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THE FIGHT IS NOT OVER: CLEAR THE PATH TO LEGAL STATUS

BY CANDICE FRANCIS



that has been one focal point of our immigrants' rights work since President Donald Trump returned to office with a vengeance to dismantle it.

TPS was designed to give relief to immigrants already in the United States who could not safely return to their home countries due to ongoing armed conflict, environmental disasters, or other life threatening and dangerous conditions. Since

In the political and social climate we currently live in, it is inconceivable that a bipartisan Congress would pass a law, signed by the president, that has at its core humanitarian concern for immigrants. Yet, this simple principled value led to the 1990 law creating Temporary Protected Status (TPS), the program

its inception, TPS provided protection from detention and deportation, authorization to work and, with some stipulations, the ability to leave and reenter the United States.

CONTINUED ON PAGE 10

THIS NOVEMBER, VOTE **NO** ON **PROP 39**

PROTECT YOUR VOICE. PROTECT YOUR VOTE.

Prop 39 will make voting more difficult, more expensive, and less secure for Californians. It will block eligible voters, leading to valid ballots being rejected, and will create unnecessary barriers to voting.

Prop 39 will make every vote by mail voter write their personal ID number on their return envelope—making voters easy targets for identity theft. Voters would have to choose between voting by mail and protecting their privacy.

California's elections are already secure. Prop 39 just locks eligible voters out. **Vote NO** and visit caforvotingrights.org for more information.

Paid for by ACLU of Northern California Election Issues Committee - FPPC ID# 1440576
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ACLU NORCAL'S BYLAWS

We are pleased to announce that the membership has approved the proposed Restated Bylaws.

Thank you to all members who participated in the election. The approved Restated Bylaws modernize our governance structure while effectively supporting the mission of ACLU NorCal in the years ahead.

The approved Restated Bylaws are now in effect.

You can read the Restated Bylaws at www.aclunc.org/bylaws.

CHECK OUT OUR ANNUAL REPORT! ➔

Right now, the stakes couldn't be higher. And this past year showed us what's possible when the ACLU community shows up. The challenges aren't slowing down. But neither are we.

Because it's always worth it to fight for justice.

Visit aclunorcal.org/annualreport to see what we accomplished together.



YOUR DATA PRIVACY AND THE ACLU OF NORTHERN CALIFORNIA

Mailings to our members and the public provide opportunities to describe complicated legal and political issues in ways not covered in other media, as well as sharing strategies we plan to use for future actions. They also enable us to explain, in detail, the benefits and provisions of the Constitution and Bill of Rights, the ways we can protect our rights in today's world, and the costs of preserving those rights. We use the mail to inform people of the importance of our legal work, and to solicit the necessary funds to continue our litigation, public education, and legislative lobbying.

Sometimes, as part of our program to find and recruit new members, we participate in nonprofit data cooperatives and list sharing arrangements. Sharing supporters' personal information with and through a data cooperative and with nonpartisan organizations is a longstanding nonprofit practice. This practice enables nonprofits to grow and maintain a stronger supporter base—while lowering costs—by targeting communications to individuals who are most likely to be interested in hearing from us. To learn more about this practice and how the ACLU of Northern California protects your information in these arrangements, please visit aclunc.org/privacy-policy.

We understand some members may not wish to receive solicitations from other organizations and gladly honor requests to be removed from the process. To opt out of this practice, please visit action.aclu.org/webform/data-choices and select the option to "opt out of sales of data." You may also submit an opt out request for targeted advertising or sales of data by emailing privacy@aclu.org.

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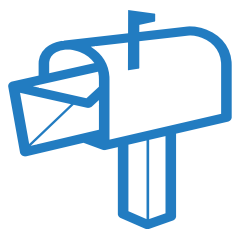
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OUR EMAIL NEWSLETTER?

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NEW MONTHLY EMAIL
NEWSLETTER, "THE BRIEF"

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A stylized illustration of Cecilia González Herrera, a woman with long dark hair, wearing a green sleeveless top. She is seated with her hands resting on a surface. The illustration is framed by a blue classical archway supported by columns. In the background, there is a sunset with orange and yellow stripes, a classical building with columns, a megaphone on the left, and a scale of justice on the right. At the bottom of the frame, there are two crossed gavel icons.

**“It’s always
worth it to fight
for justice.”** — Cecilia González Herrera,
named plaintiff in
immigrants’ rights case

ACLU Northern
California

2025 ANNUAL REPORT

SEE THE REPORT, WITH ILLUSTRATIONS BY ARTIST JENI JENKINS, AT [ACLUNORCAL.ORG/ANNUALREPORT](https://aclunorcal.org/annualreport)

THE DEFEND DEMOCRACY TOUR

TEXT AND PHOTOS BY PAULINE SCHINDLER

The ACLU of Northern California kicked off the Defend Democracy tour this Spring to thank our membership across Northern and Central California and to foster a growing network of civil liberties and civil rights supporters. At each stop, Executive Director Abdi Soltani was joined by NorCal staff, chapter volunteers, and board members to share how the ACLU is working to defend civil liberties on a national, state, and local level.

Our supporters shared how the Trump administration's agenda has impacted their communities and personal lives. Soltani and the team also invited supporters to engage in the work ahead through meaningful actions—joining a local chapter, making a monthly recurring donation, talking with voters through text and phone banking, or engaging in legislative advocacy.

At each tour stop, ACLU NorCal also honored local leaders who are meeting the moment with remarkable courage. To learn more about our honorees, keep reading. For upcoming dates on the Defend Democracy tour in Sacramento, Humboldt, and the Bay Area, visit: www.aclunorcal.org/tour.

FRESNO: NORA ZARAGOZA-YÁÑEZ, RAPID RESPONSE COORDINATOR, FAITH IN THE VALLEY



Nora Zaragoza-Yañez with Abdi Soltani

Nora Zaragoza-Yañez is the program manager of the Valley Watch Network at Faith in The Valley, a faith-based community and advocacy organization for immigrant families in San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, and Kern counties. Zaragoza-Yañez has fostered the growth of Valley Watch's rapid response network which includes post-detention release accompaniments and support to help people return home. Additional support includes legal assistance referrals and educational resources, such as training clients on how to prepare for ICE encounters. Currently, Faith in the Valley is organizing the "All People are Sacred" campaign to end abuse at private immigration detention centers in Kern County, where the largest number of detention centers exist in California. To learn more, visit faithinthevalley.org.

