

FINANCIAL REPORT

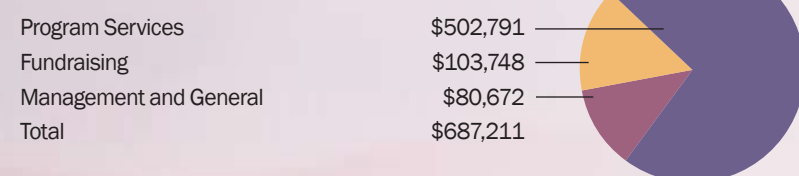
ACLU Foundation of Arizona Operating Income And Expenses 2009-2010

Support and Revenue



*Indicates sharing of contributions with National ACLU

Expenses



ACLU of Arizona Operating Income And Expenses 2009-2010

Support and Revenue



*Indicates sharing of contributions and dues with National ACLU

Expenses



Source: Audited Financial Statements for the year ending March 31, 2010 by Lumbard & Associates. Complete copies are available by writing: ACLU-AZ, PO Box 17148, Phoenix, AZ 85011.

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The American Civil Liberties Union Foundation invites you to join The DeSilver Society, a distinguished group of ACLU members and supporters who have made their own commitment to the future defense of civil liberties. One of the most important ways that you may express your personal commitment to the mission and work of the ACLU is by making a gift today that will provide financial support after your lifetime. As a DeSilver member, you can support the ACLU Foundation through estate and financial plans that will help to continue the work of the ACLU at the national and local levels.

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Visit us at www.acluaz.org

Staff Back row (L-R) Director Resource Development Greg Polzin, Administrative Assistant and Outreach Coordinator Mary Hope Lee, Development and Communications Associate Lindsay Nordstrom, Paralegal Jessica Nierad, Women's Jail Project Coordinator Samantha Blons, Immigrant Rights Advocate Victoria Lopez, Business Manager Adam Leigh. Front row (L-R) Program Associate Addy Bareiss, Public Policy Director Anjali Abraham, Legal Director Dan Pochoda, Executive Director Alessandra Soler Meetze, Staff Attorney Annie Lai.



BUILDING ON A LEGACY OF SUCCESS

ACLU of Arizona Rises to the Challenge

Today, Arizona, and the entire country for that matter, is in the grip of anti-immigrant hysteria. Latinos and other perceived immigrants of color find themselves harassed by local and state police officers who – in their eagerness to score political points – rely on stereotyping and profiling rather than investigation and probable cause. This hysteria is nothing new. Stereotyping of immigrants dates back to the days even before our nation was born and as ACLU founder Roger Baldwin once said: “No fight for civil liberties ever stays won.”

In Arizona, the ACLU is rising to the challenge. On nearly every front, this has been one of the ACLU of Arizona's most difficult years in our duty to protect civil rights and civil liberties. From protecting bedrock constitutional rights of immigrants to arguing before the U.S. Supreme Court in cases safeguarding the rights of workers and religious freedom, our scope of work this year has required monumental effort and unprecedented levels of action.



Alessandra Soler Meetze
Executive Director

But with your help, and the support of a larger staff, we have been able to say what many do not want to hear. We have compelled people to listen and we have effected change.



Roberto Reveles
Board President

1) When those in power pushed through the country's most draconian immigration law that turned ordinary people into criminals, we successfully put a halt to this misguided attempt to set aside our core constitutional rights in the name of border security.

2) When school officials in Dysart failed to take steps to protect a 15-year-old gay teenager from discrimination and harassment, we sent a demand letter that led to a district-wide policy change to include protections for gay, lesbian and transgender students.

3) When Maricopa County Sheriff Joe Arpaio failed to maintain safe and humane conditions in county jails, we filed a class action lawsuit that resulted in an historic ruling that will force him to fix unconstitutional conditions and follow the law.

