testified at his confirmation hearing in March, he told a troubling story of a police encounter with a man having a mental health crisis.

“He was driving a car. He got to the light. He put his car in park, and he took all his clothes off right there on a road...He started pounding on cars and yelling to people that were not there.”

Contee was addressing a councilmember’s question about police responding to incidents that don’t require — or can even be made worse — by law enforcement.

Currently, all of the District’s crisis intervention systems are connected to police. And when someone calls one of these lines, police can escalate what is often an otherwise manageable situation. Police are sometimes called to the scene because an expression of mental health symptoms is interpreted as “unsafe.” But the mere presence of a police uniform or weapons can trigger panic, creating less safety for all involved, especially the individual experiencing the crisis.

Longstanding programs like CAHOOTS, a community-based public safety system that pairs a medic with a crisis worker trained in de-escalation and harm reduction techniques to respond to emergencies that do not require police, is a good model that could be loosely adopted in D.C.

In the 2022 Budget, District leaders have the opportunity to take a bold step by decentering and divesting from police and reforming our crisis intervention system. To make this a reality, the D.C. Council must engage with our most impacted communities, particularly East of the River, and receive their input on what this kind of necessary overhaul would require while also addressing the problems in the current crisis response infrastructure that regularly fail D.C. residents.

The ACLU-DC has testified before the Council multiple times about the importance of taking a public health and harm reduction approach to these types of situations, rather than the harmful carceral approach that’s currently used. It’s well past time to reckon with the trauma, violence, and ineffectiveness of policing to address societal problems caused by lack of adequate resources and services.



ARE THE STREETLIGHTS WATCHING YOU?

You’ve heard of smartphones and smartwatches. Cities are embracing this trend with “smart city” technologies that integrate cameras, microphones, and internet connectivity to improve things like traffic flow and parking metering. While their use can make cities more efficient, these technologies are also surveillance tools that can violate the privacy rights of everyone subject to their constant monitoring.

On March 26, we raised these concerns before the D.C. Council about the District’s Smart Street Lighting Project, which seeks to convert more than 75,000 of streetlights to “smart” energy-efficient LED lights that could have surveillance capabilities. Residents have a right to know if their streetlights are doing more than just illuminating the sidewalks.

The ACLU-DC is a member of Community Oversight of Surveillance-DC, a coalition proposing legislation to create an oversight framework by which the D.C. Council and the public can make decisions about how surveillance technologies are used by District agencies, including the policies that govern data collection, retention, and sharing.

You can learn more at takectrldc.org.

JUNE 1, 2020: AN ATTACK THAT LINGERS



Photo: Allison Shelley

On June 1, 2020, Toni Sanders' 9-year-old stepson said to her, "I can't believe I just survived my first near-death experience." Toni, her wife, and her stepson had just stopped to catch their breath, having fled from the terrifying scene unfolding a few blocks away. At Lafayette Square, federal and local law enforcement officers were violently attacking crowds of demonstrators who had gathered to protest police violence against Black people in the wake of police killings of George Floyd and Breonna Taylor.

Toni was speechless. Her stepson was right.

She and her wife had brought her stepson to Lafayette Square, hoping to bring him a sense of community after the family had spent long days watching the news and having difficult conversations about police killings of Black people. But a few hours in, she suddenly heard loud bangs and saw smoke. She screamed for her family to run. There had been no warning, no order to leave. Instead, federal law enforcement officers suddenly and violently attacked the crowd, without provocation.

Officers fired an arsenal of munitions, including tear gas and rubber bullets, at the demonstrators and charged them and bashed them with batons and shields. Officers continued to pursue and attack protesters as they fled.

Toni is a plaintiff in *Black Lives Matter D.C. v. Trump*, a class action lawsuit brought by the ACLU-DC and our partners against the former president and attorney general, and numerous other federal and local officials, for violations of the fundamental rights enshrined in the First and Fourth Amendments—the freedom of speech and the freedom from unreasonable seizures. All the officials have argued that they did not violate demonstrators' "clearly

established" rights. In opposition, the ACLU-DC argued that our clients' rights were so obviously violated that no reasonable officer could have believed the conduct was constitutional, and that the court should hold officers accountable for their flagrant brutality.

The violence our clients experienced when they tried to speak out against racial injustice is, sadly, not new. The ruthless oppression of Black people and their supporters by police has a long and infamous history. Civil rights demonstrators calling for change have been met with police violence time and time again, spanning decades, from "Bloody Sunday," in Selma, Ala. in March 1965, to Black Lives Matter protests last summer. In spite of this history, the Lafayette Square attack of June 1, 2020 still shocked those who experienced it and the millions around the world who witnessed it captured on video: The highest-ranking officials of the U.S. government ordered a blitzkrieg of force against unarmed protesters calling for racial justice, right in front of the White House.

