

With liberty  
and justice  
for all



ACLU OF WASHINGTON  
ANNUAL REPORT 2012

# 2012: A Year of History in the Making

As in any year, I could write volumes about the work of the past year — thousands of cases, amicus briefs, letters, meetings with legislators, public education campaigns, and speaking engagements — here in Washington and across the nation. The values and strategies of the ACLU are being carried out by over **1000** staff members and thousands of volunteers nationwide. This report can't possibly touch on all of it, so what follows are only highlights of some of our local and national work. What you'll see on the pages to come is **progress**, whether it's winning equal treatment for **1** individual or changing an unfair law that affects all **311,000,000** individuals in the U.S.

This year Washington citizens voted on two historic ballot measures: MARRIAGE EQUALITY and a NEW APPROACH to Marijuana. These two issues encompass a great deal of what the civil rights movement looks like today: issues of racial profiling and discrimination, mass incarceration and police accountability, voting rights, and full LGBT equality. The ACLU of Washington has been fighting for full equality for gays and lesbians for decades, long before it was imaginable marriage equality legislation would be on our ballots. From our first lawsuit seeking a gay couple's right to marry in **1971**, the ACLU-WA has forged the way to this momentous occasion. We have faced many setbacks along the path to progress and we never give up. That's who we are. That's who you are as a supporter. If the ACLU had given up the first time school segregation was upheld, we would still have "separate but equal."

The ACLU of Washington has been working toward drug law reform for more than **12** years to counteract the gross racial disparity, unfair enforcement, wasted resources, and total failure that has been fueled by our current laws of prohibition. The U.S. incarcerates a greater percentage of its population than any other country, in large part due to the failed War on Drugs. Washington state is leading the way to legalize, tax, and regulate the adult consumption of marijuana — a first step toward nationwide drug policy reform and a move away from our "incarceration nation."

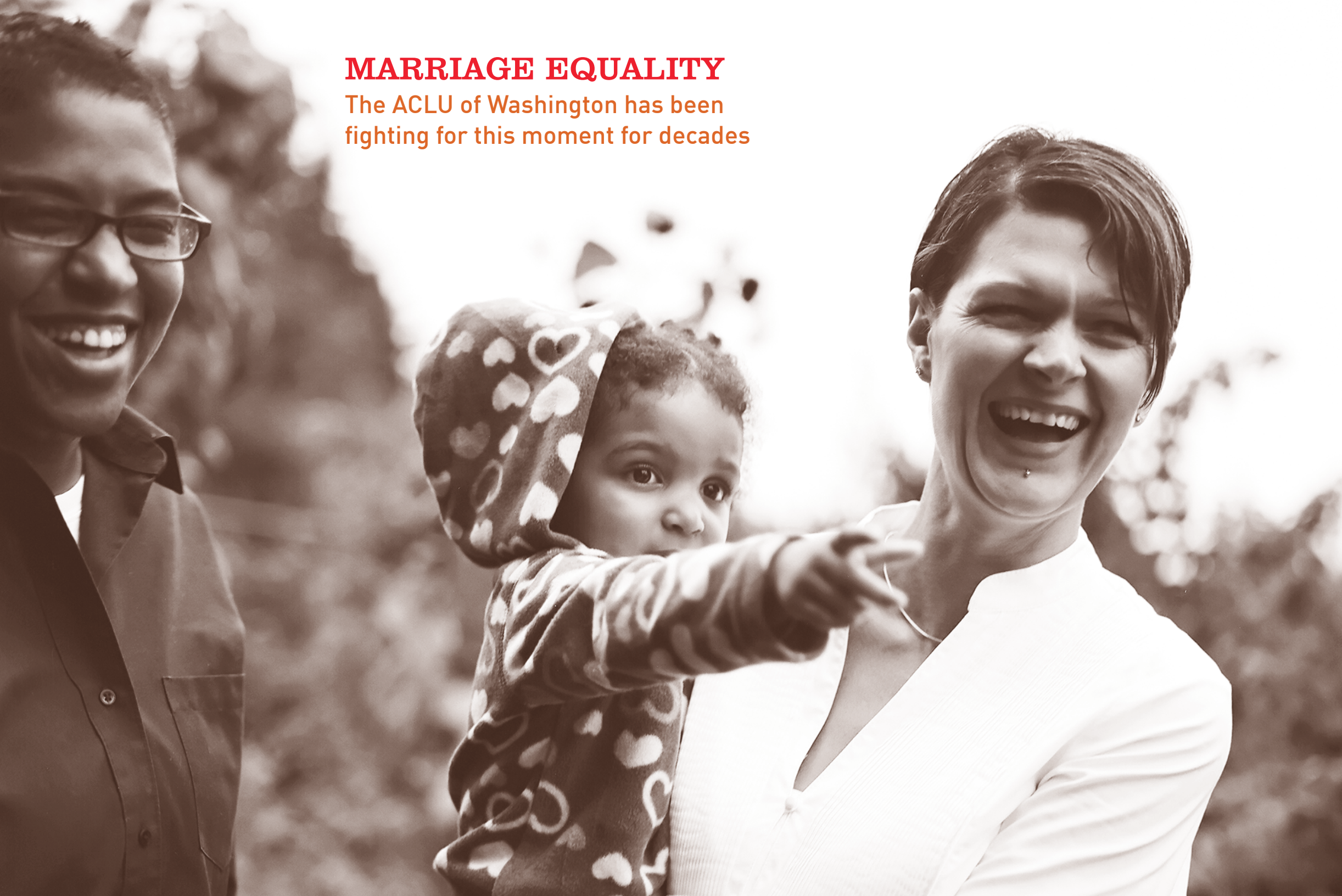
Heart-felt thanks to you, our **20,000** members in Washington, as we make history. You have made Washington a leader in moving our entire country forward.