MERCED: ALLISON DAVENPORT, SUPERVISING ATTORNEY, IMMIGRANT LEGAL RESOURCE CENTER

Allison Davenport is the Supervising Attorney at Immigrant Legal Resource Center (ILRC), serving the Central Valley community in defending immigrants' rights, civil liberties, and civil rights. The ILRC trains attorneys, paralegals, and community-based advocates who work with immigrants around the country. Davenport was specifically recognized for her leadership in Merced County, where she works alongside the ACLU NorCal Merced County Chapter and other community organizations on a range of immigrants' rights issues. To learn more, visit www.ilrc.org.

MODESTO: WENDY BYRD, BRANCH PRESIDENT, NAACP MODESTO/STANISLAUS



NAACP Modesto/Stanslaus Branch #1048

Wendy Byrd is the branch president of the National Association for the Advancement of Colored People (NAACP)'s Modesto/Stanslaus Unit 1048. The NAACP works to protect and advance civil rights in schools, workplaces, neighborhoods, courtrooms, and at the ballot box. Byrd worked with ACLU NorCal's Stanislaus County Chapter Chair Tom Helme on the Forward Together Committee to establish a hybrid oversight model of the Modesto Civilian Review Board with an independent auditor to bring increased transparency and accountability to the Modesto Police Department. Increasing voter turnout in the November election is a priority for the NAACP. Byrd, herself a long-time leader, is quick to recognize the contributions of those who preceded her. When asked what has sparked joy in her work, Byrd shared, "Our most recent project is related to getting a Modesto school renamed in honor of a well-deserved trailblazer, Odessa Johnson. During her 64-year history in Modesto, she made significant contributions to the K12, community college, and university educational systems." To learn more, visit naacpmodestostanslaus.org.

MONTEREY: CHRISTOPHER BARRERA, PRESIDENT, SALINAS COUNCIL, THE LEAGUE OF UNITED LATIN AMERICAN CITIZENS

Christopher Barrera is president of the League of United American Citizens' Salinas LULAC Council #2055. Since 1973, the council has provided

supportive services and developmental programs that foster leadership and help community members expand their professional networks. When asked about the most urgent needs in Monterey County, Barrera said, "The fight for civil rights in 2026 is the fight for housing, education, economic opportunity, and dignity. Every family deserves a safe place to live, every child deserves a quality education, and every resident deserves to be treated with respect regardless of where they were born."

For the past ten years that Barrera has been President, LULAC #2055's scholarship program has included all nine high schools in Salinas. "Seeing Salinas youth overcome barriers and emerge as future leaders is incredibly rewarding to witness," Barrera said. Barrera was also recognized for his local advocacy in Monterey County holding the sheriff accountable on civil liberties and civil rights. To learn more, visit lulacsalinas2055.org.

REDDING: ANNEISE PIERCE, FOUNDER & EDITOR, SHASTA SCOUT

Annelise Pierce is the founder and editor of Shasta Scout, a free and independent media organization and nonprofit news service that provides in-depth investigative reporting in Shasta County. When asked to name something recent that has sparked joy for her in her work, Pierce said, "Covering the polls has sparked a lot of joy. Each election, our Shasta Scout reporting team splits up and fans out across Shasta's polling places, usually covering around 15 locations. Polling



Christopher Barrera with Abdi Soltani



ACLU NorCal board member Bobbie Simpson with Jeannette Logue from Shasta Scout

DEFEND DEMOCRACY

We hold these truths to be self-evident:

DIVERSITY IS OUR STRENGTH
FREEDOM IS OUR BIRTHRIGHT
DISSENT IS PATRIOTIC
JUSTICE IS OUR GUIDING LIGHT



JOIN US AT AN UPCOMING TOUR STOP!

SACRAMENTO - Tues. August 25
PALO ALTO - Tues. September 15
SAN JOSE - Thurs. September 17
SAN FRANCISCO - Tues. Sept. 22
OAKLAND - Wed. September 23
EUREKA - Sun. September 27

Get details and sign up at:
www.aclunorcal.org/tour

places are hosted in churches and municipal buildings, in veteran halls and even at a funeral home! Hundreds of Shasta County residents work 15-hour days at the polls for only a small stipend. Some have been doing so for decades. In a place like Shasta where political polarization often tears us apart, it's always incredible to see so many people working together regardless of political beliefs to facilitate one of the most central tasks of democracy. It gives me hope." To learn more, visit shastascout.org.

SANTA CRUZ: DR. ANN LOPEZ, FOUNDER, CENTER FOR FARMWORKER FAMILIES



Dr. Ann Lopez with Abdi Soltani

Dr. Ann Lopez is the founder of the Center for Farmworker Families, raising awareness about the challenging circumstances facing farmworker families in the Central Coast. Dr. Lopez shared that the center's greatest need is to secure the centrally located property in Watsonville

where they hold monthly distributions of basic necessities. Lopez said, "In winter months, we can expect up to 350 farmworker families seeking support from the center, some located as far away as San Luis Obispo."

During these monthly distributions, Lopez feels sparks of joy when she sees the relief on farmworkers' faces after they receive the things they need, or when experiencing the generosity and care of her local community as they rally around farmworkers with donations and gifts. The center also offers two educational tours to the public: "Pesticide Reality Tour" and "Farmworker Reality Tour," where visitors can learn about the impact of pesticides on the local community, and also learn about the hardworking people who sustain our food supply. To learn more, visit farmworkerfamily.org.

