

UNITED IN RESISTANCE

ACLU OF LOUISIANA
ANNUAL REPORT 2022



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ACLU
Louisiana



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MESSAGE FROM THE EXECUTIVE DIRECTOR

W.E.B. Du Bois famously said, “as the South goes, so goes the nation.” The American South remains the epicenter of the battle for freedom and equality in this country. Your support and contributions by way of your time, talent, and financial resources have empowered the ACLU of Louisiana to fight in the name of the Constitution, truth-telling, and justice. Every day, we center the humanity, dignity, and safety of our most marginalized community members. Thank you for standing with us.

The ACLU of Louisiana is committed to dismantling systemic racism in the criminal legal system and its oldest mechanism of enforcement: policing. In just two years, we’ve filed nearly 50 lawsuits against dangerous police across Louisiana through Justice Lab, and we successfully advocated for the U.S. Department of Justice’s (DOJ) historic investigation into the Louisiana State Police (LSP) for a pattern or practice of abuse against people of color. This is the first DOJ investigation of a state police agency in 20 years; the New Jersey State Police were the target of the first statewide police agency investigation. On a personal note, when I was growing up, the New Jersey State Police would routinely stop my father for driving while Black on our commute to school and work. When Assistant Attorney General Kristen Clarke called me to announce the investigation of LSP and to express her gratitude for our work in preparing the dossier of materials that formed the basis of the investigation, I cried. When I called my father to share the news, he cried too. What a full circle experience for us both!

Our priority bills for the 2022 legislative session also focused on police accountability: Tackling qualified immunity, loopholes within the Law Enforcement Officer’s Bill of Rights, and whistleblower protections. In addition to these bills, we advocated against further criminalization of abortion, to legalize marijuana, and to ensure our election system is fair for all Louisianans. Following a tumultuous redistricting special session called by the Louisiana Legislature, and mass organizing across the state to make our demands for fair maps heard, we filed a lawsuit against the Secretary of State challenging the racially gerrymandered maps that were passed. In the immigration space, we’ve visited Louisiana’s eight operating detention centers to provide Know Your Rights presentations and offer individual legal intake to thousands of asylum seekers.

We’ve had a banner fundraising year, and even launched ACLU’s first ever Black Donor Network, a learning cohort of 30 African American supporters who’ve driven critical resources to the affiliate. This work is part of our commitment to community centered fundraising, advancing equality, and battling erasure, in every body of our work.

As we close a challenging but successful year, I thank you for your commitment to the ACLU of Louisiana, and ask for your continued partnership and allyship in 2023. Make your annual gift before December 31 to fuel the work ahead by returning the envelope in this report, or visiting laaclu.org/give. Consider volunteering with us by signing up at laaclu.org/volunteer. Perhaps you might be the next member of our growing team. We will be hiring for several positions in the upcoming months, which you can learn about at laaclu.org/careers.

When it comes to defending our democracy, the time to be fearless is now. We were made for times like this!

Alanah Odoms

Executive Director, ACLU of Louisiana



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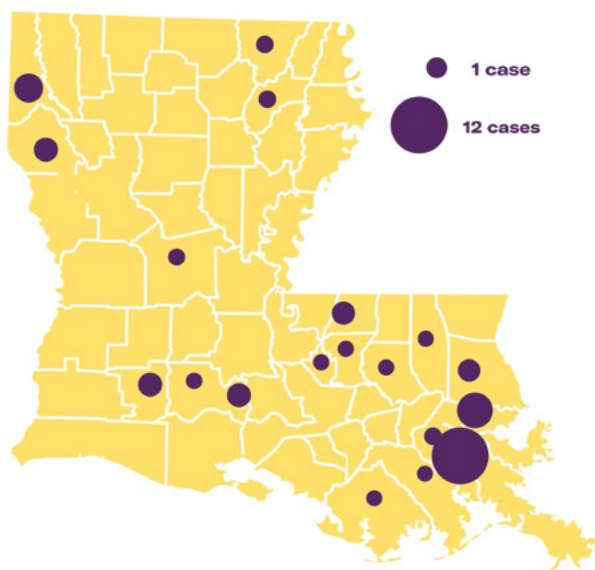
Ron Wilson, *National Board Representative*

LOUISIANA TAKES THE LEAD IN POLICE ACCOUNTABILITY

It has been more than two years since George Floyd's life was violently cut short by Minneapolis police officer Derek Chauvin. In 2020, millions of Americans and people around the world took to the streets in the largest protest movement in history to bring racist and violent policing to an end, empower people of color to heal, and build safe and thriving communities.