4) When Arizona policymakers passed a law funneling millions of dollars per year from the state's general fund to subsidize private, sectarian organizations, the ACLU sued. The case, now before the U.S. Supreme Court, will determine whether Arizonans – including wealthy and upper middle-class Arizonans – can use state income tax revenues to pay for their children's private-school instruction.

Despite efforts by Arizona lawmakers to drag us back to a less tolerant time, we've managed to push forward. We stand in those courtrooms taking sometimes unpopular positions because someone must. Our Constitution is a living document that must be protected.

In these pages of the **ACLU of Arizona 2010 Year In Review**, we showcase just a fraction of the outstanding work our staff has accomplished under the guidance of our board of directors. We hope you will share in the pride of these accomplishments. It is because of your direct support and activism that the ACLU of Arizona has been able to put the principles we share into action. Thank you.

A. Meetze Roberto A. Reveles



LEGAL PROGRAM HIGHLIGHTS

The ACLU Foundation of Arizona is primarily involved in litigation to protect and expand civil liberties. It is designated by the IRS as a 501(c)(3) organization, which means that it may receive contributions that are tax-deductible by the contributor. While our litigation activities frequently make headlines, much of our legal work takes place outside of the courtroom. Often by filing records requests, sending demand letters or providing legal advice, we're able to right constitutional wrongs without going to court.



SB 1070 plaintiffs Jim and Marian Shee

SB 1070

It was the showcase battle of the year for the ACLU of Arizona legal team – filing a lawsuit to stop SB 1070 from taking effect. The cause got a boost in July when the Department of Justice also sued Arizona, arguing that SB 1070 usurped federal authority to enforce immigration laws.

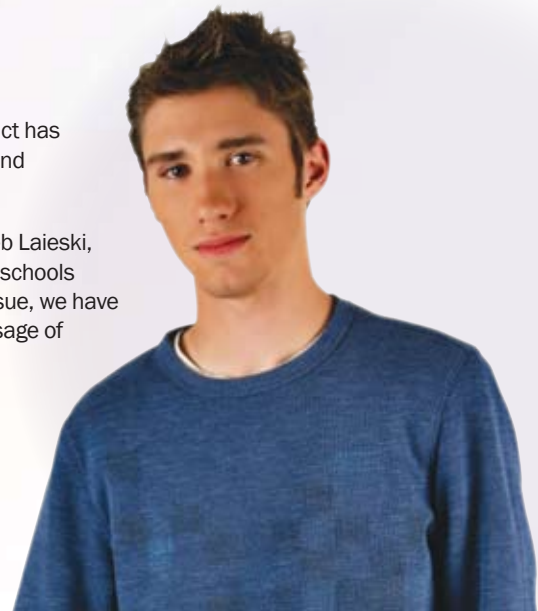


On July 28, Judge Susan Bolton ruled on the federal government's lawsuit and enjoined some of the harsher provisions of the bill. SB 1070 and its ramifications were also in the spotlight during the ACLU's 90th Anniversary gala at Ellis Island September 15. The event featured a speech from Jim Shee of Phoenix, a plaintiff in the SB 1070 lawsuit who has twice been profiled by police. In early October, Bolton ruled that a claim by the ACLU and other plaintiffs that "racial discrimination was a motivating factor for [SB] 1070's enactment" constituted a viable constitutional challenge to the law and declined to dismiss the case. Although both rulings were an initial victory for the ACLU, its coalition partners and the federal government, the battle will go on.

LGBT Rights

With the urging of the ACLU of Arizona, the Dysart Unified School District has updated its student handbook to include protections for gay, lesbian and transgender students.

In April, we sent a letter to the school district on behalf of student Caleb Laieski, urging officials to address the alleged "hostile environment" at Dysart schools that impacted many students. In addition to our work locally on this issue, we have continued lobbying Arizona's congressional delegation, calling for passage of the Student Non-Discrimination Act.



