

# 2016 ANNUAL REPORT





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**Sources:** Pg 5 statistic: *The Washington Post* (2016, December 1), retrieved from <https://www.washingtonpost.com/graphics/national/police-shootings-2016/>; pg 7 quote: Transcript of Deposition of Hon. Jack H. Weil at 69-70, *J.E.F.M., et al. v. Lynch, et al.*, 2015 WL 9839679 (W.D. Wash. 2015); pg 7 statistic: U.S. Department of Homeland Security. *Statement By Secretary Johnson On Southwest Border Security*. 2016. Web. 8 Dec. 2016; pg 11 quote: *N.C. State Conf. of the NAACP v. McCrory*, 831 F.3d 204, 11 (4th Cir. 2016); pg 13 statistic: "World Prison Population List," World Prison Brief, Institute for Criminal Policy Research, 2016.

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## MESSAGE FROM THE PRESIDENT

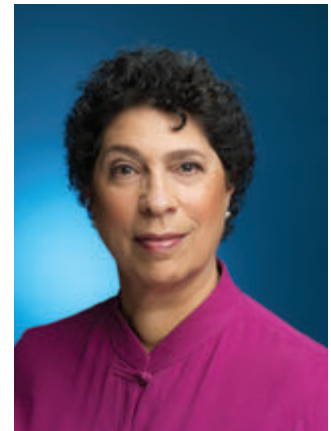
### Civil liberties are under threat—for all of us.

Over the past year, we faced attacks on our fundamental freedoms on multiple fronts—from police violence against blacks to discrimination against immigrants and Muslims to denying women reproductive health care. And President Trump’s campaign fanned the flames of xenophobia, racism, sexism, homophobia, and bigotry.

As you’ll see in the pages that follow, the ACLU confronted these attacks head on. We defended the free speech rights of protestors at Standing Rock. We challenged unlawful surveillance of American Muslims in New York City. And we brought down modern-day debtors’ prisons in Biloxi, Mississippi.

We will certainly face new and daunting challenges in the days and years ahead. But the ACLU is stronger today than ever before—with thousands of staff and volunteers, plus over one million members and activists in every corner of the country.

Standing together, we will fiercely defend the Constitution’s promise of liberty and justice for all, whatever the future brings.



A handwritten signature in black ink that reads "Susan N. Herman".

**Susan N. Herman**

## MESSAGE FROM THE EXECUTIVE DIRECTOR

### The ACLU will never back down.

For over 96 years, we have stood up to American presidents of both parties to ensure our country makes good on its founding promise as the land of the free. Today is no different.

No one should underestimate the strength of our resolve, the passion of our staff and members, and our commitment to stand strong in defense of people’s rights. This same defiance shaped our work in 2016, where we made significant achievements in the face of great opposition:

- Fighting battles on many fronts, we kept abortion clinics open for tens of thousands of women—and helped win a Supreme Court ruling against sham anti-abortion laws.
- Overcoming past resistance in the courts, we protected access to the vote for millions of people by successfully challenging voter suppression laws that targeted vulnerable populations.
- Advancing to the Supreme Court in a many-years-long struggle, we argued a case that would give thousands of immigrants in detention the right to a bond hearing—and release.

We will be vigilant every day of President Trump’s tenure—and when he vacates the oval office, we will do likewise with his successor.

Read this report as a source of pride and hope—and as a testament to what we are able to achieve together. Thank you.



A handwritten signature in black ink that reads "Anthony D. Romero".

**Anthony D. Romero**



# UNIONTOWN, ALABAMA

**Citizen power means the right to know, the right to speak out, and the right to protest. From Uniontown, Alabama; to the Dakotas; to Flint, Michigan; the ACLU has stood by people who seek to protect their communities—and who confront extraordinary and unconstitutional abuse.**

## **DEFENDING CITIZEN POWER**

Uniontown is 91 percent black and so poor the median income is \$8,000 a year. Once a thriving community, its decline has been accompanied by industry pollution—a sewage lagoon, catfish farms, a cheese processing plant.

And in 2009, the state government allowed two corporations to site the largest landfill in Alabama in Uniontown, in a residential neighborhood. Land that was once a slave plantation where residents' ancestors picked cotton became the dumping ground for coal ash from 33 states, arsenic- and lead-filled waste that had already caused disaster in Tennessee.

Alarmed by the town's increasingly poisonous air and water—and skyrocketing cancer rates—Uniontown residents Esther Calhoun, Ben Eaton, Mary Schaeffer, and Ellis Long (pictured at right) banded together to found Black Belt Citizens Fighting for Health and Justice.

The community organization, dedicated to fighting pervasive racial and environmental injustice in Uniontown, maintained a

“ NO ONE SHOULD HAVE TO FACE A MULTIMILLION-DOLLAR LAWSUIT FOR ENGAGING IN HEARTFELT COMMUNITY ADVOCACY.”

— LEE ROWLAND, ACLU SENIOR STAFF ATTORNEY



Facebook page. “We should all have the right to clean air and clean water,” they declared on Facebook.

Their declaration helped make them the target of a \$30 million federal defamation suit filed by the deep-pocket landfill operators.

The ACLU intervened, bringing national attention to this David-vs.-Goliath battle, with coverage in more than 200 national and local media outlets, including *The New York Times* and TV outlets in Mobile and Birmingham, Alabama.

