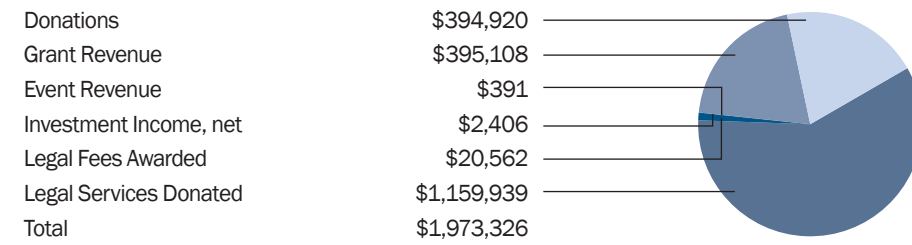


# FINANCIAL REPORT

## ACLU Foundation of Arizona Operating Income And Expenses 2010-2011

### Support and Revenue

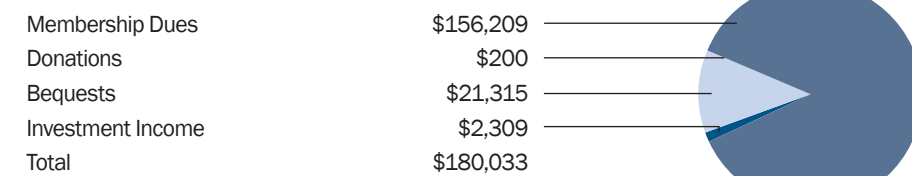


### Expenses



## ACLU of Arizona Operating Income And Expenses 2010-2011

### Support and Revenue



### Expenses



Source: Audited Financial Statements for the year ending March 31, 2011 by Lumbard & Associates. Complete copies are available by writing: ACLU-AZ, PO Box 17148, Phoenix, AZ 85011.

# Strength in Numbers



The morning after Election Day 2011 was amazing, at least from a civil liberties perspective. In Arizona, the voters of legislative district 18 – home of the author of SB 1070 – sent a loud and clear message that scapegoating immigrants will not be tolerated in America. In Mississippi, voters spurned an initiative that would effectively ban abortion, in vitro fertilization, and birth control in a single stroke. And in Ohio, voters repealed a law that struck at the very heart of the right to organize.

These hard fought victories came after months of battling anti-civil liberties bills across the country. For example, we helped prevent the passage of discriminatory anti-immigrant bills in 14 states and stopped enacted laws from going into effect in Arizona, Utah, Indiana, South Carolina and Georgia. In addition, we blocked a law in South Dakota that would have made access to abortion nearly impossible, and brought a legal challenge to a Kansas law that bans insurance coverage of abortion – the first lawsuit to challenge a slew of similar state laws that have passed in the last year.

On the federal level, we helped derail passage of a broad new authorization for war that would have given the Executive Branch the power to use military force – anywhere and at any time – without Congressional approval. To challenge the government's unchecked spying of Americans in the name of the "war on terror," we recently filed over 375 requests in 31 states – including Arizona – to uncover how law enforcement is using cell phones to track Americans.

**Here in Arizona, where we stand as the lead organization working daily to defend the Constitution, we have nearly doubled the size of our staff to enhance our capacity to tackle some of the country's most unique and troubling public policies.**

In the pages of our 2011 Year In Review, you'll read about our legal, legislative and public education accomplishments. Here are just a few highlights:

**1) Safeguarding Reproductive freedom:** Demanded that the federal government investigate potential delays of emergency care at St. Joseph's Hospital in Phoenix after the Catholic Bishop of Phoenix stripped the hospital of his endorsement

when St. Joseph's correctly defended its decision to provide a life-saving abortion to a young mother of four in need of emergency care. We also filed a lawsuit against a law that excludes nonprofits that provide abortion referrals from receiving donations through the state's Working Poor Tax Credit Program.

**2) Fighting Arpaio's Abuses:** Settled a lawsuit against the Maricopa County Sheriff's Office (MCSO) over the illegal stop, arrest and detention of a U.S. citizen and a legal resident during a 2009 immigration raid at Handyman Maintenance, Inc. in Phoenix.

