



# VOTE

LIKE YOUR  
RIGHTS

DEPEND

ON IT

ELECTION DAY IS

NOV. 2

NEW JERSEY 2021 ELECTION GUIDE

**ACLU**  
New Jersey

PHOTO: MIKELANDRINO

# CAST YOUR VOTE FOR A MORE PERFECT GARDEN STATE

The right to vote carries a profound duty: to vote like our rights depend on it. This year, that responsibility is even greater.

New Jersey's elections for statewide office are among the few that don't coincide with federal elections – which makes turnout essential. The issues that affect us most are those decided at the state and local level.

The ACLU-NJ presents our 2021 election guide to arm you with information about where to vote, when to vote, and which issues to keep in mind as you vote.

In every election, whether the actual words appear on a ballot, we cast votes on issues that define our lives.

We decide whether all people have **access to reproductive health care, including abortion** or if we will leave people at risk.

We decide whether people will have the power to **hold police accountable** or if police will continue to get away with the most serious misconduct.

We decide whether all people have a **fair shot in a criminal legal system** marred by systemic racial disparities or if we continue to perpetuate injustice through unaccountable prosecutors and opaque processes.

We decide whether New Jersey is **fair and welcoming to all community members**, and treats immigrants with the dignity and respect we all deserve or if we will allow xenophobia and hate to guide policy decisions.

This election, you're deciding the future of New Jersey. We hope that racial and social justice, civil rights, and liberty are at the forefront of your mind at the polls, and we hope this resource can help you as you participate in democracy. And when you vote, **vote like your rights depend on it.**

Onward,



AMOL SINHA  
Executive Director



# REPRODUCTIVE FREEDOM FOR EVERYONE

**WHAT TO CONSIDER AT THE POLLS:** New Jerseyans need expansion and protection of access to reproductive health care, including abortion.

Over the past year, COVID-19 has magnified systemic inequities in health care that disproportionately harm Black and brown communities, immigrants, and low-income individuals.

To begin addressing these systemic fault lines — as nationwide attacks push reproductive health care further out of reach — New Jersey lawmakers introduced the Reproductive Freedom Act (S3030/A4848), a bill to protect and expand access to reproductive health care while advancing racial justice and equity.

**If signed into law, the Reproductive Freedom Act (RFA) will:**

- **Protect and expand access to reproductive health care, including abortion,** for all New Jerseyans regardless of income level, immigration status, or gender identity
- **Ensure the fundamental right to autonomy**
- **Prohibit government intrusion into reproductive health care decisions**
- **Repeal medically unnecessary and harmful regulations**
- **Require all insurance providers to cover reproductive health care services**
- **Remove economic barriers to reproductive health care**

The bill was crafted with input from advocates guided by the vision of equity and justice so all New Jerseyans can make their own decisions about their bodies, health, and families. By making the RFA law, New Jerseyans will be able to make decisions about their reproductive health care, free from discrimination and government intrusion. When you vote, **vote for reproductive health.**

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# HOLDING POLICE ACCOUNTABLE

**WHAT TO CONSIDER AT THE POLLS:** To help end police misconduct and stop the injustices inflicted on those who experience it, New Jersey must rein in police powers and redirect funds toward programs that empower and protect our communities.

We need policies aimed at **ending police violence against communities**, including ones that shed light on police practices and allow communities to hold police accountable. The ACLU-NJ has been advocating for a package of bills focused on transparency and accountability in policing:

**A5301/S2656: Makes police disciplinary records public**

Police departments operate with secrecy and shield information from the public about officers who commit misconduct. This bill aims to stop the police secrecy that undercuts accountability and harms communities.

**A4656/S2963: Protects essential Civilian Complaint Review Board powers by law**

When communities can give direct oversight of police departments, it provides a key check on police. People must have authority to investigate, set policy, and hold officers responsible for their actions.

**A4578/S3730: Ends qualified immunity**

The legal principle of qualified immunity in state and federal law makes it nearly impossible to hold police accountable in civil court when they use excessive force, commit crimes, or even kill people. Ending qualified immunity is an essential step for holding officers accountable.

**A4284/S2617: Criminalizes chokeholds; A4526/S3825: Limits the use of deadly force**

Our government gives police the power to use violence and threaten force to impose social control, and built-in racial disparities mean people of color experience the brunt. We must end this status quo to preserve our rights and well-being.

These policies are long-overdue tools for greater accountability, and they represent just one part of the wholesale reform of law enforcement our country needs. When you vote, **vote to reimagine policing**.

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# PROSECUTOR ACCOUNTABILITY AND REFORM

**WHAT TO CONSIDER AT THE POLLS:** Lawmakers play an outsized role in selecting prosecutors. Reforming the criminal legal system includes holding prosecutors accountable, appointing prosecutors who are oriented toward reform, and ensuring transparency in the process by which they are appointed.

One of the most consequential decisions of New Jersey's Governor and Senate often flies under the radar: the appointment of the Attorney General and 21 county prosecutors, the chief law enforcement officers in the state. New Jersey is one of the few states to appoint rather than elect these prosecutors, with the governor choosing these candidates with the advice and consent of the Senate. Municipal elected leaders appoint municipal prosecutors.