LGBT activist Caleb Laieski



Reprinted with permission from Arizona Republic

The Gadsden Flag Flap

To Andy McDonel, it was an historic flag and a great way to pay homage to those serving in the military. But to his homeowner's association, the "Don't Tread on Me" flag outside McDonel's home in Lavean was "debris." And they told him to remove it.

McDonel reached out to the ACLU, and the legal team sent a letter to the HOA, pointing out that Arizona law allowed McDonel to fly the flag, which was used by the Marine Corps and Navy, and is considered one of the earliest American flags. In October, thanks in part to the publicity generated by the ACLU's involvement, the HOA board backed down and told McDonel the flag could stay.



Religious Freedom

The ACLU of Arizona has battled growing discrimination against Muslims. On a national level, we joined with more than 100 groups and supported the Muslim community center proposed near the site of "Ground Zero." Locally, we continued work on the case of a former Maricopa County detention officer who was pushed out of his job after refusing to shave his beard. A discrimination suit was filed in 2009 and is still being pursued. Our attorneys also worked on two cases of Muslim women who were not allowed to wear their religious head coverings while held in Maricopa County jails.

Jail Monitoring Project

The ACLU of Arizona has continued its aggressive monitoring of medical and mental health conditions at the Maricopa County jail.

On October 13, 2010, a three-judge appeals court panel ordered Sheriff Joe Arpaio to follow a 2008 ruling that required him to end severe overcrowding and ensure all detainees receive necessary medical and mental health care.

At a 2008 trial, the ACLU showed that the jail needed federal oversight because the Sheriff had failed to maintain safe and humane conditions for pre-trial detainees.

Since the initial ruling, the ACLU's continuing advocacy has resulted in a number of improvements. Jail officials have begun to provide group therapy and psychosocial rehabilitation to seriously mentally ill prisoners housed in the jail's mental health unit and they have hired more than 30 additional mental health care staff members.



Standing Up for the Rights of Children

In 1965, the ACLU took up the case of Gerald Gault, an Arizona teenager accused of making a lewd phone call and sentenced to seven years in juvenile detention. The ACLU's lawyers argued the case in front of the U.S. Supreme Court, which ruled that Gault's sentence was a clear violation of the 14th Amendment, since he had been denied the right to an attorney, had not been formally notified of the charges against him, had not been informed of his right against self-incrimination, and had no opportunity to confront his accusers. Since Gault, state legislatures and courts have provided greater protection to safeguard the right to counsel for minors.



Immigration Detention

Because of the federal government's increasing reliance on detention as an immigration enforcement strategy, immigrants are frequently detained for prolonged periods in inhumane conditions and denied meaningful access to justice. Our work this past year helped secure the release of a gay, HIV-positive man who was being held in segregated custody and mistreated. We also submitted a complaint to the Department of Homeland Security on behalf of a transgender detainee who was sexually assaulted by an officer at the CCA facility in Eloy. Finally, we advocated on behalf of women detained in harsh conditions at the Pinal County Jail resulting in their transfer to less severe facilities.



2009-2010 COOPERATING ATTORNEYS

Arring
Anne Brady

Doe v. Arpaio
Randy Papetti
Kristina Holmstrom

Green v. Garriott
Paul Bender

Winn v. Garriott
Paul Bender
Isabel Humphrey

The Inter-Tribal Council of Arizona Inc. v. Brewer
David Rosenbaum
Thomas L. Hudson
Sara S. Greene

Milke v. Schriro
Larry Hammond

Fazlovic v. Maricopa County
Daniel L. Bonnett
Theresa L. Seifert
Susan Martin
Jennifer Kroll

Mabrouk v. Arpaio & Kassem v. Arpaio
Ronald W. Messerly
Benjamin M. Mitsuda
Jason Ebe
Ruth Khalsa
Amanda Sheridan

Ortega Melendres v. Arpaio
Stanley Young
Andrew Carl Byrnes
Stephen C. Chien
Kevin Joseph Hickey
Matthew James Steilen
Tammy Albarran