**3) Keeping God Out of Public Schools:** Launched investigations and sent demand letters to schools in Higley and Camp Verde after hearing reports that teachers were distributing Bible scriptures to students during exams and offering Bible Study during the school day.

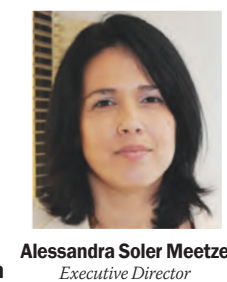
**4) Combating LGBT Censorship:** Worked to combat the illegal censorship of pro-LGBT information on public school computer systems by launching the "Don't Filter Me" initiative to identify schools and companies who are filtering out LGBT websites.

**5) Challenging Inhumane Detention Practices:** Worked to improve conditions at various federal immigration detention centers by conducting face-to-face interviews with more than 115 immigrant detainees and sending demand letters on behalf of those facing serious health issues.

**6) Keeping Kids in School:** Launched a new bilingual campaign with resource materials to inform parents about how to enroll their children in public school.

Although the momentum is on our side, there is much work to be done in 2012. It's campaign season and candidates will continue to distort constitutional principles to promote their discriminatory social agendas and mislead voters. It's our responsibility – as the ACLU – to set the record straight and challenge these false statements. We must work even harder this coming year to deepen the public's understanding of the ACLU's mission in upholding the values of fairness and equality. And we must continue to aggressively challenge any anti-civil liberties measures that undermine democracy and chip away at individual rights. Only with your continued financial support, will we have the necessary resources to make this happen. **Thank you for standing with us.**

Thank you for helping us fight back forcefully in 2011



Alessandra Soler Meetze  
Executive Director



Roberto Reveles  
Board President

*A Meetze Roberto A. Reveles*

**Staff**  
Back row (L-R)  
Development and Communications Associate Lindsay Nordstrom, Intake Attorney Darrell Hill, Staff Attorney James Duff Lyall, Paralegal Gloria Torres, Office Manager Beth Thomson-Gorman, Program Associate Addy Bareiss. Front row (L-R)  
Program Director Victoria Lopez, Legal Director Dan Pochoda, Executive Director Alessandra Soler Meetze, Public Policy Director Anjali Abraham, Development Director Courtney Spellacy. Not pictured: Finance Director Deanna Robinson.





# LEGAL PROGRAM HIGHLIGHTS

*With increasing government attacks on core American values and fundamental liberties, the work of the ACLU of Arizona's legal department is now more important than ever. This year, our legal docket reflects our work in impact litigation as well as non-litigation advocacy involving demand letters and public records investigations in key areas such as freedom of speech, reproductive rights, privacy and immigrants' rights. We share the accomplishments of our legal program with dozens of cooperating attorneys and other volunteers who work tirelessly to fend off attacks on civil liberties.*

## Reproductive Rights

This summer, we filed a First Amendment challenge to HB 2384, which is part of a dangerous, nationwide trend to take resources away from organizations that provide critical health care services to women. Together with the ACLU's Reproductive Freedom Project, we represent a domestic violence coalition that is excluded from receiving donations through the state's Working Poor Tax Credit Program simply because it provides abortion counseling and referrals. As a result, the coalition has to choose between providing clients with complete, uncensored care or risk losing a funding source. The law not only violates free speech, it cruelly deprives women in crisis of the information they need for their specific circumstances.

We also sent a letter to the Centers for Medicare and Medicaid Services (CMS) asking the agency to investigate potential denials of emergency care at religiously-affiliated hospitals in violation of federal law. The letter follows the excommunication of



Alexa Kolbi-Molina, Staff Attorney for ACLU Reproductive Freedom Project

Sister Margaret McBride for allowing an abortion to be performed at St. Joseph's Hospital and Medical Center, a Catholic hospital, on a woman who doctors say would otherwise have died.