We now represent these brave townspeople, who have dared to speak out against using their town as a garbage dump for richer, whiter areas. Defending free speech, the ACLU is seeking to get the defamation suit dismissed—and to raise the alarm against the vicious silencing of poor communities.

**Equally vulnerable were the Standing Rock Sioux tribe and their allies**, attempting to defend sacred tribal land from the environmental threat posed by the nearby construction of the Dakota Access Pipeline, which was routed away from Bismarck to protect Bismarck’s water supply.

Thousands of people camped, prayed, and took action in solidarity with the tribe. These nonviolent protesters were confronted by police in riot gear with armored military vehicles, automatic rifles, sonic weapons, concussion grenades, attack dogs, pepper spray, and beanbag bullets.

Recognizing the emergency, ACLU staffers on the ground and nationally sought to protect protestors’ First Amendment rights—condemning the all-out military force and surveillance used against demonstrators, reporting from the field, and providing legal observers with “know your rights” materials. In addition, we sued to expose police abuses and to get protestor trespass charges dismissed, litigation which continues.

Every year, **THOUSANDS** of people are sued for exercising their free speech rights.

## EXPOSING LETHAL COVER-UP

In Flint, the now-notorious lead poisoning of the water supply was the result of an extraordinary and unconstitutional power play—in 2011, the state government appointed an emergency manager for the city. Accountable only to bondholders, the emergency manager’s authority trumped local government.

Veteran investigative reporter Curt Guyette was hired by the ACLU in Michigan to root out the human consequences of this takeover.

And human consequences there were. In the course of reporting on the law, Curt identified a catastrophic outcome: A generation of children—many poor and black—were being poisoned by the water in Flint, a direct result of the emergency manager’s 2013 decision to save money by using the filthy water from the Flint River—known locally as “General Motors’ sewer”—for the city’s water supply. The reeking water was so corrosive the workers at the water treatment plant had no idea how to treat it.

State officials, from Gov. Rick Snyder on down, insisted the water was safe.

Then Curt, working with Flint citizen activists, found the “smoking gun.” Activist Flint mom LeeAnne Walters (pictured below) gave Curt the memo an Environmental Protection Agency official had given her.

That leaked memo confirmed lead poisoning in Flint’s water, giving new urgency to the campaign for independent lead testing of Flint’s water. Those tests confirmed a state-created public health disaster.

“FLINT KIDS WERE SUFFERING RASHES, HAIR LOSS, AND SEVERE PAIN—AND THE ACTIVISTS RAISING ALARMS WERE DISMISSED AS ‘CRAZY MOMS.’ WE HELPED THEM GET HEARD.”

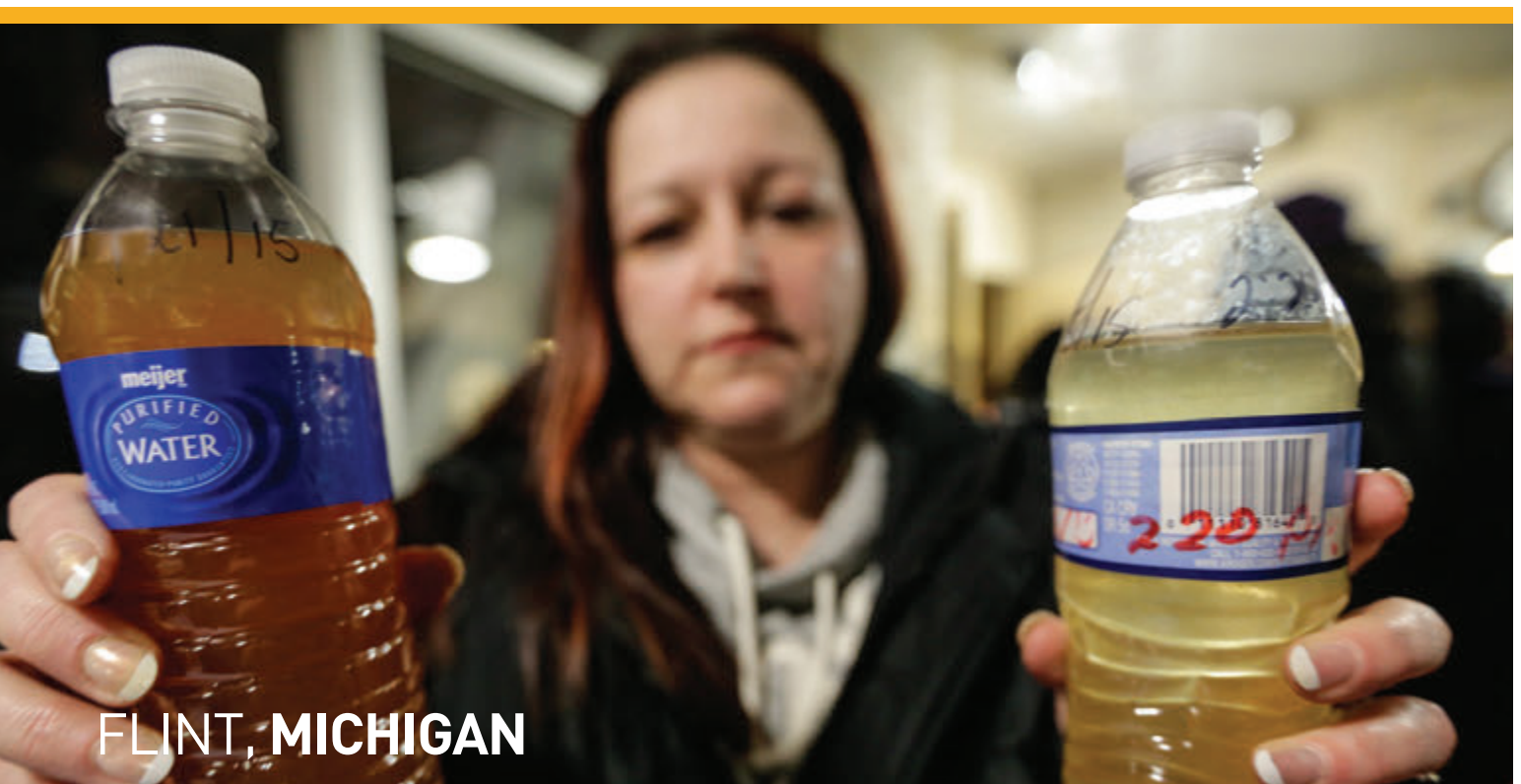
— CURT GUYETTE, ACLU OF MICHIGAN  
INVESTIGATIVE REPORTER

