



Dear ACLU of Maine members,

In the first few days of my time with the ACLU of Maine, I understood that kismet has occurred.

Becoming the new executive director of the ACLU of Maine has come at the right time for me personally and professionally, and I'm excited to join an organization on the forefront of issues I care deeply about: protecting LGBTQ youth, reimagining our broken criminal legal system, abortion rights, racial and social justice. I'm excited for the opportunity to build upon the incredible work of this organization and its excellent staff, members and supporters.

Maine and our country face serious challenges, not the least of which is the ongoing threat to democracy. I'm proud to be a part of this important work.

Much of my experience has been in trying to directly help people, whether they are LGBTQ teens struggling to understand who they are, agencies working to improve cultural immersion or health care for Indigenous people, fighting HIV/AIDS, or helping incarcerated people to improve their lives. The ACLU is change – but it's a change that integrates my lived and professional experience.

I am excited to be a part of an organization that is a national leader in finding equitable and effective solutions. The beauty of Maine, people here, and work of the ACLU of Maine call me. I can't wait to meet you!

For context, I began consulting for nonprofits in 2011. That career move came after years of being an executive director for several nonprofits, raising millions of dollars, and working in community-based organizations. At the time, I was unsure what I needed. What I found was an adventure. I spent the following eight years working on several large-scale, statewide, and national education projects. I believe education is the bedrock of effective democratic systems, and the change I witnessed inspired me to do more.

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One of the first things people ask me is, "where are you from?" There are days when I have a simple answer: Santa Fe, New Mexico, the City Different. I find that the phrase conjures up the idealistic version of Santa Fe with its history, art, scenery, and architecture. My past, however, is fraught with the cultural dissonance of being raised in the space between modern American homogenous culture and the subsistence lifestyle of my childhood.

I revel in the memory of the sound of wood being chopped, roasting Hatch green chile by the 40-pound bag to fill our freezer, and, most especially, picking piñon in the fall. My community wove Spanish and English together to create a unique dialect, and the local daily paper ran a column in Spanglish; we couldn't wait to read it and often giggled with delight.

I have powerful memories of those early days. But not all of them are good. The confines of religion, education and culture in the close-knit community was

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LETTER CONTINUED

difficult for anyone who didn't fit into traditional cultural roles. By the time I was 15 years old, I was on my own. I was abandoned and alone, and the systems that are supposed to nurture and protect children all failed. I will carry the consequences of oppression with me forever.

But those hard days and nights also helped me to become the person I am today.

I have fought through homelessness and addiction, and I decided early in the bright days of sobriety to embrace the responsibility of fighting to make our world a better place.

During my first month on the job, I worked remotely from Washington as my family planned its relocation to Maine. As you can imagine, we are

excited, overwhelmed, and personally, I am humbled to be asked to lead this wonderful organization. There is something special about the intimacy of the ACLU of Maine and knowing that we are part of a larger, national effort to protect democracy, intentionally confront institutional racism, and protect the Constitution and the rights afforded therein. Together we can make a difference and turn the tide of oppression. I accepted this role understanding that I am committing to a national effort to protect the rights of every human being. I am thrilled to be able to do this with you!



Arthur Padilla



ACLU Goes Camping

In October, ACLU of Maine staff took a three-day trip to the White Mountains in New Hampshire. We got to enjoy the spectacular fall foliage and mountain views in wonderful company. We did lots of hiking, pumpkin painting, and laughing together!



Litigation Update

2022 has been an incredibly busy and exciting year for our legal team as we continue fighting to ensure the promises of our constitution are extended to everyone in Maine.

We have filed a class action lawsuit against the State, submitted seven amicus briefs, and gone to court to enforce a client's FOIA request. Through it all, we have sought to center the concerns and needs of our clients and to make sure that the courts (and the public) were always cognizant that real people are impacted by seemingly abstract legal disputes. Here's a detailed look at two of the many cases we've been working on.

ROBBINS v. MCILS

In March, we challenged Maine's failure to guarantee the effective assistance of counsel for individuals facing criminal prosecution who cannot afford to hire an attorney. Maine is the only state in the country that does not have a public defender's office. Instead, it relies on contracting out private attorneys to defend low-income defendants and provides minimal to no support for those attorneys. Maine's system does not work. In many parts of the state, qualified lawyers cannot be found to represent all the people accused of crimes. And, even where there is a lawyer, the State does not do nearly enough to make sure those lawyers have the training, supervision, and support they need to put the prosecution's case to the test.

Our case is off to a strong start. Over the summer, the court denied the State's motion to dismiss our constitutional claim and granted the case class action status. As a class-action case we can represent the thousands of Maine residents entitled to court-appointed lawyers. With these two initial victories in hand, we are moving forward to obtain written evidence and oral testimony from the State about its indigent defense program. We will not stop fighting until Maine lives up to its constitutional duty to fulfill the Sixth Amendment.

MUNDELL v. ACADIA HOSPITAL

In October, we submitted an amicus curiae brief urging the U.S. Court of Appeals for the First Circuit to uphold a trial court ruling that the Maine Equal Pay Law forbids pay disparities on the basis of sex, regardless of whether an employer maliciously or intentionally discriminated when paying people differently.

Maine's Equal Pay Law recognizes that the pay gap is not a problem of a few "bad apple" supervisors—it's a systemic problem that needs a systemic solution. The pay gap has stayed stubbornly constant for the past twenty years, with women still only making about 80 cents for every dollar their male coworkers make. And pay discrimination is even worse when factoring in race and ethnicity. In 2019, Black women were paid just 63 cents for every dollar paid to white, non-Latino men; Latinas received just 55 cents on the dollar, and Native women were paid only 60 cents on the dollar. The gender wage gap perpetuates income inequality and ensures that, no matter how hard women—especially women of color—work, they cannot catch up to their white male peers. Upholding the lower court's interpretation of the Maine Equal Pay Law will help close the gender wage gap and bring thousands of Maine women, especially women of color, out of poverty.

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