The ACLU of Louisiana remains committed to these fights today, and with the community's dedicated support, we are making substantive change in the arena of police reform.

This summer, we commemorated two years of transformative work with our **Justice Lab** campaign, an intensive litigation, advocacy, and organizing effort through which we have litigated nearly 50 cases and appeals against police across Louisiana and empowered directly-impacted families and communities to push for police accountability in the state legislature. Our legislative advocacy has already helped improve transparency in **police misconduct records**, strengthened laws to **revoke officers' licenses** for violating constitutional rights, and even given new protections to **police whistleblowers** who expose wrongdoing within their ranks.



Justice Lab's Lawsuits Throughout Louisiana

Since its creation, ACLU of Louisiana's Justice Lab has filed nearly 50 civil rights suits challenging local police departments, sheriffs' offices, and the Louisiana State Police. Twenty-two of those cases were filed in the U.S. District Court for the Eastern District of Louisiana, which has its seat in New Orleans. The Jefferson Parish Sheriff's Office is the law enforcement agency that has been named the most as a defendant.



ACLU of Louisiana Advocacy Director Chris Kaiser at the Louisiana State Capitol with Pelican State Partners' Suchitra Satpathi, and police whistleblower Jeremiah Ardoin.

The ACLU of Louisiana has also advocated for federal intervention of routine abuser agencies, including the Louisiana State Police (LSP) – an entity with a record of using excessive force and racial discrimination, and which is responsible for reviewing reported misconduct of all police agencies in the state. We issued [our first letter](#) to the Department of Justice requesting a federal investigation of LSP on June 17, 2021, when it was incredibly unpopular and even dangerous to do so. We were the first organization in the state to call for a federal intervention, and over the course of the last year, we've been privileged to earn the partnership of allied organizations.

One year later, in June 2022, after issuing a follow-up report and dossier to the Department, Assistant Attorney General Kristen Clarke announced a pattern or practice investigation into LSP based on credible evidence of systemic excessive force and racial discrimination levied against Black and Brown people. Clarke called our Executive Director Alanah Odoms personally to thank her for the affiliate's work in this regard. **This is the first investigation of a statewide police agency in 20 years.**

Despite these successes, the painful truth is this: Black people continue to be killed during encounters with police with stunning regularity. And we will not give up the fight to ensure these killings stop. At the ACLU of Louisiana, we look forward to working alongside the Department of Justice as we renew our commitment to overhauling the role of policing in American society – in memory of George Floyd, Ronald Greene, and the countless Black lives lost to police violence every year.



Local advocates, including Ronald Greene's mother Ms. Mona Hardin, attend a town hall meeting hosted by the Department of Justice and the ACLU of Louisiana.

CASE SPOTLIGHT:

FIGHTING FOR OUR YOUTH

This year, ACLU of Louisiana's Justice Lab and Tulane's Civil Rights and Federal Practice Clinic filed a lawsuit against the Jefferson Parish School Board and Sheriff's Office after police placed a 10-year-old Black student with disabilities in a chokehold, dragged him, and arrested him for having an outburst at school.

J.H. had been eating lunch after being bullied in his previous class. He was upset about being bullied because of his disabilities, so he threw a box of tissues, struck the school's principal from behind, and ran into the hallway where he later threw a trash can through a window. Instead of helping J.H. through proper de-escalation measures, school administrators called the police.

Although the dispatcher advised the four responding JPSO officers that the student was on medication, the police took no heed. When the officers arrived, J.H. was walking, crying, emotional, and non-communicative. The police did not try to speak to J.H. about why he was upset. Instead, Officer Steven Trapani immediately attempted to handcuff him. J.H. instinctually pulled his arm away and began walking again. Trapani then grabbed J.H.'s neck and held him in a chokehold as he dragged him toward the school. Officers interrogated J.H., in handcuffs, for over an hour without allowing his parents inside.

Following the interrogation at the elementary school, officers then took J.H. to the Jefferson Parish Juvenile

Assessment Center where he was detained for four hours and not allowed to see his parents.

The 'threat' posed by J.H. was fabricated as a feeble excuse for the racism and disability discrimination that poisons the assumptions and decision-making process of Jefferson Parish law enforcement. "It is hard to fathom how the Jefferson Parish Sheriff's Office could knowingly put a 10-year-old child's life at risk, particularly when that child's behaviors were a manifestation of his disabilities," said Nora Ahmed, ACLU of Louisiana Legal Director. "This incident is just another result of this agency's dangerously inadequate use-of-force policy. The department must change course before unprepared officers put more children in harm's way."