Friendly House v. Whiting
Bradley S. Phillips
Joseph Ybarra
Paul J. Watford
Elisabeth Neubauer
Susan Traub Boyd
Yaval Miller

FIRMS

Covington & Burling, LLP
Hunter, Humphrey & Yavitz, PLC
Lewis and Roca, LLP
Martin & Bonnett, P.L.L.C.
Munger Tolles & Olson, LLP
Osborn Maledon, P.A.
Snell & Wilmer

PUBLIC EDUCATION AND MEDIA OUTREACH

Aside from litigating, the ACLU Foundation of Arizona works on a daily basis to ensure that our voices in defense of civil liberties are heard. Messages to the public are delivered through newsletters, media releases, press conferences, a Web site, and radio and television appearances in both English and Spanish. By combining these communications tools with non-litigation strategies such as records requests and public policy reports, we're able to draw attention to laws and policies that threaten our rights, and refocus public debate on important civil liberties issues making headlines today.

SB 1070 Training

Because the ACLU of Arizona has spent the last several years vigorously defending an immigrant community under constant attack by law enforcement, our legal staff members are now recognized as local and national experts when it comes to local immigration enforcement issues. In addition to training attorneys, we've also conducted numerous workshops in Phoenix and Tucson geared toward community advocates and service providers. In early July, almost 60 lawyers and community activists gathered in Phoenix for an SB 1070 workshop entitled *Preparing for July 29 and Beyond*. The event was intended to bring together those working directly with individuals and families affected by SB 1070 and covered everything from interviewing people who have experienced police misconduct to filing complaints with government agencies to obtaining police reports and other public records requests. A similar workshop brought another 40-plus attorneys and activists to Tucson in October to discuss legal and community issues surrounding SB 1070. In September, we sponsored a roundtable discussion with key stakeholders working directly with immigrant families affected by HB 2008 – the public benefits verification and reporting law that went into effect in November 2009 – and other barriers to accessing public benefits or services for which they are eligible.



Staff attorney Annie Lai

Student Summit

In July, the ACLU of Arizona hosted its first-ever Student Summer Summit at Metro Tech High in Phoenix. The event focused on how students can protect their rights and get more involved in their communities. The students also worked on a video project and had time to enjoy pizza and some non-computerized, old school social networking. The idea behind the summit was to go beyond encouraging students to get involved – it also showcased *how* they can get involved.



Immigration Conversation

More than 200 people spent three hours sharing their views on immigration without rancor at an August 19 event in Tempe staged by Project Civil Discourse and cosponsored by the ACLU of Arizona. A group of facilitators helped crank up the conversations. People sat at tables in groups of four or five, and the evening was divided into three "rounds," (which was *not* a fight metaphor). For the first round, people had to introduce themselves through their heritage, going back to their grandparents. They then talked about how immigration had affected them personally. For the second round, everyone got up and switched tables. The new groups then had to introduce themselves and define what immigration issues were most in need of respectful dialogue. It was the final event in a summer of successful forums sponsored by the ACLU of Arizona.



Media Work

To fight SB 1070 both in and out of the courtroom, we hired additional staff to help integrate our litigation, public education and communications activities. ACLU spokespersons received extensive coverage on Latino print, television and radio in both national and international media markets. Our targeted Latino outreach, which made up 40 percent of our media work, had a direct impact on our legal program because as media appearances increased, so did calls from community members asking for our help.

We also beefed up our online presence through email newsletters and social networking sites such as Facebook and Twitter. The number of Twitter followers and Facebook fans has doubled this year. We also launched new video features on our website – a move that helped us attract 55% more visitors this year as compared to last year.



Thousands turned out at Phoenix rallies to protest the passage of SB 1070.



