

why are *you* a member?

ACLU OF WASHINGTON | ANNUAL REPORT 2011





ACLU
of Washington
ANNUAL REPORT
2011

the state *(and nation)* we're in:

Perhaps you, like many of us, are fed up and frustrated with the lack of positive change in the country. Our political system seems dysfunctional as basic problems go unaddressed. But the ACLU continues to move forward on crucial issues – and that gives me hope.

Ten years after the USA PATRIOT Act, hundreds of thousands of individuals have been watched, listened to, tracked, searched, put on no-fly lists. Others have been wrongfully detained, interrogated, or worst yet, killed by drone attack – all without due process of law. Despite these serious setbacks, the ACLU continues to challenge government excesses and to win some crucial victories.

I became an ACLU member

more than 30 years ago because I saw that the ACLU worked for **everybody's** rights, and refused to relinquish freedom for perceived security or social convenience.

The ACLU spoke truth to power. The same is true today.

Early in his term, President Obama invited the leaders of numerous civil rights organizations to the Oval Office. After some pleasant discussion, he looked pointedly at ACLU Executive Director Anthony Romero and said, "It would help if people didn't compare my actions to those of my predecessor." Anthony held his eye and said, "With all due respect Mr. President, if your policies are indistinguishable from those of your predecessor, it is my job to point that out."

Whether you are disappointed in

the president's civil liberties record or are sympathetic to his challenges, there is no question that **we need a strong ACLU no matter who is in office.**

Our agenda is guided by one set of principles, the Bill of Rights, not by election dates, party lines, or financial interests. As you'll see in this Annual Report, the ACLU is at the forefront of every challenge to civil rights and liberty that arises.

**So my question to you is:
Why are you an ACLU member?**



Kathleen Taylor,
Executive Director

of The power it has to push for justice for all.

America is a promise, and the ACLU works to make sure that promise is kept.

Everyone deserves the opportunity to be free.

I want the future to be a great place to live.

We can do better.

it's the best way I know to be patriotic.

it's the most effective privacy advocate in the country

I'm hopeful
for democracy
in America

I'm an ACLU member because...

DEMOCRACY IS A WORK IN PROGRESS

the ACLU fights for what is right:
fairness and equality for all!

our rights and freedoms need to be protected and upheld.

They fight to keep us free.

I prize freedom of expression.

My grandchildren and their children
deserve constitutionally protected rights.

I'm a rebel at heart.



ACLU-WA staff, interns, and volunteers



IN A DEMOCRACY, POLICE OFFICERS ARE delegated great powers to enforce the law by the people they serve. **With that authority comes great responsibility** – including the responsibility to use force only when clearly necessary and to answer questions about their methods. The ACLU-WA has long been a leading advocate for improved police practices.

Last year saw a series of troubling incidents of excessive force by Seattle police. The ACLU-WA mobilized 34 community groups to call upon the US Department of Justice to conduct an investigation into whether the Seattle Police Department has “engaged in a pattern or practice of violations of civil rights by using unnecessary and excessive force against residents.”

In an open letter, executive director Kathleen Taylor wrote, “Disturbing incidents of excessive force – including assaults on individuals when they are already down – have continued, especially against people of color. These incidents are harmful and cause distrust of the police, making it harder for the Department to do its job of keeping all Seattle residents safe...”

A preliminary inquiry convinced the DOJ that a full-scale investigation was warranted. The ACLU-WA has met with DOJ officials, and facilitated meetings with community members, which we hope will lead to recommendations that can improve fairness, public safety, and prevent any more police assaults.

because
police
must be
accountable



RUSSELL DICKERSON IS 19 YEARS OLD.

Growing up in Aberdeen, Russell graduated from high school in 2010 ... but not without scars to show for it.

During his six years in junior and senior high, Dickerson was subjected to a continuing barrage of vicious attacks about his race, appearance, and suspected sexual orientation.

He was called names like “stupid nigger” and “dog” by other students and found notes taped to his back with these messages. **Students tripped him in the hallways, threw food at him in the cafeteria, grabbed his chest, and smashed a raw egg on his head.**

Two students even set up a Myspace page dedicated to attacking Russell; the comments left there were vicious – one threatened Russell with death. This is not simple “schoolyard bullying,” this is assault, abuse, racism, violence, death threats. Though he and his parents repeatedly reported these incidents, both verbally and in writing, administrators failed to take adequate steps, and the abuse never stopped.