The lawsuit, *Hutchinson-Harper v. Jefferson Parish School Board, et al.*, points to violations of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, the Louisiana State Constitution, and other Louisiana laws.

All children have the right to feel safe at school, including students who are acting out because of their disabilities."

- Lucia Blacksher Ranier,
Director of the Tulane Civil Rights
and Federal Practice Clinic

A GROUNDBREAKING LEGISLATIVE SESSION

After a challenging 85 days, Louisiana’s Legislative Session wrapped in early June. While the Legislature passed some bills that threaten civil liberties, we were able to help defeat others – and we’re thrilled about many new laws that will protect the rights of Louisianans.

Take a look at some of the work we completed during this year’s session:



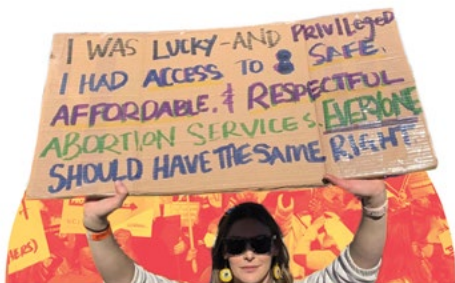
POLICE ACCOUNTABILITY

- Our team worked hard at the Capitol to pass HB 745 – a law that strengthens protections for police whistleblowers who expose misconduct, corruption, and racism within their agencies. This is a big win for police accountability and free speech. We’ve seen a number of officers in Louisiana face retaliation when attempting to report misconduct.
- We also supported SB 182, a law that prevents rogue officers from being hired by other police departments. This bill changed a provision in state law regarding the Peace Officer Standards and Training certification – which law enforcement agencies require most officers to hold – and when such certification should be revoked.



EQUAL RIGHTS FOR OUR CHILDREN

- In partnership with queer and trans students and educators from across Louisiana, we successfully defeated Louisiana’s “Don’t Say Gay” bill, HB 837, in Committee. #SayGayAnyway
- Louisiana made national news when the Legislature passed SB 44, a bill that bans trans girls from playing sports that match their gender. SB 44 is cruel legislation that targets trans kids, further paving the way for bullying and discrimination. We called on Governor John Bel Edwards to veto this bill and stand up for Louisiana’s vulnerable youth. But legislative leaders threatened to override a veto, and the governor declined to act. As a result, the bill was officially passed into law.



ABORTION RIGHTS AND ACCESS

Even as we awaited the Supreme Court's decision in *Dobbs v. Jackson Women's Health Organization*, Louisiana lawmakers were busy trying to implement bans and further restrictions on abortion in our state:

- One of the most troubling bills we saw this session, HB 813, would have granted human zygotes full personhood rights from the moment of conception and subjected any person who has an abortion to murder charges. This barbaric bill was defeated.
- Governor Edwards signed SB 342 into law at the end of June, amending Louisiana's 2006 "trigger law," which outlawed abortion in the state immediately after the Supreme Court overturned *Roe*. The new amendments ban medication abortion and heighten criminal penalties on doctors who perform abortions to up to 15 years in prison. The Legislature refused to include exceptions for pregnancies resulting from rape or incest.
- SB 388, which also passed, makes distributing abortion medication to people in Louisiana, including by mail-order from out of state, a crime. The bill imposes up to six months in prison for "delivering, dispensing, distributing, or providing" abortion medication.



ENDING DISCRIMINATORY PRACTICES

- The CROWN Act passed this session, which means that students and workers are now protected from discrimination based on "skin color, facial characteristics, hair texture, natural hairstyles, and protective hairstyles."
- A number of bills also passed to help advance marijuana law reform, including HB 629, which prohibits warrantless searches of homes based on the odor of marijuana; HB 775, which legalizes marijuana paraphernalia for medical marijuana patients; and HB 988, which provides employment protections for public employees who are medical marijuana patients.

The ACLU of Louisiana is grateful for our committed supporters who helped make the wins possible by sharing in our fight for liberty. We appreciate all who testified, protested, donated, and joined in solidarity with the continued fight for civil rights!

LIFE AFTER *ROE*: WHAT'S NEXT FOR REPRODUCTIVE RIGHTS?