SANTA ROSA: RENEE SAUCEDO, LEAD COORDINATOR, SANCTUARY COALITION OF SONOMA COUNTY



Renee Saucedo

Based out of the community organization Raizes Collective, Renee Saucedo is the lead coordinator at the Sanctuary Coalition of Sonoma County. The coalition consists of dozens of organizations working to resist anti-immigrant

attacks. Recently, the coalition worked to successfully pass a "non-collaboration" ordinance in Sonoma County that prohibits county employees, except the sheriff unfortunately, from collaborating with ICE and using county property for ICE enforcement operations. "We need to stop the Sheriff from sharing information with ICE," Saucedo said. "More and more people are being reported to ICE from the county jail and transferred to ICE custody. Immigrant communities also need emergency response funds to help pay for day-to-day costs."

When we asked Saucedo about finding joy in her work, she shared, "Much of the work of the Sonoma County Sanctuary Coalition sparks joy for us, including the inspiration of our migrant members, the relentless campaigning of all our volunteers, and the community-building activities we've held, including the weeklong hunger strike. We do this work out of love and dignity." To learn more, visit raizescollective.org.

STOCKTON: DILLON DELVO, EXECUTIVE DIRECTOR, LITTLE MANILA RISING

Dillon Delvo is the executive director of Little Manila Rising in Stockton, founded in 1999 to recognize and preserve the



Dillon Delvo with ACLU NorCal board Chair Nancy Stuart

cultural heritage of the Little Manila community in Stockton, a city that held the largest population of Filipinos in the world outside of the Philippines from the 1920s to the 1960s. Currently, Delvo is working on the redevelopment of the Little Manila Rising Center in South Stockton. "For my entire life, very little has been redeveloped for the benefit of my community, and now we are doing it. We hope to open in October of this year to bring much-needed workshops and programs for the families of our community." Little Manila recently sponsored a youth advocacy campaign to halt the spread of the greenwashed wood pellet industry in the local community, the same industry which heavily polluted the air in communities in the deep South. To learn more, visit littlemanila.org.

VISALIA: BRIAN POTH, CHIEF EXECUTIVE OFFICER, THE SOURCE LGBT+ CENTER

Brian Poth is the co-founder and chief executive officer of The Source LGBT+ Center which provides support for the LGBTQ+ community in the Central Valley. In reflecting on the greatest community need right now, Poth shared, "We lack



Brian Poth with Abdi Soltani

providers to care for our transgender community. Some local FQHC's [Federally Qualified Health Centers which provide primary care and preventive services] have stopped providing gender-affirming care and we are scrambling to place people elsewhere." To meet the moment and mark its 10th anniversary, The Source has set a goal of purchasing a campus to expand its clinic and health services. The Source also helps build community and hosted their first ever Poolside Pride party in May. "It was a great way to kick off Pride Month. Can't wait for next year!" Poth said. To learn more, visit www.thesourcelgbt.org.

LEGAL ADVOCACY UPDATES

BORDER PATROL VIOLATED COURT ORDER

LITIGATION

A federal district court granted our motion to enforce the April 2025 court order in *United Farm Workers v. Noem*, which barred the U.S. Border Patrol’s use of unlawful stop-and-arrest practices in the Eastern District of California, which stretches inland from Kern County to the Oregon border. U.S. District Judge Jennifer L. Thurston ruled that Border Patrol violated the order when agents stopped people outside a Sacramento Home Depot in July 2025, even though they had no reason to believe any individual they detained was in the country unlawfully.

The decision makes clear that Border Patrol can’t rely on assumptions about individuals’ immigration status. The court also concluded that Border Patrol relied on boilerplate narratives or doctored reports describing stops and arrests.

We and our partners sued the federal government in February 2025 after Border Patrol indiscriminately stopped and arrested Latinos, farm workers, and day laborers in Kern County. The April 2025 court order prohibits Border Patrol from stopping people without reasonable suspicion and arresting them without a warrant if agents haven’t established that the individual is likely to flee.

In April 2026, we defended the order at the Ninth Circuit Court of Appeals against the Trump administration’s bid to have it overturned. We argued that people who live in and travel through Latino neighborhoods and agricultural areas in the district face an ongoing, credible threat that Border Patrol will violate their rights during future immigration raids. California residents should not have to fear they will be detained simply because of how they look or where they work.

DOE V. MARKWAYNE MULLIN

LITIGATION

ACLU NorCal joined the ACLU of the District of Columbia in suing the U.S. Department of Homeland Security (DHS) in May over its unlawful attempt to obtain from Google the personal information of a Canadian citizen who frequently posts strongly worded online criticism of President Trump and his policies.

The agency is demanding Google hand over a swath of information about our client, John Doe—who uses a pseudonym to protect his privacy and family—including his name, address, and detailed records of his physical movements and online activity.



In February, shortly after Mr. Doe posted commentary on the killings of two protesters in Minneapolis by federal agents, DHS subpoenaed Google for his records.

The agency’s audacious demand far exceeds its legal authority. DHS issued the subpoena without court approval, citing a 1930 customs enforcement law—even though Mr. Doe has not entered the U.S. in over a decade.

Since 2025, DHS has reportedly sent hundreds of administrative subpoenas to social media companies, demanding they reveal the identities of users who track or criticize the government’s actions, in a brazen effort to chill political speech.

Last year, after DHS pressured Meta to identify anonymous Instagram users, we brought the first such case in federal court challenging these demands, representing another one of our clients, who reposted footage of a Border Patrol agent.

In collaboration with the ACLU of Pennsylvania and the National ACLU, we subsequently challenged two additional subpoenas, similarly arguing that the agency violated the First Amendment and exceeded its legal authority.

FEDERAL COURT BLOCKS MODESTO’S ANTI-PROTEST ORDINANCE

LITIGATION

As a result of our lawsuit, in June a federal district court issued a preliminary injunction blocking enforcement of Modesto’s unconstitutional ordinance banning face coverings and personal safety gear at protests.

We argued that the ordinance stifled free speech and infringed journalists’ right to report on public demonstrations. The court agreed, ruling that it violated the First and Fourteenth Amendments, and the freedom of speech, assembly, and press provisions of the California Constitution.