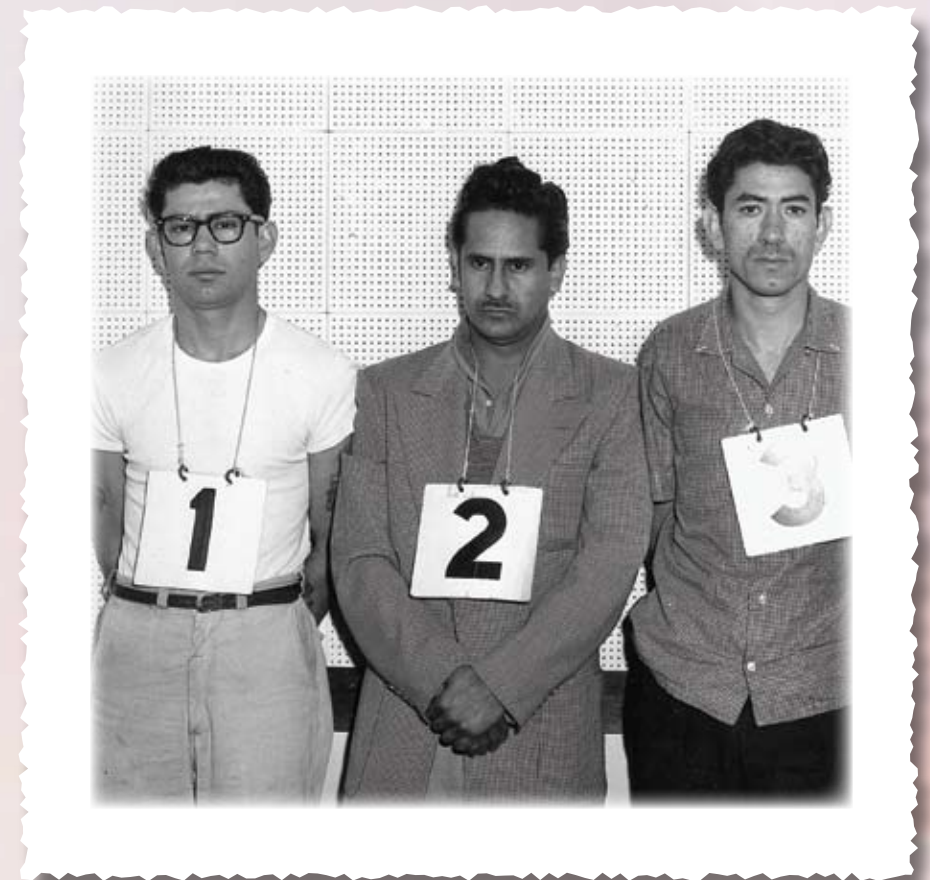
Bust Card

Amid growing concern that people were being targeted by law enforcement even before Arizona's new racial profiling law took effect, the ACLU of Arizona issued a *Know Your Rights* bust card that spells out the rights and responsibilities of citizens and non-citizens when they are stopped by police. To date, more than 5,000 have been handed out across the state, and the card is available for download at www.acluaz.org.

The bust card – which included a Spanish version and also one for use by students – contains information on coping with vehicle stops and questioning by police, U.S. Immigration and Customs Enforcement agents, and the FBI. In addition, the ACLU produced a Q&A flier in both English and Spanish on SB 1070.