## Protecting Speech, Exposing Government Misconduct

In two cases that will define just how far government officials can go to silence public employees, the ACLU of Arizona is litigating on behalf of two individuals who were fired in retaliation for expressing their political views.

The first lawsuit is against the City of Prescott, Mayor Kuykendall, and other officials on behalf of KayAnne Riley, who was fired from her job at the Yavapai Humane Society, a public contractor, because of her involvement with a group "Prescott Citizens Against Bullies." KayAnne is a former U.S. Marine, a combat correspondent during the Gulf War and a single parent to a 12-year-old daughter. As a private citizen on her own time, KayAnne and other like-minded persons had peaceably demonstrated to bring attention to

## Censorship in County Jails

Through public records requests to eleven Arizona County Sheriff's Offices, we collected policies concerning



Pinal County Sheriff Paul Babeu.

restrictions on inmate mail. Based on what we found in these records, we sent demand letters to the Yuma and Gila County Sheriffs on behalf of inmates incarcerated in their jails, arguing their policies banning books and magazines and limiting inmates' non-legal outgoing mail to postcards only are unconstitutional.

In addition to these investigations, we filed a lawsuit against Sheriff Paul Babeu and the Pinal County Jail challenging the constitutionality of their jail policy that prohibits inmates from receiving any magazines, hardcover books or letters of more than one page in length. The plaintiff, *Prison Legal News (PLN)*, is a non-profit that publishes a monthly corrections journal and prisoner self-help books. In the lawsuit, we argue that the county's "post-card only" policy amounts to censorship, prevents inmates from receiving *Prison Legal News* and infringes on *PLN's* fundamental First Amendment rights.



Joe Miller

prior retaliatory acts by the Mayor and other officials against persons who had spoken out against city officials for abusing their power and authority.

We also filed a lawsuit on behalf of Joe Miller, a Mohave County Probation Officer who was fired after adding his name to a Law Enforcement Against Prohibition (LEAP) letter in support of a California ballot measure to decriminalize marijuana. Joe was one of 32 members of the law enforcement community who signed the letter that included a disclaimer stating that: "All agency affiliations are listed for identification purposes only." Despite this, Joe was terminated from his employment based on his political views in violation of his constitutional rights of association, free speech and peaceful assembly.

## Keeping Religion Out of Schools

In response to parent and student concerns, we began investigations into three Arizona school districts that were improperly endorsing religion. In these cases, arising in Scottsdale, Camp Verde and Higley Unified School Districts, we heard about the display and distribution of religious materials to students and their families, as well as teachers promoting their own religious views through classroom instruction and schools allowing "release time" for religious instruction at public schools. Through public records requests and demand letters, we requested that school districts investigate and cease these unconstitutional practices in the classroom.



## Medical Marijuana Crackdown

In July, we joined the National ACLU Criminal Justice Reform Project in asking a federal judge to throw out a lawsuit filed in May by Arizona Governor Jan Brewer that seeks to have the state's medical marijuana law struck down. We're arguing that Brewer's lawsuit is bogus because there has been no threat that state employees charged with carrying out the state's law will be prosecuted. The medical marijuana law was passed by Arizona voters in November 2010 and allows the sale and possession of small amounts of marijuana for medical purposes for persons with serious or terminal illness; a doctor's recommendation is required. The ACLU is representing the Arizona Medical Marijuana Association (AzMMA), a non-profit, membership-based professional association that seeks to advance the interests of Arizona's medical marijuana profession and the patients it serves, and which is a named defendant in Brewer's lawsuit.

*"So long as we have enough people in the country willing to fight for their rights, we'll be called a democracy."*

Roger Baldwin  
ACLU Founder



Julio Mora (left) and his father Julian Mora with ACLU-AZ Legal Director Dan Pochoda.