With Curt bringing the story to the public, Flint became a national scandal.

In January 2016, the ACLU and others filed suit, recently winning a federal ruling to secure clean water for Flint residents, including deliveries of bottled water until the city’s water supply is safe.

In October, we moved to protect Flint’s lead-poisoned children, many of whom are likely to develop cognitive impairments, suing to force the schools to better serve children with special needs.

The Flint lead crisis exposes a bigger problem—the subversion of democracy spawned by Michigan’s emergency manager law. From Detroit to Pontiac to Muskegon to Flint, it’s been used to deny citizen rights. The ACLU is seeking the law’s repeal.



FLINT, MICHIGAN



# BATON ROUGE, LOUISIANA

New and notorious police killings of black men, from Alton Sterling in Baton Rouge to Philando Castile in Minneapolis, have given momentum to the ACLU's longstanding work against police violence, especially in communities of color. Public outrage has sparked a renewed sense of urgency, media attention, and activism.

## COMBATting POLICE VIOLENCE

In cities and states throughout the country, the ACLU has condemned killings and joined with community activists, demanding demilitarization of police, de-escalation of police tactics, transparency, and justice.

In Baton Rouge, the video of Alton Sterling on the ground, subdued by two police officers on top of him, then shot multiple times in his chest and back, brought protestors out into the streets—and new allegations of police misconduct. Police in full riot gear and carrying assault weapons lunged and grabbed at peacefully assembled protestors, throwing them to the ground and arresting them.

The ACLU immediately sued—prompting the police department to dismiss more than half the approximately 200 arrests it made, almost all on trumped-up charges.

In Minneapolis, we sued for release of the dash-cam video of Philando Castile's shooting. In New York, we sought the transcripts after the grand jury failed to indict the officer whose illegal chokehold killed Eric Garner. In Cleveland,

before the Republican Convention, we forced the police to abandon “kettling”—a favorite tactic of simultaneously trapping protestors and ordering them to disperse. Nationally, we also promoted our “mobile justice app,” enabling activists in more than seven states to videotape police misconduct and immediately send the tapes to the ACLU.

We've continued to fight for the release of race-specific data on police stops and arrests, publishing headline-generating reports that expose racially-biased policing as an entrenched and systemic problem.

Increasingly, new people are listening—such as the judges on Massachusetts' top court, who, in a unanimous September 2016 ruling, cited an ACLU report on racial profiling by the Boston police to declare that when a black man runs from law enforcement, flight cannot be presumed to be evidence of guilt. Instead, it may be motivated by “the desire to avoid the recurring indignity of being racially profiled.”

That heartening decision gives impetus to our agenda. Past rulings have given police more power and less accountability, making their encounters with civilians more frequent and dangerous. We're seeking to reverse this trend.

**In 2016, police shot an  
unarmed black man on average  
EVERY 22 DAYS.**



The ACLU has made steady inroads against the forces of fear and ignorance. In a year of backlash, we successfully beat back initiatives to target Muslims, refugees, and immigrants. Our dogged efforts expanded rights—and led to the defeat of the infamous Sheriff Joe Arpaio.

### CONFRONTING ISLAMOPHOBIA

Since 9/11, the ACLU has been at the forefront of ongoing battles to curb government policies and practices that treat American Muslims with suspicion simply because of their religion.

In New York, we brought litigation to stop the New York City Police Department (NYPD) from targeting Muslims via a surveillance program so extreme and discriminatory that it flagged any Muslim who starts “wearing traditional Islamic clothing [and] growing a beard” as a potential terrorist. In 2016, we reached a potentially landmark agreement with the NYPD, protecting New York City Muslims from discriminatory surveillance. These reforms include a robust anti-religious discrimination policy, limitation on the use of undercover officers and informants, and—critically—the appointment of an outside civilian representative to ensure enforcement. The settlement—the first post-9/11 agreement to cover discrimination by law enforcement on the basis of religion—awaits approval by the judge.

We also took the lead in challenging the wave of xenophobia—and hostility to Syrian refugees—that followed terrorist attacks in Paris, Brussels, and San Bernardino, California. When Texas and Indiana both announced an illegal policy of barring only Syrian refugees from their states, we took them to court—and won.