Under the ordinance, carrying a bike helmet, wearing a bandana, or bringing a padded vest or gas mask to a protest is a misdemeanor punishable by up to six months in jail. Anonymity is flatly prohibited, but vague exemptions exist for religious beliefs, medical necessity, and costumes with “an expressive message.”

The ordinance resulted in absurd contradictions and penalized lawful conduct. Someone could wear an inflatable frog suit that completely covered their head without incident, but a bandana worn across half their face would be a crime. This ambiguity lends itself to selective enforcement which can land heaviest on people of color and groups expressing a disfavored viewpoint.

Plaintiffs are the Pacific Media Workers Guild, a union representing local journalists, and



three community members, one of whom was arrested for wearing a face covering at a June 2025 ICE Out rally.

At a time when the Trump administration is trying to crush dissent and muzzle the press, and while officers often go around masked themselves, Modesto’s ordinance forced people to choose between speaking out and staying safe. The court agreed that no one should have to make that choice.

DISCRIMINATORY EMERGENCY MENTAL HEALTH RESPONSE IN SAN JOSE

ADVOCACY

In April, ACLU NorCal sent a letter to San Jose Mayor Matt Mahan following up on our request to discuss the city’s harmful practice of sending armed police officers to 911 calls involving people experiencing mental health crises. City data show that in 2025 police answered 2,500 such calls. Santa Clara County has collaborated with us to find solutions, and San Jose has now agreed to engage in discussions.

For reports of fires, crimes, accidents, or illness, San Jose dispatchers send personnel specifically trained to handle the emergency. By routinely sending law enforcement rather than qualified mental health professionals to mental health emergencies, San Jose endangers residents, increases costs, wastes police resources, and violates the American Disabilities Act and California anti-discrimination law. We are calling on the city to work with us to ensure that appropriate responders are sent to mental health emergencies. People in crisis deserve compassion and care. Instead, San Jose’s emergency response system treats them like criminals. 



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 ACLU of Northern California

LEGAL ANALYSIS: ONE OF THE MOST CONSEQUENTIAL U.S. SUPREME COURT TERMS IN RECENT HISTORY

BY ACLU NORCAL LEGAL DIRECTOR SHILPI AGARWAL AND ACLU NORCAL DIRECTOR OF APPELLATE ADVOCACY NEIL SAWHNEY

In one of the most consequential terms in recent history, the U.S. Supreme Court handed down decisions that will reshape the law for years to come. Although each deserves attention on its own terms, the court’s combined output this term highlights three broader trends. First, the court’s near completion of its long-term project to dismantle the Voting Rights Act and equal protection jurisprudence more generally. Second, continued concentration of power in the presidency. And third, increased limitations on ordinary people’s ability to access court and judicial remedies.

DISMANTLING VOTING RIGHTS

Among the court’s most notable—and most devastating—decisions was *Louisiana v. Callais*, decided 6-3 along ideological lines. Writing for the majority, Justice Samuel Alito held that Louisiana’s second majority-Black congressional district was an unconstitutional racial gerrymander. The opinion upended the 40-year-old framework governing redistricting challenges by now requiring plaintiffs to “control for” party affiliation by proving that a districting plan was driven by race rather than partisanship. Given that racial identity and political affiliation are tightly correlated in many states, this makes it nearly impossible for advocates to establish when redistricting is racially discriminatory.

The practical effect is profound. As Justice Elena Kagan wrote in dissent, the majority has rendered Section 2 of the Voting Rights Act “all but a dead letter” in the states where it matters most. The aftermath was swift: within seven days, several Southern states moved to redraw their maps, eliminating Black opportunity districts. The cumulative effect of those efforts will almost certainly tilt midterm election outcomes in Republicans’ favor. For that reason, history will likely regard *Callais* as the most heavy-handed foray into partisan decision-making since *Bush v. Gore*.

Beyond its immediate impact, *Callais* is the culmination of the court’s decades-long project to gut voting rights protections, dating back to Chief Justice John Roberts’ 2013 decision in *Shelby County v. Holder*. It also reflects the conservative justices’ ideological hostility to government attempts to address racial discrimination, including affirmative action. For the *Callais* majority, any government effort to use race to

remedy historical racial bias is constitutionally suspect; but a state legislature’s use of “party affiliation” as a proxy for race becomes a lawful way to disenfranchise minority communities. (See page 8 for more on the history of this case.)

CONCENTRATING POWER IN THE EXECUTIVE BRANCH

The court also issued a series of decisions reinforcing its long-term goal of concentrating power in the executive branch—and especially the president. Although the court ruled against the Trump administration on birthright citizenship (see executive director letter, page 12) and tariffs,

the dominant story is the consolidation of presidential control and the diminution of congressional power. In the Temporary Protected Status cases (*Mullin v. Dahlia Doe* and *Trump v. Miot*, see cover story), the court’s 6-3 opinion held that courts cannot review whether the executive branch followed legally required procedures when terminating people’s temporary status. This paves the way for the Trump administration to strip status from more than 1.3 million

people with no judicial oversight—the largest de-documentation campaign in U.S. history. And in another 6-3 opinion, *Trump v. Slaughter*, the court overruled a 90-year-old precedent to now allow the president to fire commissioners or even heads of independent agencies like the Federal Trade Commission and National Labor Relations Board at will. (Interestingly, the Supreme Court punted on the same question about the Federal Reserve.) These decisions build on earlier rulings, like *Trump v. United States*, that have steadily stripped away judicial and congressional checks on presidential power.

.....

As Justice Kagan wrote in dissent in *Louisiana v. Callais*, the majority has rendered Section 2 of the Voting Rights Act “all but a dead letter” in the states where it matters most.

.....



ACLU NorCal Director of Appellate Advocacy Neil Sawhney and ACLU NorCal Legal Director Shilpi Agarwal.