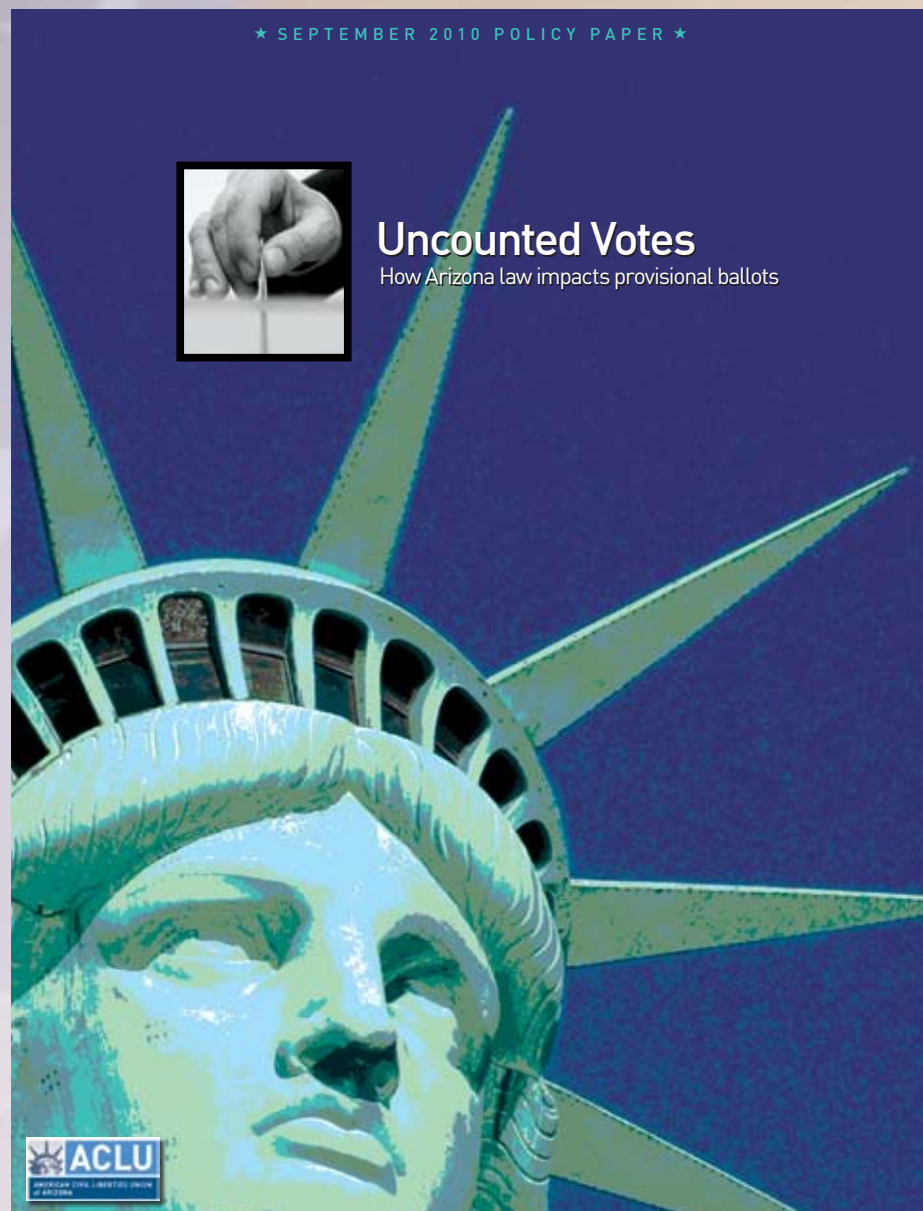
You Have The Right...

In 1963, in Phoenix, a laborer named Ernesto Arturo Miranda (seen at the left in this police line-up from March, 1963) was convicted based on his confession under police interrogation. But, it turned out that Miranda had never been advised of his rights under the Constitution. In 1965, the ACLU took the case to the U.S. Supreme Court, which issued a landmark ruling that said criminal suspects must be informed of their right against self-incrimination and their right to consult with an attorney prior to questioning by police. This warning is now known as a Miranda warning, and it's one of the great showcases of the groundbreaking kind of legal work done by the ACLU. Photo: Arizona State Library, Archives and Public Records, History and Archives Division, #97-9306.



ADVOCACY AND POLICY

The American Civil Liberties Union of Arizona is a membership organization that engages in non-partisan lobbying and legislative activities at the federal, state and local levels. It is designated by the IRS as a 501(c)(4) organization, which means that dues and contributions to it are not tax-deductible.