“ I’VE TAUGHT IMMIGRATION LAW LITERALLY TO 3-YEAR-OLDS AND 4-YEAR-OLDS. IT TAKES A LOT OF TIME. IT TAKES A LOT OF PATIENCE. THEY GET IT.”

— JACK H. WEIL, U.S. FEDERAL IMMIGRATION JUDGE, DURING AN ACLU CASE SEEKING LAWYERS FOR CHILDREN IN IMMIGRATION COURT

In addition, during the presidential campaign, we prepared for possible threats to come. Our “Trump Memos” provided detailed—and widely disseminated—analyses of how President Donald Trump’s campaign promises violate the Constitution, including the Free Exercise Clause protecting people from being singled out by government because of their religion.

### ADVANCING IMMIGRANTS’ RIGHTS

Immigrants in the deportation system don’t have the due process rights American citizens take for granted—which means that when the government treats immigrants unfairly, they have little recourse.

In 2016, we spotlighted some of the most outrageous aspects of the immigration system and made progress establishing rudimentary protections.

Take the right to counsel. As families in Central America have had their lives threatened by drug gangs, many have sent their unaccompanied children over the border to seek refuge—and little ones as young as 3 have faced deportation hearings, where they have been expected to represent themselves without a lawyer.

In response to an ACLU lawsuit against the U.S. Department of Justice (DOJ) about this travesty, a federal immigration judge declared toddlers competent to understand immigration law. National media covered the story, and a lead *New York Times* editorial condemned the DOJ. The government has prevailed thus far in court, but we have prevailed in the court of public opinion.

Meanwhile, we have succeeded in securing a right to counsel for immigrants with serious mental disabilities—which we won after the government detained an immigrant with mental disabilities for nearly five years without a hearing or a lawyer.

In November 2016, in the Supreme Court, we also defended our wins securing the right to a bond hearing for immigrants held in detention for six months or more while they await a hearing to challenge their deportation. Currently, more than 40,000 immigrants are in detention, on average a year or more, while they await a hearing.

Many were in the country legally, with green cards, jobs, families, and long-time, established American lives. But they’re now subject to deportation because—years earlier—they were convicted of minor criminal offenses.

And even though these people did their time or paid their fine, they face indefinite detention just because they are noncitizens. One of our clients, a U.S. Army veteran who’d lived in the United States for 50 years, was forced to deport to Italy because he couldn’t get a bond hearing. Another was in detention for nine years until he finally got a hearing and was released on \$1,500 bond.

### BRINGING DOWN A BULLY

Since 2010, when Arizona enacted SB 1070—the virulently anti-immigrant law intended to make life so difficult for immigrants that they would choose to “self deport” rather than live in Arizona—we have sought to prevent police from using the law to harass and profile people of color.

Arizona, after all, has been home to Maricopa County’s infamous Sheriff Joe Arpaio, the self-styled “America’s toughest sheriff,” who has flagrantly profiled and illegally detained Latinos.

We set our sights on him—and, after years of litigation, took him down. In 2016, we won rulings drastically reforming the Maricopa County Sheriff’s Office—taking the power to investigate and discipline Arpaio’s deputies out of his hands and into the hands of independent court-appointed authorities and also setting up a compensation system for those illegally detained.

In addition, Arpaio and his deputies were caught deliberately flouting the judge’s orders in our case. In October 2016, Arpaio was charged with criminal contempt. In November, he lost his campaign for re-election.

The icing on the cake is Arizona’s repudiation of Arpaio-style racial profiling. In the settlement that ended SB 1070, the state attorney general endorsed many of the legal limits that we won in Maricopa County—turning Sheriff Joe from a statewide model for law enforcement, to a statewide pariah.

**U.S. Customs and Immigration Enforcement holds MORE THAN 40,000 immigrants in detention every day.**



The ACLU blocked over **50** bills restricting abortion access in 2016.

Reproductive health care is under attack. Our foes enact laws to deny access, while pretending to protect religious freedom or women’s health. We’ve effectively exposed that ploy, while tirelessly defending access.

### CATHOLIC HOSPITALS V. WOMEN’S HEALTH

Today, 1 of every 6 hospital beds in America is governed by Catholic religious directives, endangering women’s health.

That finding—from a headline-generating ACLU report, “Health Care Denied,” released in May 2016—has wrenching human consequences. Catholic hospitals—the largest group of nonprofit hospitals in the nation—adhere to religious rules, written by the U.S. Conference of Catholic Bishops, that trump accepted medical standards.

These rules prohibit abortion or tubal ligation—even when a patient’s life is in jeopardy.

Most recently, we followed up by filing a legal complaint with the federal government on behalf of our client Jessica Mann (pictured at right).

As a pregnant Michigan mother of two with a life-threatening brain tumor, Jessica had been advised by her doctor to get a tubal ligation at the time of her scheduled cesarean section when it is safest and most effective—but the Catholic hospital where the delivery was scheduled refused to allow the sterilization procedure.

These efforts—part of our ongoing national campaign to challenge the refusal of Catholic hospitals to provide proper health care to women—have thus far spurred great media attention and new public awareness, with coverage including *The Washington Post*, Reuters, *Full Frontal with Samantha Bee*, and other major media outlets.