Teenagers are dying from this kind of bullying, and suicide among students who identify with the LGBT community has reached a crisis. The ACLU-WA is suing Aberdeen School District on behalf of Russell Dickerson for the educational opportunities he lost. Every student has the right to be safe at school.

because the
ACLU protects
*the most
vulnerable*



FREE SPEECH IS NOT ALWAYS COMFORTABLE.

In fact, it is when speech is uncomfortable – when it’s controversial and incites strong emotions – that speech most needs protection. We cannot pick and choose which speech is free.

King County had a long-established practice of publishing paid ads on its Metro buses. For more than a decade, these ads have expressed **a wide spectrum of views, addressing atheism, reproductive rights, immigration, and Palestinians in Gaza.** Many non-profit groups use bus ads as an affordable way to promote their causes.

Yet when the prospect of one such ad drew opposition, the County cancelled the contract to run the ad and revoked its policy of accepting ads advocating for causes. Sponsored and paid for by the Seattle Mideast Awareness Campaign (SeaMAC), the ad’s text read, “Israeli War Crimes: Your Tax Dollars at Work.” To justify the suppression, County officials cited vague and not credible threats to bus safety.

To uphold the First Amendment rights of all causes equally, the ACLU-WA has filed suit on behalf of SeaMAC seeking to have the County honor its contract to run the ad. Free speech is not just for some.