For Toni, and the dozens of others brutally attacked by officers that day, the trauma persists. Toni's stepson worries about her every time she leaves for another protest, pleading with her to stay safe. He told his teacher that there was a war, that the government was trying to kill Black people. "I can't offer him comfort," Toni told WUSA9, "because that is what's going on." Instead, she continues her fight against racial injustice, in part for him. "What I want to show my stepson is that we're not going to take this lying down. And no matter who you are up against, no matter what their title is, or what their position is, you have to stand up for what's right."



Photos: Derek Baker

HOW TO SUPPORT ACLU-DC

In order to curb the spread of COVID-19, our office operations are currently remote.

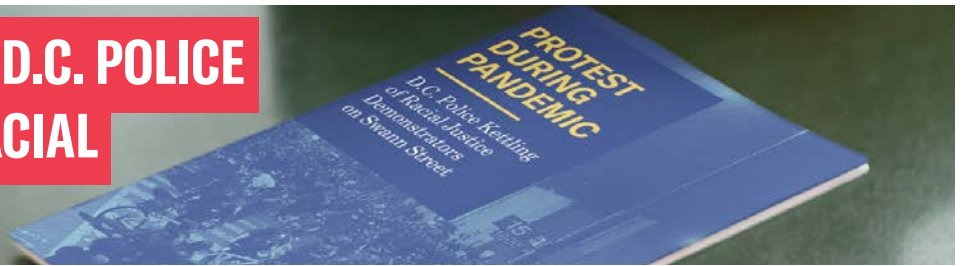
Please send any mailed contributions to:

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Or, make your contribution online at www.acludc.org/give

To receive information on making a gift of stock, via wire transfer, or in your will, **contact us at development@acludc.org or 202-601-4274.**

REPORT CHRONICLES D.C. POLICE MISSTEPS DURING RACIAL JUSTICE PROTEST



Many Americans can recall the events of the evening of June 1, when hundreds of law enforcement officers, including D.C. Police, D.C. National Guard, Secret Service, and Park Police, tear-gassed, beat, and charged into hundreds of protestors near Lafayette Square in advance of President Trump's now-infamous photo op in front of St. John's Church.

But the outrageous use of force didn't end that evening downtown. As many D.C. residents may recall, a 7PM curfew was imposed