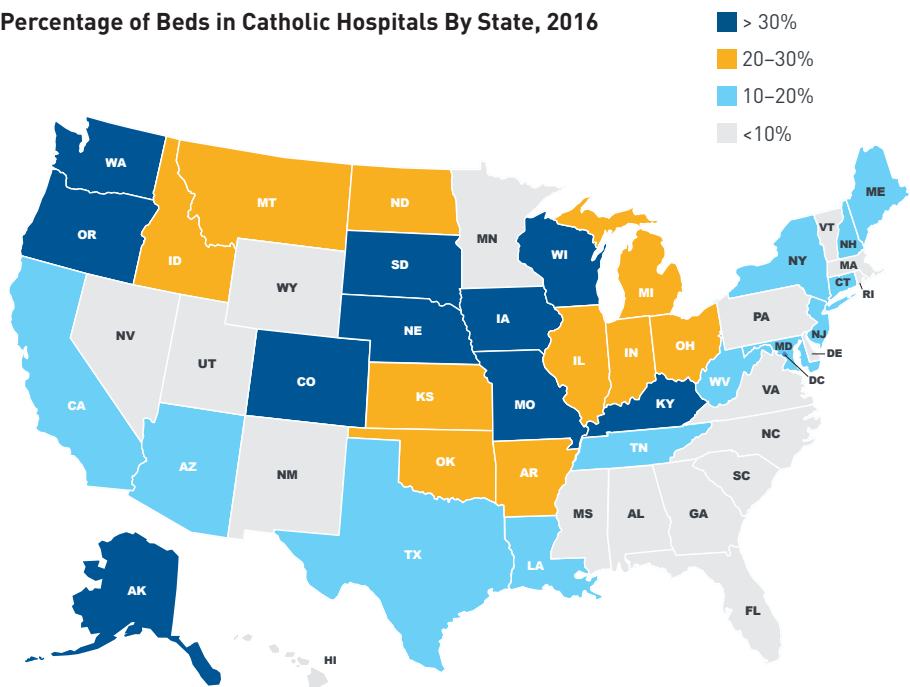
### PROTECTING ABORTION ACCESS

Over the past year, the ACLU blocked over 50 bills restricting abortion access, and our aggressive litigation continued to keep abortion clinics open, ensuring that tens of thousands of women around the country get the care they need.

We supported abortion providers in the Supreme Court case *Whole Woman’s Health v. Hellerstedt*—and celebrated the court’s historic ruling against sham anti-abortion laws, a great tool for the fights ahead.



Percentage of Beds in Catholic Hospitals By State, 2016



In Alabama, we successfully brought two lawsuits striking down laws that would have closed all but one clinic in the state, leaving only a single doctor to provide abortions. Persevering, we also blocked two other laws in Alabama from taking effect. Those laws would have shut down the two clinics providing most abortions in the state and effectively banned second-trimester abortions.

In addition, after a lengthy trial, we preserved abortion for Medicaid-eligible women in Alaska—currently, one-third of all Alaskan women seeking abortion are Medicaid-eligible. And in January 2016, the Court let stand our successful challenge to Arkansas’ ban on abortions beginning at 12 weeks of pregnancy.

We have also blocked or overturned restrictions that would have inflicted huge new burdens on women seeking abortions in Arizona, Florida, Indiana, South Dakota, Virginia, and Wisconsin.

Our victories and perseverance provide a bulwark against future attacks, as we face a White House determined to overturn *Roe v. Wade*. We are poised for this battle, and we will continue to do all we can to protect women’s health and ensure they get the reproductive health care they need.

The ACLU's historic triumph—securing freedom to marry for same-sex couples—galvanized our opposition, who focused their efforts to thwart lesbian, gay, bisexual, and transgender (LGBT) rights by targeting transgender people. Transgender rights have become the crucible of LGBT advocacy, key to winning full equality.

### PROTECTING TRANSGENDER STUDENTS

The ACLU's pioneering legal defense of one courageous transgender teen in Gloucester, Virginia, has become a Supreme Court battle, with the potential to advance law and public support.

Our client, Gloucester high school senior Gavin Grimm (pictured below), says his favorite school activity is "leaving school." And no wonder—his school board won't accept him as a boy and let him use the boys' restroom in peace, as he had for months before the school board stopped him.

At the school board meeting to ban Gavin's bathroom access, he became a target of ridicule, with townspeople pointedly calling him "young lady" to his face. We took Gavin's case, and in May 2016, a federal appeals court held that preventing Gavin from using the boys' room was sex discrimination. The school district appealed, and the Supreme Court will hear arguments in March 2017.

Gavin's case spurred the Obama Justice Department to issue historic guidance to public schools, requiring them to treat transgender students in accord with their gender identity. That guidance is now contested.

### SECURING TRANSGENDER EQUALITY

On the issue of bathroom access, we have been winning, most recently securing a narrow injunction against North Carolina's notorious HB 2 law, which we seek to overturn. We've also helped defeat over 40 anti-transgender restroom bills in state legislatures this year—even persuading the South Dakota governor to veto a measure that would have segregated transgender students.

Gavin's case goes beyond bathroom access. One key issue before the Supreme Court is whether it's sex discrimination when schools refuse to treat transgender students consistent with their gender identity. On that issue, we've celebrated recent victories in five federal appeals courts—and, with Gavin's moving story now prominently before the public, we hope to win new hearts and minds.