With gratitude and pride,



Kathleen Taylor, Executive Director





# MARRIAGE EQUALITY

The ACLU of Washington has been fighting for this moment for decades

1971

**SEEKING MARRIAGE FOR GAY COUPLE**  
The ACLU-WA brings the state's first lawsuit seeking the right for a gay couple to marry. The case was unsuccessful and John Singer and Paul Barwick were denied that right. *(Singer v. Hara)*

1978

**GAY PARENTING**  
In a Washington Supreme Court case, the ACLU-WA successfully defends the right of two gay parents to maintain custody of their children and sets the statewide precedent. *(Schuster v. Schuster)*

1989

**GAYS IN THE MILITARY**  
After nine years of ACLU-WA litigation, the Army is ordered to reinstate Sgt. Perry Watkins, who had been discharged after serving as an openly gay man. Prior to the "Don't Ask, Don't Tell" policy, this was the first gay military victory. *(Watkins v. U.S. Army)*

2006

**LGBT DISCRIMINATION**  
After three decades of lobbying by LGBT advocates and the ACLU-WA, the state legislature adopts a law prohibiting discrimination based on sexual orientation.

2009

**EVERYTHING BUT MARRIAGE**  
The legislature passes a law providing registered domestic partners the same rights and responsibilities under state law as married couples, after the ACLU-WA and others sued unsuccessfully for full marriage equality. *(Castle v. State)*

2010

**ASK, TELL, SERVE YOUR COUNTRY**  
The ACLU-WA represents Major Margaret Witt in the first judicial victory against the military's "Don't Ask, Don't Tell" policy. The federal ruling orders the military to reinstate Witt in her original Air Force flight rescue unit. Weeks later the discriminatory policy is repealed across the entire armed forces.

2012

**MARRIAGE EQUALITY**  
On February 13, 2012, Governor Gregoire signs full Marriage Equality legislation, quickly followed by attacks from opposition and a referendum on the November ballot. Washington is among the first states to vote to protect this fundamental right. The ACLU-WA and Washington United for Marriage have worked hard all year to ensure it passes.





Here in Washington,  
an African American is...

3 times more likely  
to be arrested


3 times more likely  
to be charged

3 times more likely to be  
convicted for a marijuana  
offense than a white  
person even though  
white Washingtonians  
use marijuana at a  
higher rate.