STRIPPING JUDICIAL REMEDIES FOR RIGHTS VIOLATIONS

Finally, this term accelerated another shift in the balance of legal power, one that conservative legal scholars and advocates have pursued for decades. In several under-the-radar merits decisions, the court has made it difficult, if not impossible, for people to get judicial remedies for violations of their rights. And on its increasingly prominent “shadow” docket, the court has consistently curtailed lower courts’ power to issue relief, especially in the early stages of litigation. Between 2001 and 2017, the U.S. government sought emergency relief from the court only eight times. Trump’s first administration sought it 41 times; the Biden administration, 19 times. Since Trump’s return to office, his administration has filed more than 33 emergency applications in just over a year—most seeking to halt lower court injunctions blocking executive action. The court has sided with the administration in nearly all cases, typically through unexplained emergency orders issued without full briefing or oral argument.

Each of these decisions is damaging on its own terms. But the erosion of lower courts’ power to grant relief against government overreach is, in the long run, just as devastating a blow to the ability of advocates and ordinary people to use the courts as a meaningful check on executive power.

Despite these strong headwinds, we continue to win important victories in federal courts through creative and determined lawyering—from hindering the Trump administration’s mass immigration arrest and detention campaign, to defending the First Amendment rights of protesters. And we also use the tools of litigation in state court, advocacy before Congress, and continued public mobilization, all of which will be more important than ever as part of the ACLU’s strategy. 

U.S. SUPREME COURT ERODES CIVIL RIGHTS

BY TAMMERLIN DRUMMOND

The ACLU was involved in an extensive docket of cases before the U.S. Supreme Court this term, including on immigrants’ rights (see cover story on Temporary Protected Status) and birthright citizenship (see E.D. letter back page). Here we focus on three cases. During its 2025-2026 term, the Supreme Court’s conservative majority dealt the Voting Rights Act (VRA) a devastating blow, ripping away many of the remaining protections for Black voters and other communities of color from government-sanctioned discrimination in elections (see page 7 for a legal analysis of this). In another key ruling impacting voting rights, the court denied an undemocratic effort to undermine mail-in voting. Meanwhile, in a third decision, the court paved the way for continued attacks against transgender people, upholding discriminatory state bans that exclude transgender athletes from women’s sports teams.

LITTLE V. HECOX AND WEST VIRGINIA V. B.P.J.

Once again, the six justice conservative majority on the court demonstrated its shameful hostility to individual civil rights.

By a 6-3 vote, the Court voted to uphold state laws that ban transgender athletes from participating on girls and women’s sports teams in public schools.

In two separate cases, Lindsay Hecox in Idaho and Becky Pepper-Jackson in West Virginia argued in their lawsuits that state laws banning them from girls’ sports violate the Constitution’s Equal Protection Clause and Title IX. Twenty-seven states have enacted such bans in recent years. The ACLU represented Becky Pepper-Jackson and helped argue the case.

Idaho passed a law in 2020 blocking transgender girls and women from girls’ and women’s sports teams in public schools from elementary school through college. West Virginia passed similar legislation in 2021.

The court’s ruling affects an estimated 122,000 transgender high school athletes nationwide

Importantly, the court did not grant politicians the broader exclusion we know they wanted from the start: a broad precedent restricting the freedom of all transgender people in our schools, workplaces, and communities. The court also did not require states to exclude transgender athletes, so in many states, including California, trans athletes are allowed to play on girls’ and women’s teams. We will continue to defend trans people’s equality and freedom.

LOUISIANA V. CALLAIS

In 2022, a federal judge found that Louisiana’s congressional map had violated the VRA by diluting Black voters’ political power. The Louisiana Legislature then drew a remedial map creating a second majority-Black district—exactly what the law required. However, a group of opponents calling themselves “non-African American voters” sued, claiming that map was itself an unconstitutional racial gerrymander. The ACLU, ACLU of Louisiana, the Legal Defense Fund and other co-counsel defended the maps and the VRA in court.

In April, the Supreme Court struck down the new map as unconstitutional. This effectively gutted section 2 of the Voting Rights Act and gave states the go-ahead to use partisan gerrymandering in their blatant efforts to strip Black voters of political power.

This recent ruling continued the court’s aggressive dismantling of the VRA that began with *Shelby v. Holder* in 2013. That infamous ruling removed the requirement that states and localities with a long history of racially discriminatory voting practices submit any changes in their election laws and policies or electoral district maps to the federal government for review before putting them into effect.

Since *Callais*, Republican controlled legislatures have rushed to create new maps to suppress Black voters. The ACLU continues to fight partisan and racial gerrymandering, while we also work to protect voting rights and maximize voter turnout in the coming mid-term elections.

WATSON V. REPUBLICAN NATIONAL COMMITTEE

Mississippi law allows mail-in ballots postmarked by Election Day to be counted if they arrive within five business days after the election. In 2024, the Republican National Committee sued, arguing that Mississippi’s law is preempted by the federal law establishing a single Election Day.

By a narrow 5-4 vote, the Supreme Court ruled that federal law permits states to count ballots postmarked before or on Election Day that arrive by the states’ required deadline.

With over 80% of Californians voting by mail, the stakes for California were significant.

San Diego Republican Congressman Darrell Issa had filed a nearly identical lawsuit targeting California’s law, which allows ballots postmarked by Election Day to be counted if they arrive within seven days. The ACLU intervened in the case representing the League of Women Voters of California, which was instrumental in passing the law that extended the vote-by-mail deadline. Following the *Watson* ruling, Issa filed a notice of voluntary dismissal, ending his lawsuit. 

Tammerlin Drummond is a principal communications strategist at the ACLU of Northern California.



WANT TO TAKE ACTION?

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ACLU ORGANIZERS TAKE AIM AT RACIALLY BIASED POLICE STOPS IN SACRAMENTO

BY MATTHEW GREEN

ACLU NorCal is pushing Sacramento city leaders to adopt stricter policies that prevent police from making racially discriminatory traffic stops. The ongoing campaign comes on the heels of the organization’s recent analysis of traffic stop data, *Driving While Black and Brown: The Case for Banning Racially Biased Traffic Stops in Sacramento*, which found that Black drivers in the city accounted for roughly 33% of stops by Sacramento police, even though they only made up about 12% of the city’s population.