**In 2016, the ACLU helped defeat over 40 anti-transgender bills across the country.**



**GLOUCESTER,  
VIRGINIA**

Over the past year, the ACLU strenuously protected the right to vote nationwide. Our efforts persuaded judges to become newly vigilant in countering voter suppression—critical since the Supreme Court substantially disabled the Voting Rights Act (VRA) in 2013—and we also expanded ballot access and minority voting rights.

- After years of struggle, we prevailed against North Carolina’s notorious voter suppression law, enacted in 2013. In a historic ruling in July 2016, the 4th Circuit Court of Appeals struck down the law, fiercely condemning state legislators for “target[ing] African-Americans with almost surgical precision.” With partner groups, we also supported the momentous July 2016 win in the 5th Circuit Court of Appeals against Texas’ restrictive voter ID law, which the court deemed racially discriminatory.
- In Kansas, we repeatedly vanquished Secretary of State Kris Kobach, the architect of an array of state voter suppression laws that claim to target non-citizens, but instead serve as a pretext for removing poor and minority individuals, especially Latinos, from the voting rolls. In our July 2016 win, we blocked the state’s voter suppression law in time to allow 18,000 people to participate in the state’s primary.
- In Ohio, we stopped an illegal purge of tens of thousands of legitimate voters simply because they had not voted in recent elections. Our 6th Circuit Court of Appeals win in September 2016 followed an earlier ACLU settlement restoring early voting throughout the state.
- Thanks to ACLU advocacy, the California Department of Motor Vehicles launched a new online voter registration system that dramatically increased registration. In just the first three months, nearly 250,000 people registered to vote. We also secured reforms to online voter registration in Florida, New York, Pennsylvania, Rhode Island, and West Virginia, expanding ballot access, especially for people with disabilities.
- In Missouri, we successfully challenged the at-large school board elections in Ferguson, a stark illustration of systemic racism. By diluting the minority vote, Ferguson maintained an overwhelmingly white school board in control of a 77 percent black public school population.



The ACLU’s recent voting rights victories—even in circuit courts reputed to be the nation’s most conservative—constitute a testament to our tenacity. We have faced down a barrage of voter suppression laws, the crippling of the VRA, and a potentially unsympathetic judiciary—and, over time, we have prevailed. Indeed, in the lead up to the 2016 presidential election, ACLU litigation and advocacy helped secure voting rights for more than 5.6 million voters.

“ [NORTH CAROLINA’S NEW VOTER ID PROVISIONS] TARGET AFRICAN AMERICANS WITH ALMOST SURGICAL PRECISION.”

— LEAGUE OF WOMEN VOTERS OF NORTH CAROLINA, ET AL. V. NORTH CAROLINA (2016)



# BILOXI, MISSISSIPPI

The United States has 2.3 million people behind bars, with almost 90 percent in state prisons and local jails. Working with both progressive and conservative allies, the ACLU has forged a powerful campaign to reverse mass incarceration.

## PLUGGING PRISON PIPELINES

Despite an increasingly conservative climate and partisan divide, the movement to reverse mass incarceration moves forward.

Indeed, the ACLU's strategic alliances have resulted in real change. On Election Day 2016, Oklahomans overwhelmingly approved two ballot initiatives that could reduce prison admissions by almost a third—a big step forward in a state that has the country's second highest incarceration rate and the highest incarceration rate among women.

The measures—which we hope to replicate in other states—reclassify many drug and property crimes from felonies to misdemeanors and funnel resources into rehabilitation and job and education programs.

This ballot victory would not have been possible without the right-left coalition forged by the ACLU, which included some of the state's most respected law enforcement officials, faith leaders, business leaders, and elected officials.

With the ACLU playing a critical role, the coalition collected more than 220,000 signatures from Oklahomans across the state to qualify for the November ballot and crisscrossed the state, hosting a series of town halls and other events to bring the conversation directly to the people of Oklahoma.

We also celebrated other key wins in November 2016: the legalization of marijuana in California, Maine, Massachusetts, and Nevada. These wins are hugely important because convictions for marijuana possession needlessly ensnare hundreds of thousands of people in the criminal justice system, wasting



With Qumotria as our lead client, we filed a class action lawsuit on behalf of Biloxi's most vulnerable. The class included Qumotria's boyfriend, Joseph Anderson (pictured at left), jailed for seven nights for failure to pay a \$170 speeding ticket.

During a nine-month period spanning 2014 and 2015, Biloxi locked up more than 415 people for failure to pay fines. Nationally, more than a thousand counties in over a dozen states lock up poor people for not paying fines.

In March 2016, we reached a landmark settlement, securing sweeping reforms that provide a model for other jurisdictions. These reforms include hiring a public defender to represent poor people like Qumotria and providing training for judges and know-your-rights notices for defendants.

Working with allies across the political spectrum, we're pressing for statewide legislation in Mississippi. We've also helped others like Qumotria across the nation; we have won statewide change in Georgia and local reform in Washington state, where Benton County debtors faced jail or forced labor.

## CHANGING LIVES

The movement for criminal justice reform has generated impact beyond the state level. It won the support of President Barack Obama—who, with ACLU help, has commuted the sentences of over 1,000 federal prisoners.

More than half those commutations were supported by Clemency Project 2014.