In June, the Supreme Court issued a shameful ruling overturning *Roe v. Wade* – the landmark case that established the constitutional right to abortion nearly 50 years ago. The ruling in *Dobbs v. Jackson Women's Health Organization*, which immediately outlawed abortion in Louisiana, is nothing less than a sweeping decision that will have life-altering, and indeed, life-threatening consequences for women and people who can become pregnant. Additionally, this year Governor Edwards signed SB 342 into law, which increases criminal penalties for doctors who perform abortions to up to 15 years in prison.

”

The Supreme Court ruling is an unprecedented attack on our fundamental rights and reproductive freedom,” said ACLU of Louisiana Executive Director Alanah Odoms. **“Louisiana politicians are getting ready to turn back the clock on our hard fought and won civil rights, and force everyone who can become pregnant into a second-class status.** Make no mistake: These politicians won’t stop here. The same anti-abortion extremists seeking to control the bodies of pregnant people are coming for our right to access birth control and gender-affirming care, marry who we love, and vote.”

Abortion access is a racial justice issue. The Supreme Court's ruling will have deadly consequences, with the harm falling hardest on Black women and other people of color, who already face a severe maternal health and mortality crisis in the same states that are determined to ban abortion. In fact, Black women in Louisiana are more than four times as likely to die from pregnancy-related causes as white women. Though they make up just 39 percent of women who give birth in the state, they represent 68 percent of the women who suffer maternal deaths.

Leaving many with no other option than to carry a pregnancy to term will force many people to endure serious health risks, make it harder to escape poverty, derail education and career plans, and make it more difficult to leave an abusive partner. Everyone deserves the dignity and autonomy to decide for themselves if and when they have a child. Those who are trying to take away our basic rights are counting on our silence. We cannot afford to stay quiet when our rights and our freedoms are on the line, and we won't.

Since June, the ACLU of Louisiana has conducted presentations on the state of the law at universities and in community meetings across the state. We've also compiled legal research on how the state may surveil and criminalize pregnancy outcomes. With ACLU National, our affiliate will be devoted to coordinating efforts among criminal law practitioners and pro bono attorneys who are investing their time and talent to defend abortion access and reproductive freedom in Louisiana. And on the legislative front, we will continue to band together with partners and community to oppose bills that intend to further criminalize people seeking and providing abortion care.



ACLU-LA staff attend a special screening of "Battleground," a documentary about the fight for the future of abortion in America.

Anti-abortion politicians have put Louisianans on the wrong side of history for too long, and the ACLU of Louisiana is determined to not to let them off the hook. Politicians who do not believe in protecting the civil rights and liberties of their constituents have no business in governors' mansions, in state attorneys general's offices, on state supreme court benches, or in state legislatures. We will be here to hold them to account.



ENDING PROLONGED DETENTION & DEFENDING IMMIGRANTS' RIGHTS

The ACLU of Louisiana is committed to defending the rights of immigrant communities, and in 2022 we advanced our efforts to stop the state's practice of prolonged detention. In Louisiana, eight detention centers are holding thousands of people in remote areas of the state, far from immigration counsel and without access to information on the immigration process.

With coalition partners who have been committed to immigrant communities for decades, this year the ACLU of Louisiana began bimonthly visits to detention centers where we conduct Know Your Rights presentations for thousands of people who are detained; complete legal intake related to conditions of confinement, medical needs, and individuals' specific concerns; and distribute pro se packets outlining steps to pursue federal habeas relief for those who have been in prolonged detention.

In all of the facilities that ACLU of Louisiana and partners have visited,

the individuals interviewed have emphatically stated that they do not understand why they are in detention, and that they are unaware of their legal rights and how to defend against deportation. The vast majority of immigrants being brought to Louisiana have been left behind bars for months on end without access to information in their native languages about their legal rights in detention and in removal proceedings.

For example, many do not know when or if they may or may not see an immigration judge, nor the avenues for appealing a negative asylum decision. They lack necessary and critical medical care, access to interpreters, and access to law library materials. Detainees are not treated with dignity or respect by private prison operators that have enriched themselves by detaining people who, in many cases, are seeking protection in the United States or have lived in the United States for a number of years and have been detained without any notice of warning.

In total, the ACLU of Louisiana and partners have presented to more than **3,000 people in detention** this year. After our trips, we follow up extensively with the Department of Homeland Security and Immigration and Customs Enforcement about the medical predicaments of those in detention, initiate parole applications for release, and share on-the-ground information with coalition partners and national organizations.