The U.S. incarcerates a greater percentage of its population than any country on Earth in large part because of our 40-year War on Drugs — a “war” that has cost more than \$1 trillion, devastated hundreds of thousands of lives, and been wholly ineffective. After decades of watching state resources wasted on enforcing unfair and ineffective marijuana laws, the ACLU-WA backed an historic initiative to legalize, tax and regulate the adult use of marijuana.

The law proposed by Initiative 502 would not only eliminate this wasteful spending, but would create more than a half a billion dollars a year in new revenue for Washington state and provide millions of dollars for education, health care and public safety. It’s time for a new approach.





When her newborn baby was sick, Jennifer Romero Diaz missed two days of high school to care for him. Upon returning to school, she was called to the principal's office, there she was told by the school counselor, vice principal, and principal that she wouldn't be able to succeed at her public school and needed to find an alternative school. With that pressure Jennifer dropped out of school until her baby was 5 months old.

Being pregnant or being a mother shouldn't cause a young woman to lose her right to an education. This right is protected under Title IX. The ACLU-WA's Pregnant and Parenting Teens project helps girls stand up for their rights and educates school officials, teachers, coaches, and administrators on how to comply with the law.

Image is not an actual ACLU client

Having a baby is the

#

**reason teenage girls  
drop out of school.**





# 9 10

out of

**LGBT students  
have experienced  
harassment at school**

Russell Dickerson III endured six years of physical and emotional assault, bullying, and threats by his fellow students based on his race and his perceived sexual orientation. And for six years, the teachers and administrators in the Aberdeen School District failed to respond adequately and make Russell safe at school. At a time when our LGBT children are committing suicide rather than face this kind of abuse, the ACLU couldn't stand by quietly. We sued Aberdeen School District and gained a major settlement on behalf of Russell's right to a safe education and equal opportunity to learn.



# 1 in 4

African American adults do not have a government-issued ID, yet

# 30 out of 50

states proposed measures that would make it illegal to vote without one.

States across the country have passed measures to make it harder for Americans — particularly African Americans, the elderly, students and people with disabilities — to exercise their fundamental right to vote. Nationwide, the ACLU responded in the courts with 37 lawsuits in 21 states, in the state legislatures, and with a widespread public education campaign to be sure voters knew how to navigate new barriers.

Here in Washington, the ACLU-WA filed the state's first case under the Voting Rights Act this year. We are suing to ensure all Yakima residents have a meaningful voice in elections. Forty-one percent of Yakima's population is Latino, yet no Latino has ever held a position on the City Council due to a vote-diluting "at-large" system.



The death penalty is unfairly and arbitrarily applied. It is costly and does not deter crime. In nearly every state that has been studied, there was a pattern of race discrimination in death penalty cases. The ACLU has taken on 27 capital punishment cases in courts all across the country — including the Supreme Court — and works nationwide to abolish the death penalty through advocacy, public education and strategic litigation.

This year the ACLU-WA and coalition partners have launched a campaign — SAFE AND JUST ALTERNATIVES dedicated to ending the death penalty in Washington by 2014. The costs are simply too high, the risks too great, and the injustice undeniable.

# 42

percent of inmates currently  
on death row are African American.



PICTURED: Freddie Lee Pitts, exonerated after serving 12 years on death row in Florida.  
Photo by Scott Langley / deathpenaltyphoto.org, used with permission



This year, the ACLU fought 140 separate anti-choice, anti-woman, anti-health measures proposed in state legislatures across the country.

Michigan state representative Lisa Brown was banned from the House floor for saying the word “VAGINA” while debating a law to restrict women’s health choices. Elsewhere, male senators were aiming to decide which rape is “legitimate” and which is not. The backlash against women’s rights is appalling.

# VAGINA

The ACLU has been fighting for reproductive freedom long before Roe v. Wade. In Washington, the ACLU-WA, Planned Parenthood, and other allies ensured this fundamental right with the passage of Initiative 120 in 1991 — guaranteeing women the right to choose under state law — and every year we work to protect it. Today, across the nation, the ACLU continues to push back forcefully against abortion bans, bills that deny insurance coverage for contraception, and “fetal personhood” measures designed to outlaw abortions, in-vitro fertilization, and various forms of birth control. A woman’s rights over her own body shouldn’t be up for debate.