The project, an unprecedented independent undertaking by an array of organizations and volunteer attorneys, was co-founded by the ACLU at the request of the U.S. Department of Justice. It was launched in direct response to "A Living Death," an ACLU report on people convicted of nonviolent offenses and sentenced to life without parole, typically for multiple petty crimes, like stealing a \$159 jacket or serving as a middleman in the sale of \$10 of marijuana.

To date, Clemency Project 2014 has submitted more than 2,400 clemency petitions to the executive branch; we are proud to lead this effort to seek justice and reunite people with their loved ones.

**The U.S. has 5% of the world's population, but MORE THAN 20% of the world's prison population.**

billions of dollars. Again, our coalition work helped make these wins possible, even against heavily funded opposition.

## FIGHTING DEBTORS' PRISONS

The ACLU made dramatic headway bringing both attention and reform to the rise of modern-day debtors' prisons—the jailing of the poor for their inability to pay fines and fees. This neglected part of the mass incarceration crisis spotlights an out-of-control criminal justice system, unconstitutionally profiteering off the poor and destroying lives in the process.

Interviewing prisoners in a Biloxi jail, we discovered Qumotria Kennedy—behind bars for five nights simply because the 36-year-old single mother of teenagers couldn't afford to pay traffic fines.

Incarcerated and absent from her part-time job as a cleaner, she was fired. Unable to pay her rent, she lost her home.

## ACLU FOUNDATION BOARD OF DIRECTORS

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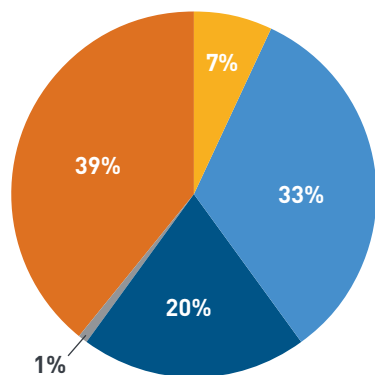


## ACLU AT THE MOVIES

Fall 2016 brought the release of two major films about ACLU clients. *Loving* portrayed the story of courage and commitment of Mildred and Richard Loving, whom the ACLU represented in *Loving v. Virginia*, the landmark 1967 Supreme Court case that struck down all state bans on interracial marriage. *Snowden* stars Joseph Gordon-Levitt as the National Security Agency whistleblower.

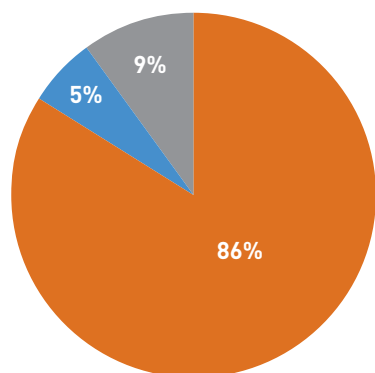


# FINANCIAL SUMMARY



## PROGRAM SERVICES

- Affiliate Support
- Legal
- Public Education
- Legislative
- Civil Liberties Policy Formulation



## OUR EFFICIENCY

- Total Program Services
- Fundraising
- Management and General

American Civil Liberties Union, the ACLU Foundation & Subsidiary  
Consolidated Statement of Activities for the Years Ended March 31, 2016 & March 31, 2015

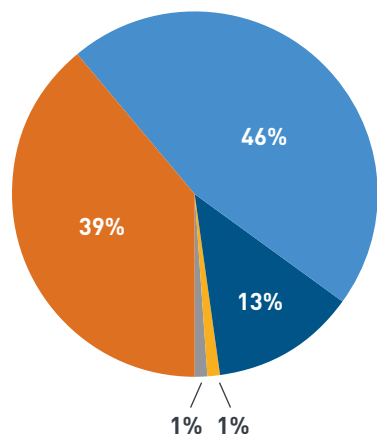
	FY2016	FY2015
<b>Support &amp; Revenue</b>		
Grants & Contributions	\$106,628,381	\$114,966,772
Donated Legal Services	5,604,509	6,840,383
Bequests	25,161,624	14,873,107
Other Revenue	791,644	812,798
<b>TOTAL SUPPORT &amp; REVENUE</b>	<b>138,186,158</b>	<b>137,493,060</b>
<b>Expenses</b>		
Program Services:		
Legislative	8,344,909	11,549,409
Legal	36,239,655	36,972,769
Public Education	21,686,654	24,751,747
Civil Liberties Policy Formulation	758,234	835,900
Affiliate Support	42,766,671	39,209,501
<b>Total Program Services</b>	<b>109,796,123</b>	<b>113,319,326</b>
Supporting Services:		
Management & General	5,796,567	7,533,590
Fundraising	11,835,932	12,704,014
<b>Total Supporting Services</b>	<b>17,632,499</b>	<b>20,237,604</b>
<b>TOTAL EXPENSES</b>	<b>127,428,622</b>	<b>133,556,930</b>
Change in Net Assets Before Other Changes	10,757,536	3,936,130
<b>Other Changes in Net Assets</b>		
Net Legal Expenses Awarded	5,422,660	3,842,201
Net Investment Income, Gains & Losses	(6,428,669)	10,179,070
Changes in Value of Split-Interest Agreements	(1,024,006)	(2,376,868)
Recognition of Affiliates' Share of Pension Liability	(2,017,313)	34,559,117
Minimum Pension Liability Adjustment	3,320,130	(23,013,481)
<b>TOTAL OTHER CHANGES IN NET ASSETS</b>	<b>[727,198]</b>	<b>23,190,039</b>
Change in Net Assets*	10,030,338	27,126,169
<b>Net Assets</b>		
Beginning	264,776,327	237,650,158
Ending	\$274,806,665	\$264,776,327

\* Unspent temporarily restricted funds are carried forward and may produce deficits in the years when they are expended.