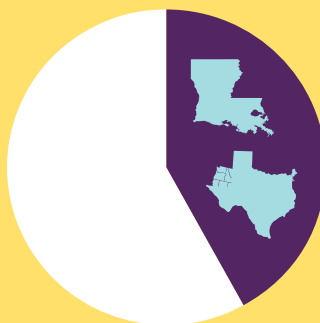
Moving forward, we plan to continue visiting the six operating detention centers that are least frequented by lawyers. With donor and community support, we will expand our Legal Department with new attorneys who will be dedicated to this body of work.

LOUISIANA IMMIGRATION BY THE NUMBERS

Approximately

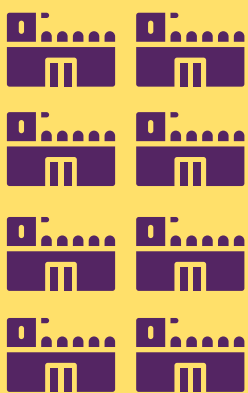
**4,500
PEOPLE**

are **currently detained** in Louisiana's ICE facilities



42%

of United States detainees **are located** in Louisiana and Texas



There are

8

operating ICE facilities throughout Louisiana

7 of our state's detention centers are part of the **FOR-PROFIT PRISON INDUSTRIAL COMPLEX**

ACLU of Louisiana has presented **more than 3,000 detainees** with Know Your Rights information, and will continue **bi-monthly** visits to detention centers over the next year

YOUR IMPACT & OUR COMMITMENT TO COMMUNITY CENTERED FUNDRAISING

Thank you for your support of the ACLU of Louisiana. Your contributions of time, talent, and monetary gifts of all sizes are deeply meaningful to our team-members, and make our work possible. This has been a banner fundraising year for the ACLU of Louisiana, in part, because we have redoubled our commitment to Community Centered Fundraising, examining structural racism in philanthropy, and furthering racial and gender justice in partnership with our supporters. Community Centered Fundraising is a movement led by fundraisers of color who have outlined ten core principles:

1 Fundraising must be grounded in race, equity, and social justice.

2 Individual organizational missions are not as important as the collective community.

3 Nonprofits are generous with, and mutually supportive of, one another.

4 All who engage in strengthening the community are equally valued, whether volunteer, staff, donor, or board member.

5 Time is valued equally to money.

6 We treat donors as partners and this means that we are transparent, and occasionally have difficult conversations.



Artwork: Brandon Juan Surtain

7 We foster a sense of belonging, not othering.

8 We promote the understanding that everyone (donors, staff, funders, board members, volunteers) personally benefits from engaging in the work of social justice - it's not just charity and compassion.

9 We see the work of social justice as holistic and transformative, not transactional.

10 We recognize that healing and liberation requires a commitment to economic justice.

Here, we feature the Development Department's hallmark programs in 2022. Thank you for supporting our growth and vision.

GRASSROOTS PARTNERSHIP INITIATIVE

In the state of Louisiana and across the American South, protecting and defending civil rights and liberties is only possible when organizations of all sizes work in coalition. To honor and support BIPOC, grassroots leaders, who are critical and valued partners in our work to advance racial justice, the ACLU of Louisiana launched a Grassroots Partnership Initiative (GPI).

Through the GPI, we provided a \$5,000 gift and 10 hours per month of development mentorship and training (based on a needs assessment), to our first recipient, Better Future Program (BFP). This Black, queer, woman and youth run organization's mission is to build a

brighter global future for marginalized youth through education, awareness, and unity. Through events and a free digital library with over 3,000 resources, BFP provides education on various academic subjects, mental health, and most importantly, social injustices that affect today's youth.

Our support of BFP has included drafting language for a new giving page, drafting acknowledgment letters, advising on strategy for mini-campaigns, and more. We will continue this work with a different grassroots partner each year. To learn more about Better Future Program and support their work, visit:

betterfutureprogram.org/donate.

BLACK DONOR NETWORK

To honor, celebrate, cultivate, and support our Black donors, this year the ACLU of Louisiana launched a first-of-its-kind Black Donor Network, a group of approximately 30 African American supporters who work in philanthropy, education, public health, finance, law, and other fields, and range in age from late 20s to mid 70s.

Over the last eight months, we've studied Black philanthropy as movement work throughout history; shared examples of what giving looked like in our own families – from cooking for the neighborhood every Sunday, to creating an endowed scholarship that would honor our ancestors; and we stretched the definition of philanthropy to represent what "Giving Black" really looks like. We've gotten clear on our

passion issues and where we want to make the most impact individually and as a community.