because the
ACLU protects
*freedom
of speech*

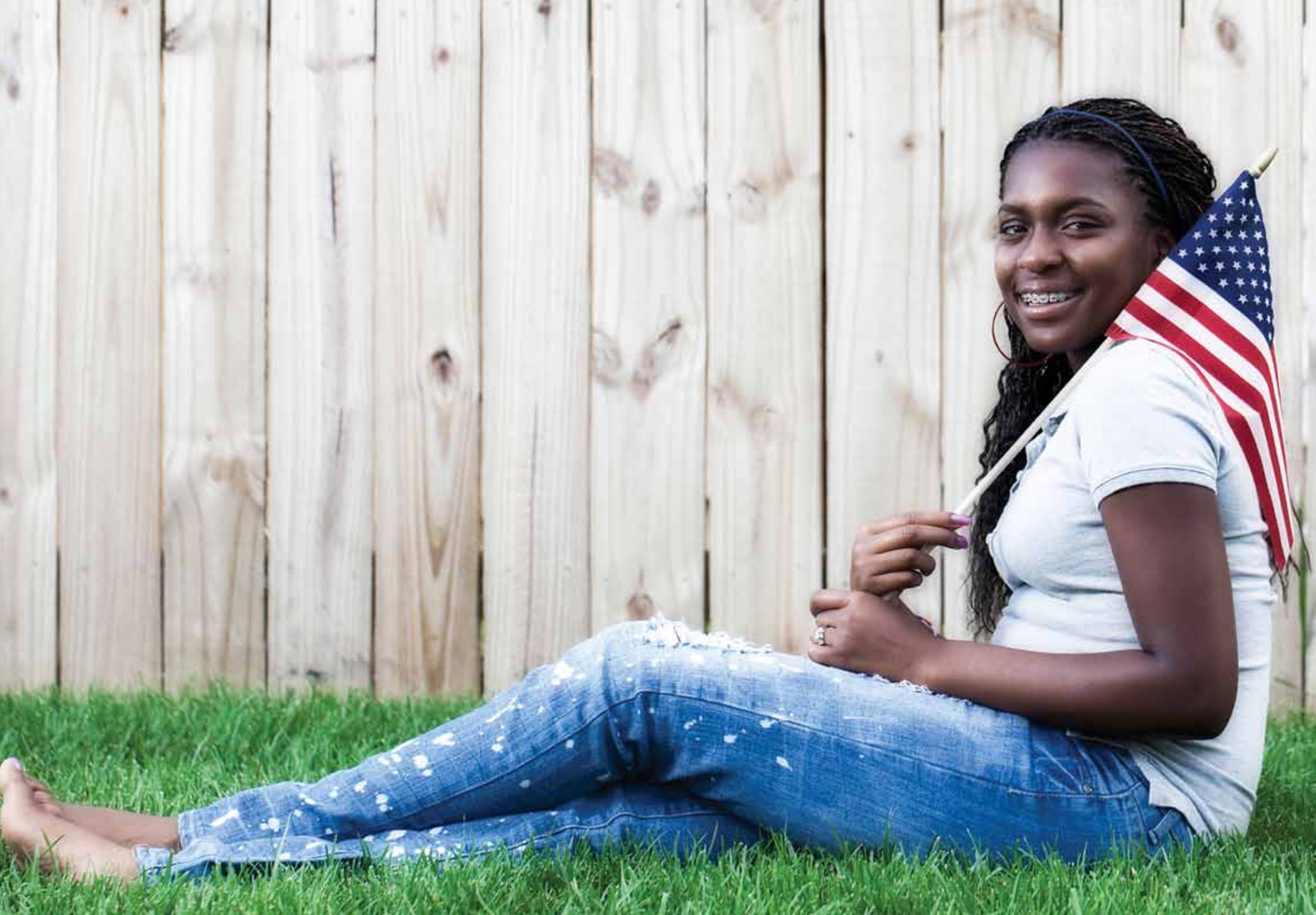


THE ACLU HAS WORKED SINCE ITS inception to ensure that religion remains the purview of individuals, families, and religious communities, and that Americans have the right to practice their religious beliefs in public and in private. We seek to guarantee that all people are free to follow and practice their faith – or no faith at all – without government influence or interference, and that the government neither prefers religion over non-religion nor favors particular faiths over others.

That is not the case at the Pierce County Jail. Jail officials have prohibited Muslim men from engaging in regular group prayer and from possessing items that are integral to Islamic worship. **Yet Christian inmates enjoy a designated unit nicknamed “the God Pod”** where they receive special privileges, such as freely walking about a common area and better food, that are denied to prisoners of other faiths.

We won’t let that stand. The ACLU-WA and the Public Interest Law Group are representing Muslim inmates in a class action lawsuit seeking respect for the inmates’ religious needs to the same extent it honors Christian practices.

because the
ACLU defends
*religious
freedom*



PREGNANCY IS A LEADING REASON WHY young women drop out of school, and illegal discrimination is a major contributing factor to their high dropout rate. In many cases, pregnant and parenting students are told outright that they can't stay in school or must go to an alternative school. In other cases, staff exclude them from school activities by "morality" codes or make disparaging comments. And the impact of these practices falls more harshly on students of color.

A new ACLU-WA project is educating service providers, students, parents, and administrators about the rights of pregnant and parenting students. Our key message: **Discrimination against pregnant students is strictly prohibited by the federal Title IX law, Washington state law, and the Washington Constitution.**

One student we met had stayed in school through her pregnancy. Once she had her baby, she missed several days of school because her baby was sick. When she returned to school, she was called into the principal's office and told "this clearly isn't going to work." It is difficult enough to stay in school throughout a pregnancy. No student should also have to fight for her right to an education.

because
gender
equity
is only fair



TODAY, MOST PEOPLE UNKNOWINGLY WALK around with a tracking device in their purses or pockets – it's called a cell phone. Location data from your cell phone can make it easy to get directions or locate the closest coffee shop. But it also makes it easy for your cell phone company to find you. And that data says a lot about you – where you go, what you do, who you know.

All too often, the government is getting its hands on this valuable information by demanding it without a warrant. The ACLU-WA is involved in a nationwide campaign to **strip away the secrecy surrounding law enforcement use of cell phone tracking**. We have filed public disclosure requests with local law enforcement agencies to uncover when, why, and how they are using cell phone data.

And with laptops and cell phones now as common at school as slide rules and protractors once were, the ACLU-WA is insisting that civil liberties protections apply to modern technology. We believe a cell phone should be searched only when a school official has reasonable suspicion that a student is using a device in a way that violates school rules or the law. We took our concerns to the Washington State School Directors Association. We worked with them to ensure that the association's model policy for cell phone searches protects student privacy rights.

because
*privacy is
our right*



WASHINGTON STATE IS A LEADER ON many nationwide issues, and when Don't Ask Don't Tell officially ended in September 2011, it was Washington – specifically the ACLU of Washington – that had paved the way to that historic day.

A flight nurse at McChord Air Force Base, Major Margaret Witt served in the Persian Gulf, received numerous medals and commendations, and consistently had superb evaluations during her 18-year career in the military. And in 2006, she was discharged for having a relationship with a woman.

