

We the People...



R2023

# ACLU OF ALASKA ANNUAL REPORT 2023

Art by John Rice, incarcerated at Wildwood Correctional Center



Friends,

As I reflect on my first year as the Executive Director for the ACLU of Alaska, I am overwhelmed with gratitude for our staff, board, supporters, donors, and community partners who have been with us every step of the way to make Alaska a more equitable and just place.

The support we've received from Alaskans across the state has allowed us to grow our capacity to push for safer conditions in prisons, advocate for LGBTQIA2S+ Alaskans impacted by anti-trans policies, and uphold basic constitutional rights to privacy and voting that all Alaskans are afforded under the law.

Our staff has grown significantly this year -- we've added many new people to our team and will continue to grow in 2024 to ensure we can meet the moment.

The challenges ahead of us are great, but our commitment to protecting civil liberties for all Alaskans is what allows us to find hope and humanity. Thank you for sticking with us and I look forward to working with you more in 2024.

Sincerely,

*Mara Kimmel*

Mara Kimmel, Executive Director

## STAFF

**Mara Kimmel**  
Executive Director

**Matthew Green\*\***  
Operations and Legal  
Assistant

### Development

**Laura Herman**  
Director of Strategic  
Development

**Tuan Graziano\*\***  
Donor Relations Manager

**Sean McDowell\*\***  
Community-Centered  
Fundraising Fellow

### Advocacy

**Michael Garvey**  
Advocacy Director

**Moira Pyhala**  
Advocacy Manager

**Nithya Thiru\*\***  
Queer and Trans Justice  
Program Manager

### Communications

**Meghan Barker\*\***  
Communications Director

### Legal

**Ruth Botstein**  
Legal Director

**Susan Orlansky**  
Senior Counsel

**Melody Vidmar**  
Staff Attorney

### Prison Project

**Megan Edge**  
Prison Project Director

**Jacqueline Shepherd**  
Prison Project Intake  
Attorney

**Natalie Cauley\*\***  
Legal Fellow

### Staff sendoffs

**Camilo Ortiz**  
Operations Director

\*\* new staff in 2023

## BOARD

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## NEW LITIGATION IN 2023

### **Frankson, et al. v. State of Alaska, DOC | Filed February 2023**



Jace Frankson, Sababu Hodari, Jonathan Walker, and Geoffrey Mathis were each granted discretionary parole by the Alaska Parole Board, moving up their court-ordered release date. The newer release date should allow them to participate in programs designed to assist people safely and successfully in reintegrating back into the community. But the Department of Corrections (DOC) refused to recognize the release dates set by the Parole Board, a violation of the rights to due process and equal protection under the law. The ACLU of Alaska filed a lawsuit against DOC for violating those fundamental rights through its arbitrary and unlawful interpretation of a “firm release date.”

### **Andrews v. Winkelman, et al. | Filed March 2023**



DOC forcibly injected Mark Andrews with psychotropic medication that can have long-lasting detrimental side effects as part of its involuntary medication policy. The ACLU of Alaska filed in court to protect the due process rights of Andrews and other incarcerated people. We are seeking a declaratory judgment that DOC and its leadership’s continued forced medication of Mr. Andrews is contrary to law; a declaratory judgment that DOC’s July 22 involuntary medication policy unconstitutionally violates procedural due process; and order that, before administering any psychotropic medication against his will, Mr. Andrews must be provided a judicial hearing to ensure he is not medicated without due process.

### **Banks, Josett et al. v. Municipality of Anchorage | Filed June 2023**



In April 2023, the Municipality of Anchorage closed its only low-barrier shelter, sending hundreds of unhoused people outside with no sanctioned camping area. Then, in June, the Municipality began posting abatement notices for camps to be cleared. Courts have ruled that abating camps when there is no indoor shelter space available violates the Eighth Amendment ban on cruel and unusual punishment. The ACLU of Alaska filed 16 appeals on behalf of unhoused residents in Anchorage.

### **Estate of Rider v. Alaska Department of Corrections, et al. | Filed August 2023**



James Rider, 31, was incarcerated at Mat-Su Pretrial before dying by suicide in September, 2022. He had a history of complex substance misuse and mental health issues. During the 11 days he was incarcerated before his death, Rider’s family said he was “begging” for mental health help but did not receive it. A record-breaking 18 people died while incarcerated in 2022. After making multiple requests for an independent investigation of DOC’s practices for nearly two years, the ACLU of Alaska filed a wrongful death lawsuit on behalf of Rider’s family.