Most of these stops were for minor vehicle equipment or non-moving violations that pose little public safety risk—like tinted windows or expired registration tags.

Following stops, Sacramento police were also significantly more likely to search Black and Latino motorists, according to the data, which was collected through California’s Racial and Identity Profiling Act (RIPA). ACLU helped write and pass that law in 2015, following over two decades of advocacy.

ACLU NorCal Senior Organizer Carlos Montes-Ponce observed that such stark racial disparities underscore the urgency of the campaign.

“This is an ongoing trend,” he said, noting that racial bias often comes into play when police use non-safety related traffic violations as a “pretext” to look for evidence of criminal activity. “Targeting Black and Latino drivers for minor

violations like tinted windows is basically stop-and-frisk for driving.”

Pretext stops can also unjustly funnel people into the criminal justice and immigration enforcement pipeline, Montes-Ponce noted.

“What may start as a tinted window issue can easily become something much larger,” he said.

When Montes-Ponce’s team began hosting community events about pretext stops earlier this year, the findings confirmed what residents already knew. “None of this data surprised them,” he said. “What was shocking for them is why hasn’t anything been done?”

Following the lead of cities like San Francisco and Berkeley that have limited enforcement of non-moving traffic violations, ACLU NorCal’s criminal justice team started mapping the local policy landscape in Sacramento. What they found was a yawning gap: The city had no strict policies

limiting pretext stops or Fourth Amendment search and seizures.

ACLU NorCal then collaborated with district officials, local activists, and the city’s police oversight committee to host in-person events in the districts with the highest rate of pretext stops. The campaign also recently launched an on-the-ground canvassing effort in those communities and has expanded outreach to additional districts to consolidate support for the issue.

“It’s a matter of political will,” said Montes-Ponce, who is optimistic the City Council will take up the issue this year. “I think there is a good chance if the community comes out and supports it.”

Read more at www.aclunorcal.org/sacDWB. 

Matthew Green is a former communications strategist at the ACLU of Northern California.

LEGISLATIVE UPDATE: KEEP COMMUNITIES SAFE AND PROTECT VOTING RIGHTS

BY ALICIA BENAVIDEZ

The legislative session is in full swing with bills clearing the first house of the legislature and now moving on to the second house before they arrive at the governor’s desk for signature. In addition to our review and advocacy on dozens of bills, ACLU California Action has focused on bills this session that work to address two critical issues for the state.

In the face of continued pressure by the federal government to enlist local law enforcement in unconstitutional practices, the Protect California Rights Act keeps communities safe by:

- Requiring interagency agreements with the federal government and out-of-state law enforcement to expressly state that California law enforcement will not engage in racial profiling, criminalization of speech, or use of unauthorized weapons of war.
- Ensuring that our state does not give federal law enforcement officers acting beyond their federal jurisdiction broad power to stop and arrest Californians.

SB 1105 (Pérez) is a key priority, and its journey through the first house was nearly stopped by the powerful police chiefs’ association which often tries to stand in the way of progress that the ACLU

.....
Take action on key legislation: Visit aclucalaction.org/take-action to tell your lawmakers to support the Protect California Rights Act and the California Voting Rights Act of 2026.
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tries to advance. They were concerned by the bill’s requirement that your local police department should ensure they are not breaking any laws when cooperating with federal task forces. We need to ensure that lawmakers do not cave to this pressure in the assembly as we continue to move this bill forward.

Our second major priority for this legislative session is the California Voting Rights Act, a two-bill package that looks to strengthen the state’s voter protections. We can fight back against the federal attacks on voting rights by enshrining key reforms into California law.

SB 1164 (Cervantes) takes on discriminatory barriers to the ballot and protects against district maps and election systems that

do not represent communities of color, weakening and silencing the voting power of these communities. It also ensures that jurisdictions with a recent history of discrimination obtain approval before making certain changes to voting practices. With the federal Voting Rights Act being stripped of its power by Supreme Court decisions, SB 1164 ensures that Californians can use the state’s courts to enforce voting rights, and that courts interpret laws in favor of broad access and equal participation.

SB 1360 (Cervantes) provides greater language access for the ballot by lowering the threshold for language assistance to ensure voters in as many language groups as possible in the community can meaningfully participate in our elections. The bill also streamlines how communities can qualify for language assistance.

It’s never been more important to take action on our key legislation. Go to aclucalaction.org/take-action to send your lawmakers a message in support of the Protect California Rights Act and the California Voting Rights Act of 2026. 

Alicia Benavidez is the director of legislative affairs at ACLU California Action.

THE FIGHT IS NOT OVER: CLEAR THE PATH TO LEGAL STATUS CONTINUED FROM PAGE 1

With these protections, the lives of millions have been saved and spared from war, disaster, and catastrophe. In turn, communities across the U.S. have benefited from myriad contributions from TPS holders. As of March 2025, over one million people from 17 countries were TPS recipients. All, except Ukraine, represented countries inhabited by people who would be colloquially called “people of color” or non-Christian—a significant observation in the telling of this story.

During Trump’s first term in office, an explicit goal of his administration was to end TPS designations for most of the protected countries as part of his overall xenophobic immigration agenda. These efforts were successfully thwarted by the TPS holders we represented, along with our co-counsel ACLU SoCal, the National Day Laborer Organizing Network (NDLON), and the law firm of Sidley Austin LLP.

After re-election, the Trump administration was further emboldened. Project 2025, the playbook that fine-tuned the incoming administration’s nefarious immigration strategies, targeted the mass deportations of immigrants, even those with lawful status like TPS holders.

On April 29, a stand-off between values of inclusivity vs. exclusivity came to a crescendo at the Supreme Court. ACLU NorCal joined the International Refugee Assistance Project (IRAP), Muslim Advocates, Van Der Hout LLP, NDLON, the UCLA Miñana Center for Immigration Law and Policy, and the National ACLU as co-counsel on *Mullin v. Dahlia Doe*, which challenged the Trump administration’s decision to terminate TPS for thousands of Syrian immigrants living and working legally in the United States while their country is at war. The court fast-tracked that case and combined it with *Trump v. Miot*, a second lawsuit contesting the termination of TPS for over 350,000 Haitians.