# ADDENDUM TO 2016 ANNUAL REPORT

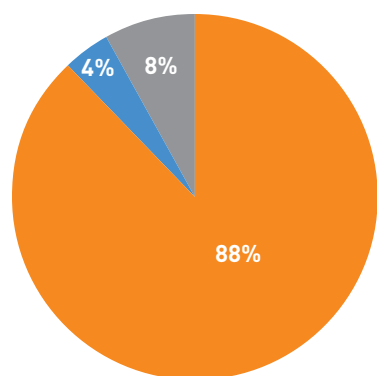
## FINANCIAL SUMMARY

American Civil Liberties Union Foundation, Inc. and Subsidiary  
Consolidated Statement of Activities for the Year Ended March 31, 2016



### PROGRAM SERVICES

- Affiliate Support
- Legal
- Public Education
- Legislative
- Civil Liberties Policy Formulation



### OUR EFFICIENCY

- Total Program Services
- Fundraising
- Management and General

**FY2016**

### Support & Revenue

Grants & Contributions	\$69,755,137
Donated Legal Services	5,604,509
Bequests	19,716,904
Other Revenue	1,226,704
<b>TOTAL SUPPORT &amp; REVENUE</b>	<b>96,303,254</b>

### Expenses

Program Services:	
Legislative	457,640
Legal	36,239,655
Public Education	10,079,664
Civil Liberties Policy Formulation	483,170
Affiliate Support	31,298,070
<b>Total Program Services</b>	<b>78,558,199</b>
Supporting Services:	
Management & General	3,849,319
Fundraising	7,293,913
<b>Total Supporting Services</b>	<b>11,143,232</b>
<b>TOTAL EXPENSES</b>	<b>89,701,431</b>
Change in Net Assets Before Other Changes	6,601,823

### Other Changes in Net Assets

Net Legal Expenses Awarded	5,422,660
Net Investment Income, Gains & Losses	(6,508,583)
Changes in Value of Split-Interest Agreements	(1,024,006)
Recognition of Affiliates' Share of Minimum Pension Liability Adjustment	(576,980)
<b>TOTAL OTHER CHANGES IN NET ASSETS</b>	<b>(2,686,909)</b>
<b>Change in Net Assets*</b>	<b>3,914,914</b>

### Net Assets

Beginning	241,733,873
Ending	\$245,648,787

\* Unspent temporarily restricted funds are carried forward and may produce deficits in the years when they are expended.

# HOW TO BECOME INVOLVED

## TAKE A STAND NOW TO PROTECT FREEDOM, JUSTICE, AND EQUALITY.

### HOW TO GIVE TODAY

The ACLU comprises two organizations.

- Gifts to the **American Civil Liberties Union** qualify for ACLU membership and support our legislative work, including lobbying in Congress and in state legislatures. Gifts are non-tax deductible.
- Gifts to the **ACLU Foundation** support our litigation and public education. Gifts are tax deductible.

To make an online donation to the American Civil Liberties Union, go to [aclu.org/membership](https://aclu.org/membership).

To make an online donation to the ACLU Foundation, go to [aclu.org/donation](https://aclu.org/donation).

To give by mail, make a check payable to “American Civil Liberties Union” or “ACLU Foundation” and send it to:

ACLU Office of Leadership Gifts  
125 Broad St., 18th Floor  
New York, NY 10004

For more information about other giving options, contact Jeff Vessels, ACLU Director of Leadership Gifts, at 212-549-2503 or [jvessels@aclu.org](mailto:jvessels@aclu.org).

### HOW TO MAKE A PLANNED GIFT

Join a special group of ACLU supporters who have made liberty, fairness, and equality their personal legacy by including the ACLU in their wills.

For more information about making a gift through your will, trust, or retirement plan, contact our Gift Planning Office at **877-867-1025** or [legacy@aclu.org](mailto:legacy@aclu.org), or visit [aclu.org/legacy](https://aclu.org/legacy).

### HOW TO TAKE ACTION

To make your voice heard through our online action network—ACLU Action—and protect civil liberties in your community and across the country, check out ACLU Action’s grassroots campaigns and sign up today at [aclu.org/action](https://aclu.org/action).

Shop online at the ACLU store at [aclu.org/shop](https://aclu.org/shop).

### HOW TO JOIN THE CONVERSATION

 [twitter.com/aclu](https://twitter.com/aclu)

 [facebook.com/aclu.nationwide](https://facebook.com/aclu.nationwide)

 [aclu.org/blog](https://aclu.org/blog)



The ACLU has a four-star Charity Navigator rating and meets the highest standards of the Better Business Bureau’s Wise Giving Alliance.

The American Civil Liberties Union was founded in 1920 and is our nation's guardian of liberty. The ACLU works in the courts, legislatures, and communities to defend and preserve the individual rights and liberties guaranteed to all people in this country by the Constitution and laws of the United States.



ACLU | 125 Broad Street, 18th Floor | New York, NY 10004 | [aclu.org](http://aclu.org)