When it comes to criminal justice decisions, county prosecutors and their staff control the levers and have enormous discretion. Their powers include who to charge with a crime, what charges to bring, whether to seek detention, and whether to dismiss a case, among countless other decisions that affect people's lives.

## **We need lawmakers committed to appointing prosecutors who:**

- Will **reduce racial disparities**, including in charging and sentencing
- Commit to **building transparency** and community engagement
- Equitably **expand diversionary programs** as alternatives to incarceration
- **Prioritize public health** and mental health treatment over convictions
- **Stop criminalizing actions that should not be considered offenses**
- **Recognize their role in mass incarceration** and take steps to make sure fewer people are locked up

The power to appoint prosecutors makes it essential to examine candidates' positions and records on criminal justice issues. Senators and municipal officials have the power to vet prosecutors, but no standard exists for the minimum qualifications a prosecutor should have.

At the polls, it's important to keep in mind what kinds of prosecutors a governor and local officials may appoint. To end mass incarceration, end racial disparities, and end the over-criminalization and aggressive prosecution of actions that should not be considered crimes, we need prosecutors who are committed to reforming the criminal legal system. When you vote, **vote for a more just criminal legal system.**

# STRENGTHENING THE RIGHTS AND PROTECTION OF IMMIGRANTS

**WHAT TO CONSIDER AT THE POLLS:** We need to make sure immigrants in New Jersey — one of the largest immigrant populations in the country — have the rights and dignity we are all entitled to.

Elected officials in New Jersey can **strengthen the rights of immigrants** and treat all people with dignity, rather than sowing division and fear. At the polls, consider these key issues before New Jersey lawmakers:

## **Passing the Values Act to make New Jersey fair and welcoming to all**

New Jersey's Immigrant Trust Directive prevents local law enforcement from using resources to do the bidding of federal Immigration and Customs Enforcement, but a new attorney general could rescind it with the stroke of a pen. The Values Act would strengthen and codify the Immigrant Trust Directive into law and ensure similar protections at other state and local agencies.

## **Keep families together**

Even though a bill to prohibit state and local government from renewing or entering into new detention contracts with U.S. Immigration and Customs Enforcement was signed into law, there is still immigration detention in New Jersey and families remain at risk of being separated. Officials at all levels have power to stop New Jersey from being complicit in unjust federal policies.

## **Economic and housing aid regardless of status**

COVID-19 disproportionately wrought devastation upon immigrants and communities of color, yet undocumented New Jerseyans have not been eligible for sufficient assistance to keep people financially afloat. We need to protect all New Jerseyans regardless of status, and public opinion shows New Jerseyans agree.

## **Robust implementation of legislation, such as Driver's License Expansion**

When the executive branch decides how to carry out the laws through the regulatory process, an administration has considerable power over the ultimate strength or weakness of the law in practice. For example, in expanding driver's licenses, regulators determined the exact documents people would and wouldn't need.

We need our lawmakers to support immigrant communities through policies that recognize the rights and dignity of all New Jerseyans. When you vote, **vote for immigrants' rights.**

# WHAT YOU CAN DO

New Jersey's 2021 election will be held on Tuesday, Nov. 2. Find your polling place by visiting: <https://bit.ly/pollingplacesnj>

Early voting begins Saturday, October 23, and continues through Sunday, October 31. For more information, visit: <http://www.bit.ly/earlyvotingnj>

But democracy doesn't begin and end on Election Day. It requires us to hold our officials accountable and build strength in our communities.

Here are some ways to make an impact that can be just as important as voting:

## **Call and email your lawmakers**

It really does make a difference. Lawmakers keep track of how many people contact their offices about particular issues. Lawmakers have even shifted their position on issues once they recognized the level of public support — or public opposition.

## **Join ACLU People Power**

People Power is the ACLU's national platform for grassroots activism. When you sign up, you have access to events and actions all over the country — including in New Jersey — for people to make their voices heard.

## **Attend a protest or rally**

The people united can never be defeated! And together our voices ring out more loudly. Protests — virtual or in-person — show the strength of your cause, put pressure on elected officials, and create opportunities to connect with like-minded people. Our First Amendment stays strong when you exercise it.

## **Lobby your officials**

At a lobby meeting, virtual lobbying, or in-person lobby day, lawmakers and their staff can see your passion for an issue and hear your personal stories. It's an opportunity to ask them to support your position — and to hold them accountable for their answers.

## **Attend public meetings of local government and request public records**

"Of the people, by the people, for the people" aren't just words. They're instructions for how our government should operate. You have the right to see what your lawmakers do, including attending and speaking at public meetings, and requesting government records. You have the right to participate and the right to know!

Want to get involved with the ACLU-NJ directly? Sign up to receive our emails here: <https://bit.ly/joinaclunj> or contact [info@aclu-nj.org](mailto:info@aclu-nj.org).

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