Before launching the program, Black Donor Network members had given nearly \$80,000 collectively to ACLU of Louisiana over their lifetimes. This year, our goal is to reach 100% giving participation to the ACLU of Louisiana. Two of our members who work at national foundations, facilitated five and six figure gifts to the affiliate in unrestricted donations. This funding will be transformative to the ACLU of Louisiana. To those who participated in our program, thank you for your generosity of time, talent, and treasure. To learn more about the Black Donor Network, and access a toolkit of resources, visit: laaclu.org/bdn.



Through ACLU of Louisiana's Grassroots Partnership Initiative, Better Future Program has been able to create a giving program to support our mutual aid work and **begin building a giving network that stands in solidarity with our goals of meeting the needs of diverse youth across the country.**"

- Reagan Peters-Roussell,
Founding Executive Director of the Better Future Program



REMEMBERING AND HONORING MARY KELLER ZERVIGON

Throughout her life, Mary Keller Zervigon was a fierce and generous supporter of the ACLU of Louisiana and defender of civil liberties. While holding posts in two mayoral administrations and spending countless hours serving on civic boards working to improve the city, she gave selflessly of her time, expertise, and money to the ACLU. Mary's consistent giving to the ACLU of Louisiana was driven by the desire to support her New Orleans community, and we recognize and honor Mary's lasting impact on our organization.



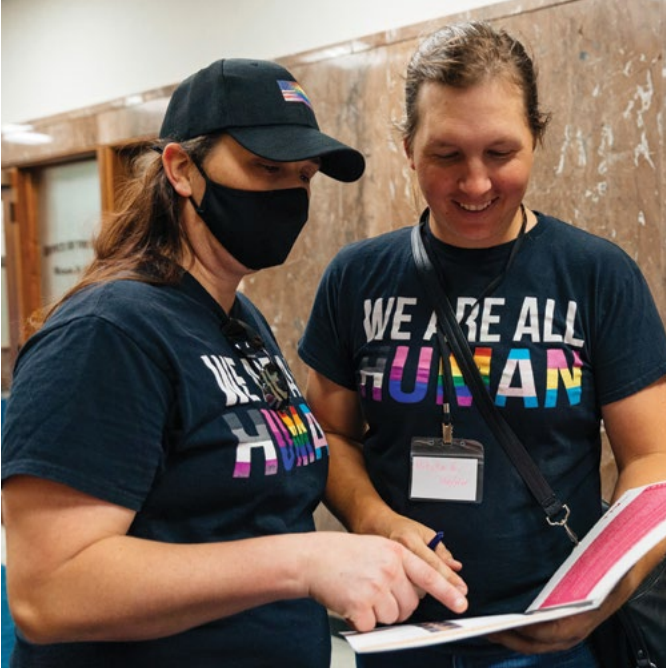
LGBTQ+ RIGHTS & PRIDE DAY AT THE LOUISIANA STATE CAPITOL

The ACLU of Louisiana is a proud and active member of locALL, the legislative, organizing, and policy coalition for queer and trans Louisianans. On April 27, 2022, the ACLU of Louisiana and locALL partners organized a Pride Day at the Capitol, bringing together nearly 100 people from across the state to learn how bills become law, about specific 2022 bills that were impacting the LGBTQ+ community, and how to lobby

lawmakers. After a series of expert presentations, attendees practiced lobbying through roleplaying, and then went to the Capitol to make their demands heard by legislators. This was the first time we organized LGBTQ+ community members in person since the beginning of the COVID-19 pandemic, and the first time in recent history that LGBTQ+ community members came together to engage directly with lawmakers.

2022 Pride Day at the Capitol.





Many of the LGBTQ+ focused bills that were introduced in the spring 2022 Legislative Session were deeply harmful, homophobic, and transphobic. And while we do not want to minimize the disappointment, fury, and fear that came with the governor's decision to not veto the anti-trans sports ban bill SB 44, we also want to highlight our wins: With the tremendous support and activism of queer and trans students and educators from across Louisiana, we successfully defeated Louisiana's version of the "Don't Say Gay" bill, HB 837, in Committee. Though some members of the House of Representatives used a special motion to try to circumvent the Committee's vote on the bill, the session ended before they could force a full vote. We also helped defeat a bill that would've prohibited trans youth from seeking gender affirming care.