## Victory in the Challenge to Arpaio's Worksite Raids

After grueling work over the summer months, we settled a lawsuit against the Maricopa County Sheriff's Office (MCSO) over the illegal stop, arrest and detention of a U.S. citizen and a legal resident during a 2009 immigration raid at Handyman Maintenance, Inc. in Phoenix. As part of the settlement, Maricopa County agreed to pay \$200,000 to Julian and Julio Mora and their lawyers in exchange for the dismissal of the lawsuit. The settlement resolves a lawsuit filed on behalf of 68-year-old Julian Mora, a legal permanent resident who has lived in the U.S. for 30 years, and his son Julio Mora, 21, a U.S. citizen. The father and son were singled out from white drivers

on a public roadway, stopped without justification, ordered out of their truck, zip-tied, and transported to a worksite immigration raid being conducted nearby. Once taken to the worksite, they were detained by Sheriff's Officers for three hours (along with over a hundred Latino workers) without food, water, or the ability to use the bathroom unescorted, until they proved that they were lawfully in the United States. In April, a federal court judge in Arizona ruled that the Maricopa County Sheriff's Office violated the Fourth Amendment by stopping and arresting the Moras without cause and that the county was liable for damages.

## LGBT Rights

Protecting the rights of LGBT community members to be free from abuse and discrimination is a major priority for the ACLU of Arizona. This year, we sent records requests to the superintendents of Marana Unified School District and Deer Valley Unified School District regarding the districts' use of internet filtering software blocking LGBT websites at the high schools in these districts.

We also worked to protect the rights of individual LGBT immigrants in federal immigration detention through demand letters to U.S. Immigration and Customs Enforcement calling on them to end their unjustified and prolonged isolation in segregation cells. And, as part of our continuing work to educate youth about their rights and advocating for the rights of individual LGBT students, Legal Director Dan Pochoda participated in the Arizona Attorney

General's Civil Rights Advisory Board (ACRAB) School Bullying Solutions Forum in September. Dan provided live and written testimony addressing the



ACLU-AZ board members, Jere Humphreys and Girard Kelly, table at Rainbows Festival in October 2011.

very serious problem of bullying and cyber bullying in schools and providing steps for ACRAB and Arizona schools to take in revising current Arizona anti-bullying legislation. Other attendees included representatives from law enforcement, educators, school administrators and advocacy groups.

## Supporter Impact

**The ACLU neither accepts government funding nor charges clients and plaintiffs in legal actions. The financial contribution we receive from ACLU supporters is critical in making our litigation work possible. We are grateful for our cooperating attorneys and law firms that provided over \$1 million dollars in legal services in 2011, ensuring the promises of the Constitution are real for everyone in this country.**

## By the Numbers

Legal inquiries processed

**1,504**

Cases in litigation

**17**

Demand letters

**29**

Public records requests

**72**

Value of donated legal services

**\$1,159,939**

## 2010-2011 COOPERATING ATTORNEYS

*Arring*  
Anne Brady  
Gregg R. Woodnick

*Fazlovic v. Maricopa County*  
Daniel L. Bonnett  
Mark Bracken

*Friendly House v. Whiting, et al.*  
Bradley S. Phillips  
Ronald K. Meyer  
Mark B. Helm  
David C. Dinielli  
Joseph J. Ybarra  
Paul J. Watford  
Elisabeth J. Neubauer  
Susan T. Boyd  
Benjamin J. Maro  
Kimberly Morris  
Yuval M. Miller

*Graves v. Arpaio, et al.*  
Larry A. Hammond  
Sharad H. Desai

*Green v. Garriott*  
Paul Bender

*Intertribal Council v. Brewer*  
David B. Rosenbaum  
Thomas L. Hudson

*Kassem v. Arpaio, et al.*  
Ronald W. Messerly  
Benjamin Mitsuda

*Milke v. Schriro*  
Larry A. Hammond

*Mora v. Arpaio, et al.*  
Stephen M. Ryals  
Candace Jackman

*Ortega Melendres v. Arpaio, et al.*  
Stanley Young  
Andrew C. Byrnes  
Stephen Chien  
Kevin Joseph Hickey  
Matthew J. Steilen  
Tammy Albarrán  
Lesli Rawles Gallagher