See a profile of José Palma and the National Temporary Protected Status Alliance on page 11, and Senior Investigator Emilia Garcia’s blog profile of TPS holders on our website www.aclunorcal.org/TPSstories.

With short notice the legal team led a herculean effort to build the strongest case possible, defending the legal and constitutional rights of TPS holders. The lived experience of TPS holders was before the court and underscored the unconscionable toll it would take on them if the government prevailed in dismantling TPS.

Hours before oral argument began on that cold and windy April morning, TPS holders from the 17 countries in jeopardy gathered outside the Supreme Court in a display of solidarity with one another. Music and song filled the air as if to permeate the court’s concrete and marble edifice

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“The Supreme Court of the United States
has left a stain on the court and the
country. But the fight is not over.”
—ACLU NorCal Senior Staff Attorney
Emi MacLean, reacting to the decision
.....



Music filled the air in solidarity with the TPS community at the Supreme Court.

and support the attorneys inside who had the enormous responsibility of pleading their case. But, despite a solid strategy and masterful effort by legal counsel and advocates, on June 25, in a 6-3 ruling, the Court sided with the Trump administration’s position allowing the TPS terminations of Syria and Haiti to go forward. The Supreme Court limited judicial oversight of violations of the TPS law. The lopsided majority decision also ignored Trump’s clearly racist statements about Haitian TPS holders and held that there was insufficient evidence to prove that the termination of Haiti’s TPS designation violated the Constitution’s prohibition against race discrimination. While the ruling directly affects only Haitian and Syrian TPS holders, it will impact all 1.3 million individuals from 17 countries designated for TPS.

By contrast, it is essential to remember that over 6,000 white South African Afrikaners have been given the red carpet, carte blanche invitation to the United States as refugees under patently false and racist pretenses. This immigration policy apparently supports the whitening of America, the government’s monochromatic vision for the racial composition of this country.

As of this writing, the U.S. Department of Homeland Security is seeking to expedite the effective date of this order. TPS holders from Haiti and Syria are expected to lose their right to work in the coming days. Work permits for Venezuelan, Nicaraguan, Honduran, Nepali, Afghan, and Cameroonian TPS holders have already expired; some have already been deported. In the coming months, work permits

and legal status also may lapse for people from Ethiopia, Myanmar (Burma), Somalia, South Sudan, and Yemen. The immediate results will be a crisis of unknown proportions as families lose income earners, and individuals and businesses are put at risk in numerous ways. Thousands will be in danger of deportation and detention, in the largest de-documentation event in U.S. history. Deportees to most of these countries will face imminent danger. “SCOTUS has left a stain on the court and the country,” ACLU NorCal Senior Staff Attorney Emi MacLean said. “But the fight is not over.”

While we continue to advocate in court, we also turn to Congress. Each of us can call on Congress to enact immigration reform that offers a path to permanent legal status for TPS holders who are now at grave risk. Congress introduced the Safe Environment from Countries Under Repression and Emergency Act (S. 2106) to provide TPS recipients with a pathway to lawful permanent residence and shield them from deportation. The American Dream and Promise Act (H.R. 1589) in the House also aims to provide a pathway to citizenship for DACA and TPS recipients. Please look for further updates from the ACLU on these two pieces of legislation.

This month, as Americans celebrated 250 years since the country was established and congratulated themselves for building a democracy, let’s not make a mockery of the invitation from Lady Liberty that sits on the Hudson River in New York:

*Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore.
Send these, the homeless, tempest-tost to me,
I lift my lamp beside the golden door!* 

Candice Francis is the Communications Director at the ACLU of Northern California and Editor-in-Chief of the ACLU News.



Key members of the legal team: Jessica Bansal from National Day Laborer Organizing Network, Ahilan Arulanantham from Miñana Family Center for Immigration Law and Policy at UCLA School of Law, and Emi MacLean from ACLU NorCal.

INTERVIEW WITH ACLU NORCAL AWARDEE JOSÉ PALMA OF THE NATIONAL TEMPORARY PROTECTED STATUS ALLIANCE

José Palma and the National Temporary Protected Status Alliance (NTPSA) are the recipients of the ACLU of Northern California’s Chief Justice Earl Warren Award, a recognition for lifetime achievement in advancing civil liberties and civil rights. (See cover story about TPS.) Here, ACLU NorCal Executive Director Abdi Soltani interviews José Palma.

How did you get involved in organizing the TPS community? How did the NTPSA form?

I began my organizing for immigrants’ rights in 2000. And I received TPS in 2001 and have been protected through TPS since. So the threat to TPS, it was not just a campaign to work on, but it was to protect my family. So it’s personal and professional.

In 2017, when the first attack to terminate TPS came about from Trump, CARECEN, and the National Day Laborer Organizing Network invited TPS recipients to come to Washington DC and talk about what was happening.

And that was the beginning of the National TPS Alliance that we know today—an organizing vehicle for people with TPS. And now we are a national organization with 380,000 members from all 17 countries affected and all 50 states.

Over the past decade, you’ve engaged in litigation as well as community mobilization. How did that strategy come about?

Throughout my organizing and my learning in classes, I always had belief in this idea of community lawyering and combining the legal and organizing strategy to achieve the same goal. I am so happy that I have been able to work with attorneys who understand the importance of community organizing. That combination has been powerful for the TPS community. Despite the terrible moment we are crossing right now, we have achieved a lot in the last nine years for the TPS community.

You bridge many different nationalities affected by TPS. How have you navigated that?

It comes from a few beliefs. And one is that we have to do what’s best for the TPS community. And sometimes if that means working with people that we may not know, but they are on TPS, we collaborate and find ways to protect people. Other than that, anything else is just secondary.



José Palma outside the U.S. Supreme Court April 29, 2026, the day the justices heard legal arguments from the ACLU about TPS.

What is your message to the American people and to Congress?