★ SEPTEMBER 2010 POLICY PAPER ★



Uncounted Votes

How Arizona law impacts provisional ballots

Provisional Ballot Report

Nine months in the making, the ACLU of Arizona's report on problems with provisional ballots was issued on September 28 – along with a Voter Empowerment Card – and generated plenty of attention throughout the state. The report was featured in articles in the *Arizona Republic* and *Arizona Daily Star*, and on NPR in Phoenix and Tucson. The report outlined problems with a restrictive Arizona law that helped invalidate thousands of ballots cast in the 2008 election. The disfranchised voters, more than 13,000 of them, used provisional ballots at the wrong precincts on Election Day. But because Arizona law requires that even a provisional ballot be cast in the right precinct, one in every 10 Arizona voters who cast a provisional ballot in 2008 had their ballots rejected. The full report, *Uncounted Votes*, and a copy of the Voter Empowerment Card are available on the ACLU of Arizona website at www.acluaz.org.



Members of the Civil Rights Club at ASU

ASU Club

ACLU of Arizona Social Media Intern Girard Kelly, who is currently a graduate student at Arizona State University, formed a new Civil Rights Club at the university this fall. The group is made up of like-minded students who recognize the importance of standing up in defense of the Constitution, liberty and the Bill of Rights. The club chose to focus on student rights issues this past semester and organized a *Know Your Rights* event in October featuring speakers from both the ACLU and local police department. The Civil Rights Club has 13 members and has built coalitions with other organizations on campus, including Amnesty International, the Human Rights Coalition, NAACP, NORML and the Undergraduate Student Government at ASU. This semester, the club cosponsored a screening of *9500-Liberty*, a documentary on America's polarized immigration debate, and also organized a rally in Phoenix as part of *Jon Stewart's Rally to Restore Sanity and Stephen Colbert's March to Keep Fear Alive*. The group meets from 5 to 6 p.m. Thursdays in West Hall Room 260 of the ASU Tempe Campus.

Legislative Highlights

The 2010 Arizona Legislative Session will undoubtedly go down in history as one of the worst for civil liberties. Aside from passing the most punitive, discriminatory anti-immigrant bill this country has ever seen, the Governor signed numerous other measures that threatened civil liberties, including bills criminalizing teen "sexting," prohibiting schools from teaching ethnic studies courses, and prohibiting the use of public funds to pay the costs associated with a health insurance policy that provides abortion-related benefits.

We tracked a total of 22 bills and worked with our coalition partners to defeat two bad bills that would have been harmful to minors. Aside from our local efforts to help end LGBT discrimination in Arizona schools (see page 2), we also lobbied members of Arizona's congressional delegation to support the Student Non-Discrimination Act. This measure has become increasingly important, especially in the wake of several suicides by LGBT youth who faced harassment in schools.



Membership Overview

With the help of dedicated chapter volunteers in Tucson and Phoenix, the ACLU of Arizona continues to focus on engaging members by tabling at community events and hosting public education forums and other special events throughout the state. A highlight of this year's membership cultivation efforts came in July, when more than 75 people gathered at Galeria Mistica in South Tucson to learn more about our work around SB 1070. In an effort to reach out to our younger members, we also purchased *Know Your Rights* ads that ran in six student newspapers in Phoenix and Tucson. The ads, which urged students to visit our website and download a copy of our Student Rights Handbook, helped us beef up the number of speaking engagements in schools and raise awareness about the ACLU among younger audiences.



Tying The Knot

In 1959, Henry Oyama turned to the ACLU after the Clerk of the Pima County Superior Court refused to accept his marriage license application. Oyama was turned away because of an Arizona law that prohibited marriage between a person of Caucasian blood with a person of the Mongolian race. The newly-established ACLU of Arizona filed a lawsuit on December 11, 1959, arguing the law violated the 14th Amendment of the U.S. Constitution. Victory came on December 23, 1959, when a Pima County judge ruled in Oyama's favor. Henry and Mary Ann Jones were married in Tucson five days later.



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