The ACLU-WA was proudly by her side through the next five years of trials. In 2008 the Ninth Circuit Court of Appeals ruled that before discharging a soldier under DADT, the military must prove that the individual's conduct actually harms military readiness – a requirement that became known as the “Witt standard.” And on an historic day in 2010, after a six-day trial, the U.S. District Court found that Maj. Witt's sexual orientation did not negatively impact unit morale or cohesion, and ordered the Air Force to reinstate her. **Today, all gay and lesbian service members are free to be themselves AND serve their country.**

because the
ACLU promotes
LGBT
rights



THE TERM “GANG MEMBER” IS INCREASINGLY used as a way to short-circuit due process. Youth can be identified as gang members solely based on their dress, appearance, or acquaintances – not based on any criminal activity. Unfortunately, race is part of the equation, and law enforcement can easily resort to racial profiling and selective enforcement.

This winter when the legislature considered Attorney General Rob McKenna’s “gang bill,” we came dangerously close to allowing fear and discrimination to overpower individual rights and due process. The bill provided for civil injunctions against youth whom police thought might be gang members – without proof of criminal activity and without legal representation. Based on a person’s clothing, personal style, hangout spots, friends and acquaintances, he or she could land on the injunction list and could easily be charged with a crime. **Sending youth to adult prison is the best way for them to mingle with, and become, real criminals.**

Early in the session, vocal criticism by the ACLU-WA helped make the measure a matter of controversy. Ultimately, more than 60 civil rights, social justice, and ethnic community organizations worked with ACLU-WA to prevent the bill from advancing.

because
guilt by
association
is wrong



THE ULTIMATE INJUSTICE.

Troy Davis, an African American sports coach, was convicted of murdering an off-duty police officer in 1991 and sentenced to death. No physical evidence linked him to the crime. His conviction was based solely on the testimony of nine witnesses, seven of whom later recanted their testimony, and one of whom the other witnesses identified as the real killer. Despite all this, the State of Georgia put Mr. Davis to death on September 21, 2011.

Troy Davis is a tragic example of how the death penalty is discriminatory and unjust. **In Washington, prosecutors have sought death sentences almost three times as often if one or more of the victims were white.** And the cost to local government in particular is staggering – at least three-quarters of a million dollars per case. In our state, we’ve stopped laws allowing the execution of juvenile offenders and mentally disabled adults. Now it is time to end the death penalty for all.

National leaders have recognized that Washington is among the next states that can abolish the death penalty and they look to the ACLU-WA to provide vital leadership. In 2011 we began to construct a comprehensive statewide education campaign to promote alternatives to the death penalty.

because the
*the death
penalty*
must be abolished



IT'S NO LONGER NEWS THAT THE "WAR ON Drugs" has been a tremendous failure – wasting trillions of taxpayer dollars to no effect, propping up organized crime with inflated black market profits, damaging the lives of millions of otherwise law-abiding citizens with criminal convictions, and filling our prisons.

Marijuana-related arrests comprise 52% of all drug arrests nationwide. Thousands in Washington, too often people of color, are arrested for simple marijuana possession. In fact, **in Washington an African American is three times more likely to be arrested, three times more likely to be charged, and three times more likely to be convicted** for a marijuana offense than a white person, despite the fact that white Washingtonians use marijuana at a higher rate. This is not justice.

The ACLU-WA **supports New Approach Washington's Initiative 502** to tax, regulate and take the crime out of the adult use of marijuana – treating marijuana similar to the way we treat hard alcohol.

Change often starts at the state level until it reaches a tipping point that is felt in our nation's capital. Washington is leading the way for nationwide reform of our drug laws.

because our current
drug laws are
*failing and
unfair*



general operating budget 2010-2011

Unaudited*

ACLU OF WASHINGTON FOUNDATION

SUPPORT & REVENUE

Annual Fund Campaign	\$1,082,309
Workplace Giving	112,480
Miscellaneous	36,189
Endowment Fund Income	276,478
Transfers from Designated & Restricted Funds	926,936
Due to National ACLU Foundation	(240,203)
Total	\$2,194,188

EXPENSES

Communications Program	\$461,510
Legal Program	744,214
Field Program	92,141
Drug Policy Reform	217,845
Liberty & Technology	152,239
Education Equity	100,207
Development	347,626
Management & General	418,978
Total	\$2,534,760

ACLU OF WASHINGTON

ACLU OF WASHINGTON SUPPORT & REVENUE

Membership	\$554,489
Annual Fund Campaign	25,470
Miscellaneous	1,636
Transfers from Designated & Restricted Funds	51,729
Due to National ACLU	(5,599)
Total	\$627,725

EXPENSES

Communications	\$89,628
Legislative & Field Programs	299,490
Technology & Liberty and Drug Policy Reform	20,680
Fundraising	14,209
Management & General	96,306
Total	\$520,314

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

thank you *annual contributors*

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