The values of the United States are at risk in this moment. The United States prides itself to be a welcoming community, to be an immigrant country. And right now, those values are getting lost and are at risk.

If we are thinking about democracy, we have to pay attention to what is happening with immigrants in general and with TPS recipients specifically. Because if immigrants lose their battle, who’s next?

If we are thinking about human rights, we have to check what’s happening with TPS recipients. If we are thinking about protecting this legal system that is the example of the world, we have to pay attention to what is happening to TPS.

There are ways Congress can protect the TPS community. For example, there is the Dream and Promise Act in the House of Representatives, and the Secure Act in the Senate to provide permanent residence for people with TPS. Everyone can join that effort and contribute to make it happen.

Right now in front of us, before our eyes, we are seeing the biggest de-documentation of people in United States history. People who have been with documents, some for the last 26 years, are now getting told to leave the country in 60 days. That is not the values of the United States. I don’t believe the United States society agrees with that, but people need to raise their voice. 

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“The values of the United States are at risk in this moment.

People who have been with documents, some for the last 26 years, are now getting told to leave the country in 60 days.

That is not the values of the United States.”

—José Palma
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In June, the U.S. Supreme Court issued its devastating decision. How are you and the TPS community responding? What is next?

We are for sure nervous about what’s going to happen, but we have no choice than just continue fighting. And that’s how we are responding with this reality. And for sure, it’s hard to navigate, but we are clear that giving up is not an option.

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“There are ways Congress can protect the TPS community. There is the Dream and Promise Act in the House of Representatives, and the Secure Act in the Senate to provide permanent residence for people with TPS. Everyone can join that effort and contribute to make it happen.”

—José Palma
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A LETTER FROM ACLU OF NORTHERN CALIFORNIA EXECUTIVE DIRECTOR ABDI SOLTANI

Deep into the summer, I am reflecting on the Supreme Court term and looking ahead to the November election. I write with enormous pride in the way Americans are responding to defend our rights under the Constitution, gratitude to you the ACLU members and supporters who make our work possible, and resolve about the challenges ahead.

UPHOLDING BIRTHRIGHT CITIZENSHIP

One of the ACLU's most significant cases at the Supreme Court was *Trump v. Barbara*, to protect birthright citizenship. The case was ably argued by Cecillia Wang, the national ACLU legal director, with hundreds of hours of preparation by the entire legal team at the ACLU and our co-counsel. On the day of the argument, President Trump sat in the audience at the Supreme Court.

The history of birthright citizenship in the United States, its origins in English common law, its trajectory through the Dred Scott decision, its incorporation into the Constitution through the Fourteenth Amendment, and the cases and laws that have followed—all of it—is of strong personal interest to me. I like to say, I am a birthright citizen, Class of 1973.

It was therefore very gratifying to see that weight of law and history reflected in the 5-4 majority decision that ruled the executive order unconstitutional. In a separate concurrence, Justice Brett Kavanaugh concluded that the executive order violated existing laws adopted by Congress, which brings the result to 6-3.

There's one more concurrence I urge you to read, by Justice Ketanji Brown Jackson. In it, she responds to Justice Clarence Thomas' dissent and his representation of the Fourteenth Amendment being principally to confer citizenship to Black

people after the end of slavery and not to the children of many immigrants today. Justice Jackson wrote that "The Reconstruction Amendments were an anticaste, antisubordination reset for the Nation, not a mere spot treatment for the dark stain of slavery." She concludes her concurrence, "Thankfully, a majority of the Court ... has dutifully preserved the most basic animating principle of our Nation's founding—that all human beings are created equal—once more."

No doubt, the attacks on that principle will continue, but we will be vigilant.

DEFENDING DEMOCRACY

The attacks on citizenship extend not just to who can be a citizen, but also to the right of citizens to vote. As described in other articles in this issue, the court's *Callais* decision deals a major blow to fair and equal representation. At least in *Watson*, the Supreme Court upheld the ability of states to set election rules to receive ballots postmarked by election day.

Across the ACLU, our major focus this summer and fall is in safeguarding the election. The ACLU has identified 25 potential threats to the election at each stage from registering to vote, to casting ballots, counting ballots, certifying election results, and seating winners. For each, we are preparing legal, communications, and organizing strategies.

OUR CALIFORNIA ELECTION PRIORITIES

Here in Northern California, I want to share our top election priorities. First, we will work to defeat Proposition 39, a Trump-inspired ballot measure that imposes additional voter ID requirements in California beyond what the state already requires. Prop 39 will make every vote by mail voter include their personal details on their return envelope—making voters easy targets for identity theft. It also opens the door to frivolous lawsuits against election officials. We urge ACLU members to help spread the word against Prop 39.

We are also safeguarding the elections in our state. From Shasta County to Tulare County, and everywhere else in our region, ACLU NorCal will be monitoring election administration to ensure that every citizen has the opportunity to vote.



ACLU of Northern California
Executive Director Abdi Soltani

And in the Central Valley, especially in Fresno County, we will be launching a major voter education and outreach effort to ensure that voters are informed about their right to vote and some of the key state and federal issues in the election, particularly in Congress.

JOIN ME AT ONE OF OUR UPCOMING EVENTS

It has been a real pleasure over the past few months to meet many ACLU members and supporters through our Defend Democracy Tour. From Visalia to Redding, the events we have already held have been an inspiring reminder of the commitment ACLU members show every day to defend rights and uphold this nation's best values. In August and September, we will be in Humboldt, Sacramento, and four locations in the Bay Area. I hope you are able to join us. I look forward to seeing you.

A handwritten signature of Abdi Soltani in black ink.

Abdi Soltani, Executive Director
ACLU of Northern California



JOIN US AT AN UPCOMING DEFEND DEMOCRACY EVENT!

SACRAMENTO - Tues. August 25

PALO ALTO - Tues. September 15

SAN JOSE - Thurs. September 17

SAN FRANCISCO - Tues. Sept. 22

OAKLAND - Wed. September 23

EUREKA - Sun. September 27

Get details and sign up at: www.aclunorcal.org/tour

**DISSENT IS
PATRIOTIC**