Importantly, the ACLU of Louisiana and our partners in locALL are committed to making our advocacy intergenerational. Young adults, some of them in middle and high school, advocated and

organized against harmful bills with our support at Pride Day and throughout the legislative session. They planned protests, made calls and sent emails, came to Baton Rouge, and so much more. A few days after the legislative session ended, the New Orleans City Council honored each one of our youth advocates with proclamations celebrating their work and activism. In the midst of disappointment and at a time when people in power are trying to render our lives and those of the people we love disposable, we are comforted by the fact that the next generation is already here, and they're not shy about demanding something better, more, and different.

Throughout this year's session, our coalition often had to play "defense." We endured lawmakers misgendering us and making statements that denied our rights to exist in our full humanity, all while advocating for these harmful bills' demise. To account for the emotional toll of this work, our Pride Day had a dedicated wellness component at the end of the day, led by local healers.



CAPTIVE LABOR: AN EXPLOITATION OF INCARCERATED WORKERS

The exploitation of incarcerated workers is rooted in the “exception clause” to the 13th Amendment, which bars slavery *except for people who have been convicted of crimes*. In 20 states – and in the United States Constitution – exception clauses allow for workers in prisons to be exploited, underpaid, and excluded from workplace safety protection laws.

Incarcerated workers in Louisiana prisons earn between \$0.02 and \$0.40 an hour providing vital public service and prison maintenance services, according

to a comprehensive nationwide report released by the national ACLU and University of Chicago Law School Global Human Rights Clinic. The first-of-its-kind report, *Captive Labor: Exploitation of Incarcerated Workers*, examines the use of prison labor throughout state and federal prisons in the United States and calls for far-reaching reforms to ensure prison labor is truly voluntary and that incarcerated workers are paid fairly, properly trained, and able to gain transferable skills. The report includes in-depth primary investigations in three case-study states – California, Illinois, and Louisiana.

“The United States has a long, problematic history of using incarcerated workers as a source of cheap labor and to subsidize the costs of our bloated prison system,” said ACLU of Louisiana Executive Director Alanah Odoms. “Incarcerated workers deserve the same dignity and protections as other workers. This includes a fair wage, training, and basic workplace safety. If states and the federal government can afford to incarcerate 1.2 million people nationwide, they can afford to pay them fairly for their work.”

Key findings from the report include:

- In Louisiana, work in cellblocks and field lines pays \$0.02 per hour. Vocational programs pay \$0.04 per hour. Legal workers and educational tutors are paid on a different pay scale, at \$0.25 to \$0.80 per hour. Some incarcerated workers must work for an initial period of up to three years without pay until they are eligible to be paid. Eligible incarcerated people may choose between earning a wage and receiving “good time” credits off their sentence.
- At the Louisiana State Penitentiary, known as Angola, the nation’s largest maximum-security prison situated on 18,000 acres of land that was originally the site of slave plantations, incarcerated workers work field crops including cotton, corn, soybeans, and sugarcane for only two cents an hour. This agricultural work has direct roots in the Black chattel slavery of the South.
- Every person incarcerated in Angola, 74 percent of whom are Black – and most incarcerated across Louisiana – starts work in the fields, and switching jobs is difficult. Field laborers work with limited access to water, minimal rest, and no restroom facilities, under the supervision of armed correctional officers on horseback.
- Workers report being placed in solitary confinement if they are unwilling or unable to perform work in the fields, or if they do not work fast enough.
- Formerly incarcerated agricultural workers at Louisiana’s Angola prison report witnessing other farm workers collapse from exhaustion or dehydration while working in the fields on hot days.
- DG Foods, a poultry processing plant in Bastrop, Louisiana, avoided shutting down operations at the height of COVID-19 by relying on incarcerated laborers who faced loss of their earned-time credits should they refuse to work.
- Louis Dreyfus Commodities, a commodities trader, purchased \$2.4 million worth of corn and soybeans produced by incarcerated workers employed in the state prison industries program from 2017 to 2020, while numerous livestock auction companies purchased at least \$5 million worth of livestock raised by workers incarcerated in Louisiana prisons during that same time period. The livestock sold at auction on the open market later finds its way as meat sold to consumers with no indication that it originated with the labor of incarcerated workers.
- A state legislative audit of the Louisiana Prison Enterprises program found that one-third of incarcerated people working in the state prison industries program are trained for jobs that are projected to decrease in the labor market, such as garment factory work and agriculture, finding that “many...may not be learning job skills that could help them after they are released.”