## NEW LITIGATION IN 2023, cont.



### **Gary v. Alaska Department of Corrections, et al. | Filed November 2023**

Since February 2022, Anchorage Correctional Complex (ACC) staff have refused William ‘Jamal’ Gary, a lifelong practicing Muslim, permission to wear his kufi, accommodate his prayer needs, have made repeated anti-Muslim comments towards Gary, and have withheld medical care for a broken hand in exchange for removing his kufi. ACC has violated the Religious Land Use and Institutionalized Persons Act and has unconstitutionally infringed on equal protection guarantees and religious freedom rights under the U.S. and Alaska Constitutions. The ACLU of Alaska is bringing this class action lawsuit on behalf of all current and future Muslims detained at ACC.



### **Dawn Adams, et al. v. Mat-Su Borough School District | Filed November 2023**

In April 2023, the Mat-Su Borough School District School Board removed 56 book titles from library shelves because the books contained ideas that it wanted to suppress. The titles are currently under review by the District’s library citizens advisory committee. The suit was filed on behalf of eight plaintiffs who claim that the book removal violated their First and Fourteenth Amendment rights under the United States Constitution to free speech, press, and political expression.

## ONGOING LITIGATION



### **Arctic Village Council, et al. v. State of Alaska, DOE**

More than 5,000 Alaskans had their voting rights suppressed when the Department of Elections failed to notify voters of clerical errors and rejected their ballots without any opportunity to correct the errors. Representing the League of Women Voters, Arctic Village Council, and two individual Alaskans, the ACLU of Alaska with Native American Rights Fund (NARF), and Perkins Coie, LLP, filed a lawsuit against the State of Alaska Department of Elections for failing to honor the due process rights of voters.

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Incarcerated and detained people do not leave their religion at the jailhouse doors, nor do they leave their constitutional rights behind either.”

Melody Vidmar, Staff Attorney, Gary v. Alaska Department of Corrections

# 2023 SPOTLIGHTS

## Rallying for trans student-athletes across Alaska

In August, the ACLU of Alaska organized thousands of comments around the proposed regulation to ban trans girls from participating in school sports across Alaska. We testified to the Alaska Board of Education that its proposal was unconstitutional and harmful to young Alaskans. In September, we sent a letter to the Kenai Peninsula Borough School District calling out its transphobic decision to bar a middle schooler from the cross-country running team they identified with. In response to the letter, the District reversed course and let the student run.



## 'DEcarcerated': We're Still Here, Don't Forget Us

In October, the ACLU of Alaska hosted the second annual 'DEcarcerated' event to create space for individuals who have interacted with the criminal legal system to be in community with friends, family, and other Alaskans. The event showcased art and jewelry handmade by incarcerated Alaskans, and attendees had the opportunity to hear stories from currently incarcerated people and contribute to a mural-sized "paint by numbers." Tom Abel, an Alaska Native leader, gave a passionate keynote address. He spoke of his grandson Mark Cook Jr., Yad Du Quay, who died while incarcerated in April.



## Second-Look legislation advocates travel to Juneau with ACLU of Alaska staff

In March, the ACLU of Alaska worked with longtime juvenile justice advocates to build support for Second Look legislation -- an effort that took staff and four formerly incarcerated people who entered the adult legal system as children to Juneau. Together, we met with a third of the Alaska Legislature to share true stories of youth incarceration, rehabilitation, redemption and the need for change.



## Engaging in Anchorage's housing crisis

This summer, we filed a series of appeals to defend the rights of unhoused people in Anchorage who had been subject to unconstitutional abatement in camps across the city. The appeals are one component of our work to improve the housing crisis in Anchorage. This fall, as part of the Municipality's Housing Action Week, we hosted a roundtable discussion with members of the community to discuss housing as a matter of justice, legal considerations around eviction, and barriers to housing. We packed our conference room and had over a dozen different organizations and businesses represented by attendees.



## OTHER 2023 HIGHLIGHTS



From top left to right:

ACLU staff march in the Anchorage Pride parade in June

Interns Ella Johanknecht and Gavin Taylor staff summer outreach tables

Co-counsel in Arctic Village Council, et al v. Department of Corrections after oral arguments

ACLU of Alaska staff participating in Missing Murdered Indigenous Women, Girls, Two-Spirit (MMIWG2S+) walk

Melody Vidmar and Gavin Taylor provide a 'Know Your Rights' training at Identity camp

ACLU President Deborah Archer visits Alaska

Ruth Botstein interviews with the press after filing abatement lawsuits

Mara Kimmel presents on civil rights and liberties on the University of Alaska Fairbanks campus

Nithya Thiru at the Banned Books Week "unAUTHORIZED" event

**ACLU**

**Alaska**

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