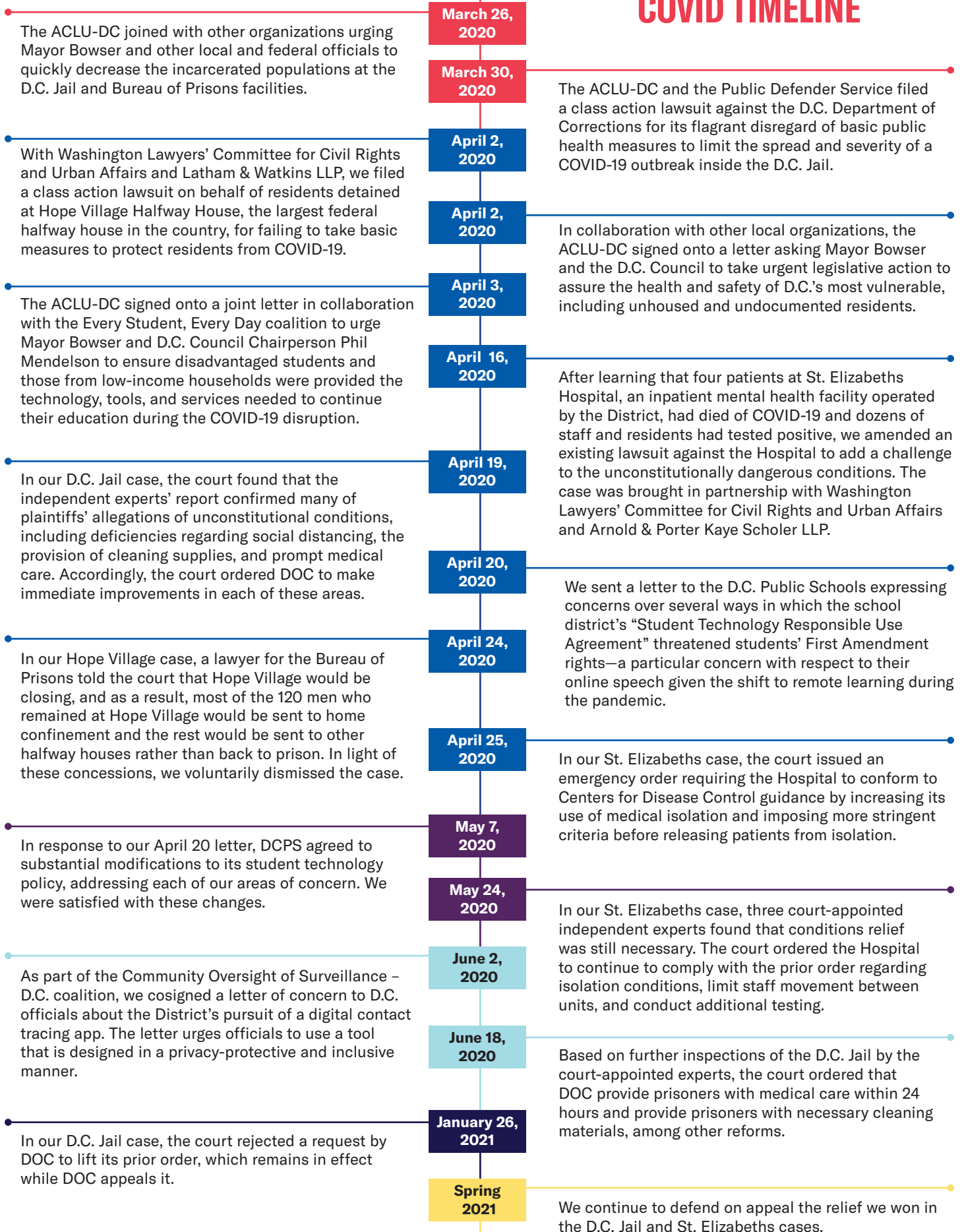
by Mayor Bowser. That night, Metropolitan Police Department officers corralled hundreds of protestors in a single residential block on Swann Street NW using pepper spray, flash-bang grenades, and barricades in an effort to arrest them for curfew violations. Those who were arrested were handcuffed and transported throughout the city in vans, then placed in holding cells that did not permit social distancing during the COVID-19 pandemic, needlessly threatening protestors' health and lives.

In collaboration with the Washington Lawyers' Committee for Civil Rights and Urban Affairs and Sidley Austin LLP, the ACLU-DC authored a report based on interviews with more than 50 eyewitnesses, including Swann Street residents and protestors.

Our report identifies serious problems with MPD's conduct that night and recommends reforms the D.C. Council should consider to prevent unwarranted actions by police during future protests.

See the report at acludc.org/swannst

COVID TIMELINE



“WHEN I LOOK OVER THE LAST YEAR AND THINK ABOUT THE YEAR AHEAD, I AM REMINDED OF BRYAN STEVENSON’S LESSONS TO FIGHT INJUSTICE – AND HOW THEY APPLY TO OUR WORK.”



Get proximate

It is so important to get close to the people most impacted by the injustice we are trying to solve to really understand the problem and how we might best partner with them. When the coronavirus hit, it impacted our ability to be in close proximity to anyone. Our lawyers, organizers, and policy staff sprang into action to design new ways of getting proximate to understand the shifting needs and urgent problems facing our residents.

Learn to be uncomfortable

The killings of George Floyd and Breonna Taylor in the summer of 2020 ripped through the very heart of our nation. People flooded the streets in protest and a much overdue conversation about racism began in earnest. We are learning to be uncomfortable – and stay in relationship and conversation – as we try to dismantle white supremacy in systems such as policing AND look within our own practices to become an anti-racist organization.

Change the narrative

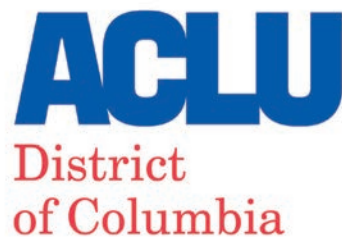
The events of January 6 riveted the nation’s attention and reawoke the need for D.C. Statehood. While it is about “taxation without representation” – it is so much more. We are now working with ACLU affiliates across the country in the fight to be the 51st state.

Remain hopeful

We must remain hopeful. To do this work we cannot allow despair to take over. We must not rest on our laurels. Just because an administration has changed or a nation is vaccinated does not mean our work is over. Far from it. We must remain determined, vigilant, and hopeful. Together.

A handwritten signature in black ink that reads "Monica Hopkins".

Monica Hopkins
Executive Director



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60TH ANNIVERSARY BILL OF RIGHTS CELEBRATION

NOVEMBER 8, 2021

SAVE THE DATE



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