This man is much more likely to be stopped for a  
“traffic violation” than his white neighbor

Since 9/11, the growing national security apparatus has resulted in a dramatic increase in federal law enforcement in northwest Washington. In fact, construction has just been completed on a new \$8 million facility that will house up to 50 Border Patrol agents in the town of Port Angeles, population 19,000. Over the past few years, agents have repeatedly made suspicionless, illegal stops of minority residents in the area, which appear to be based solely on the color of their skin. After years of working with community groups to try to convince the Customs and Border Patrol to change its practices, the ACLU-WA has filed suit. We are representing Ismael Contreras, the former student body president at Forks High School, and two other citizens, who have been followed, stopped, interrogated, and otherwise harassed by agents who have little else to do.

Image is not an actual ACLU client

In 2001 there were  
48 border patrol  
agents on the  
Olympic Peninsula  
today there are

327



For decades the ACLU-WA has worked to curb police misconduct and increase police accountability. After several disturbing incidents were caught on tape, the ACLU led 34 community organizations in calling for a U.S. Department of Justice investigation into the Seattle Police Department's use of force, especially against individuals of color.

In a scathing report, Seattle police were found to use excessive force routinely and unconstitutionally. We were thrilled when the Justice Department demanded a court-monitored consent decree which requires changes in policies, practices, and training. But the ACLU's work is not done. We will press for sustained reforms that change the entire culture of the department, so that it protects and serves our entire community.

T CROSS

POLICE LINE DO NOT CROSS

POLICE LINE DO NO

**Americans are 8 times more likely to be  
killed by a police officer than by a terrorist.**

—U.S. National Safety Council





**Is the U.S. a country that would send a drone overseas to kill you because you are on a secret list?**

**IT IS.**

An American teenager having dinner with his cousin in Yemen, 100 miles from any combat zone, is hunted and murdered by a U.S. drone. Why? Because his name has been placed on a secret list, decided by secret criteria, based on secret evidence, gathered by secret means.

The ACLU and the Center for Constitutional Rights are suing on behalf of the boy's grandfather, charging that the targeted killings of U.S. citizens without trial is in stark violation of our constitution's right to due process.

And here on our own soil, an influx of Homeland Security dollars is spurring the militarization of local police departments which are embracing drones and other surveillance technologies. The ACLU-WA has questioned plans for police use of aerial drones in our state and is pushing for clear and transparent policies that strictly limit their use.



**The NSA intercepts  
and stores**

**1.7 billion**

**communications per day –  
your emails, phone calls, texts**



# 2011-2012 GENERAL OPERATING BUDGET

*\*unaudited*

## ACLU OF WASHINGTON FOUNDATION SUPPORT & REVENUE

Annual Fund Campaign .....	1,327,810
Workplace Giving .....	95,511
Miscellaneous .....	20,227
Endowment Fund Income .....	278,072
Transfers from Designated & Restricted Funds .....	1,044,538
Due to National ACLU Foundation .....	(297,264)
<b>Total .....</b>	<b>\$2,468,893</b>

## EXPENSES

Communications Program .....	398,009
Legal Program .....	778,145
Field Program .....	88,070
Drug Policy Reform .....	353,481
Liberty & Technology .....	177,605
Education Equity .....	103,109
Development .....	373,772
Management & General .....	341,094
<b>Total .....</b>	<b>\$2,613,286</b>

## ACLU OF WASHINGTON SUPPORT & REVENUE

Membership .....	611,500
Annual Fund Campaign .....	48,782
Miscellaneous .....	730
Transfers from Designated & Restricted Funds .....	50,570
Due from National ACLU .....	1,850
<b>Total .....</b>	<b>\$713,432</b>

## EXPENSES

Communications .....	117,680
Legislative & Field Programs .....	378,775
Technology & Liberty and Drug Policy Reform .....	46,977
Fundraising .....	22,994
Management & General .....	105,027
<b>Total .....</b>	<b>\$671,454</b>

*Audited statements will be available from the ACLU-WA office in early fall.*

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