To combat the exploitation of incarcerated workers, the report makes several recommendations, including:

- **Abolish exclusion clauses** that allow forced labor as punishment for a crime.
- Ensure that **all work in prisons is fully voluntary** by eliminating any laws and policies that punish incarcerated people who are unable or unwilling to work.
- Allow incarcerated workers the same labor protections afforded to other workers in the United States, including **minimum wage, health and safety standards, unionization, protection from discrimination**, and speedy access to redress when their rights are violated.
- Institute **comprehensive safety and training programs** for all work assignments in correctional institutions.
- Invest in prison work programs that provide incarcerated workers with **marketable skills and training** that will help them to find employment after release and eliminate barriers to employment after release.

Read the full report here:
aclu.org/captivelabor.

"It's past time we treat incarcerated workers with dignity."

- Alanah Odoms,
 Executive Director of the
 ACLU of Louisiana

Additionally, this year ACLU of Louisiana Executive Director Alanah Odoms advised on the newly-released film "Angola Do You Hear Us?" which tells the story of playwright Liza Jessie Peterson's 2020 performance of her acclaimed play "The Peculiar Patriot" at Angola. There are thousands of men living in cages at Angola, most of whom are Black and sentenced to life without parole because of the nation's racist criminal legal system and incredibly punitive and harsh sentencing laws. While devastating, "Angola Do You Hear Us?" has the power to activate audiences across the country to come together to end mass incarceration in Louisiana and beyond.

ACLU of Louisiana Executive Director Alanah Odoms with members of the "Angola Do You Hear Us?" team at Aubin Pictures.





THE FIGHT FOR FAIR MAPS CONTINUES

We're suing Louisiana for racial gerrymandering.

This March, the American Civil Liberties Union, ACLU of Louisiana, NAACP Legal Defense and Educational Fund Inc., Cozen O'Connor, Ron Wilson, and John Adock **filed a federal lawsuit** on behalf of Black Voters Matter Capacity Building Institute,

the Louisiana State Conference of the NAACP, and several individual Louisiana voters challenging newly drawn state House and Senate district maps as unlawfully minimizing the voting strength of Black Louisianans.

The lawsuit asserts that the newly drawn maps deny Black residents an equal opportunity to participate in the political process and elect candidates of their choice, in violation of Section 2 of the Voting Rights Act of 1965, which bans the drawing of legislative district lines that water down the strength of Louisiana voters who are Black. In the last decade, communities of color in Louisiana have grown, now making up 42% of the voting-age population, yet just 26% (37 of 144) of current legislators are people of color. And the state legislature failed to draw district lines that would allow Louisiana's voters to elect their preferred leaders.

It's essential for Louisiana voters to choose their leaders rather than politicians choosing their voters. District lines stay in place for 10 years. Who is elected to the state legislature determines things such as whether schools and children have the resources they need to thrive. The state's elected officials have great power over citizens' lives, including over education, health care, and criminal law reform.

The case, *Nairne v. Ardoin*, was filed in the United States District Court for the Middle District of Louisiana.



HOW THE SUPREME COURT COULD SILENCE BLACK VOTERS

In October, the Supreme Court heard *Milligan v. Merrill*, a case that threatens the Voting Rights Act (VRA) and could reshape our country's future elections.

The case challenges Alabama's congressional maps, arguing they are racially discriminatory against Black voters in violation of Section 2 of the VRA. A lower court agreed. Voting rights are now on the line for the whole country as the Supreme Court considers the case on appeal. A decision in favor of Alabama would uphold racially gerrymandered maps that dilute Black Alabamians' voting power.

The VRA was created precisely to prevent that kind of manipulation of district lines to undermine the voices and power of Black people.

Alabama and other Southern states, including Louisiana, have a long history of discriminating against Black voters. Since 2013, when the Roberts Court struck down a different key protection of the VRA, state governments

in the South have used voter-ID laws, voter roll purges, racial gerrymandering, felony disenfranchisement laws, and other election changes to suppress democratic participation by Black voters. Further weakening the VRA in *Milligan* would open the door to even more extreme voter suppression efforts.

The ACLU of Louisiana's federal lawsuit *Nairne v. Ardoin* is on hold, now pending the outcome of *Milligan*. As our fight for fair maps continues, we will never stop working to ensure that every vote counts, and that voters of color have an equal opportunity to participate in local and national elections.

Our democracy rests on the principle that voters choose their leaders, not the other way around. If the Supreme Court allows states to manipulate elections with racially gerrymandered maps, and further undermine the VRA, politicians could be empowered to strip even more of our fundamental rights without fear of electoral consequences. A decision in *Milligan v. Merrill* is due by June of 2023.







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