*Riley v. City of Prescott, et al.*  
Daniel L. Bonnett  
Mark Bracken

*Winn v. Garriott*  
Paul Bender  
Isabel M. Humphrey

## FIRMS

Covington & Burling LLP  
Gregg R. Woodnick PLLC  
Hunter Humphrey & Yavitz PLC  
Martin & Bonnett PLLC  
Munger Tolles & Olson LLP  
Osborn Maledon, P. A.  
Rooney Law Firm  
Ryals Law Firm  
Snell & Wilmer LLP



# PUBLIC EDUCATION

*In addition to our litigation and lobbying efforts, the ACLU Foundation of Arizona works on a daily basis to ensure the voices in defense of civil liberties are heard and the people of Arizona know and understand their constitutional rights. We are committed to deepen the public's understanding of the ACLU's mission in upholding the values of fairness and equality.*

*Community outreach is delivered via public forums, newsletters, events, our website, social media, press releases and radio and television in both English and Spanish.*



## Safeguarding Privacy Rights

In response to concerns raised by the ACLU, medical providers and pharmacists, the City of Peoria decided to abandon its effort to require fingerprinting at pharmacies when picking up certain prescriptions. At a hearing earlier this year before the Arizona State Pharmacy Board, ACLU of Arizona Legal Director Dan Pochoda raised concerns about the privacy implications of forcing everyone, even those with no criminal convictions, to submit fingerprints, saying the proposed ordinance would lead to costly legal challenges and "ignores the rights and well-being of patients and the responsibilities of medical providers and pharmacists."

As part of the ACLU's Demand Your dotRights Campaign, we joined 34 ACLU affiliates across the country

in sending requests to local law enforcement agencies regarding cellphone location data used to track Americans. The information requested included how much money was spent tracking cell phones and whether these agencies demonstrated probable cause and obtained warrants to access cellphone location data. Not only does the public have the right to know how their location information is being used by the government but also to make sure that as technology advances, privacy rights are not left behind. As part of our public education efforts, we held a privacy rights forum in Tempe and have informed hundreds of ACLU supporters in the state of Arizona as to what they can do to urge lawmakers to update our digital privacy laws.

## Protecting Educational Equality

This summer, the ACLU of Arizona launched a bilingual campaign to inform Arizona families about every child's right to a free and appropriate public education. The campaign - which included a bilingual website, "Know Your Rights" pocket cards, and site visits by ACLU of Arizona staff - provided information and dispelled

myths about what schools can legally require of parents when they enroll their children in public school. We visited over 40 Phoenix-area churches, social service providers, and community organizations to deliver more than 2000 "Know Your Rights" cards.

The public education efforts were in response to complaints we received from parents who were denied the opportunity to enroll their children in school. In recent years, Arizona lawmakers have proposed legislation that threatened students' access to public schools. Although none of these measures have passed, the ACLU of Arizona remains deeply concerned with the possibility of inappropriate immigration-related questioning in the public schools.



*"America will never be destroyed from the outside. If we falter and lose our freedoms, it will be because we destroyed ourselves."*

Abraham Lincoln

## Medical Marijuana Forum

On April 27, the ACLU of Arizona Southern Chapter hosted a forum entitled *Medical Marijuana: Making Proposition 203 Work* to inform community members about the legalities and realities of Arizona's recently passed medical marijuana law. More than 75 patients, medical professionals, and interested community members joined local elected officials from the City of Tucson, Pima County, the Arizona Department of Health and the Arizona Medical Marijuana Project for a lively discussion about the nuts and bolts of putting the new law into action. See page two for more on our legal efforts to support the rights of patients and defend the medical marijuana law passed by Arizona's voters.



## Student Engagement

Last spring, the ACLU partnered with local and national community organizations to educate students about their constitutional rights and to empower them to stand up for their rights. At the 22nd annual Southern Arizona LULAC Youth Leadership Conference, the ACLU of Arizona distributed "Know Your Rights" cards to more than 100 middle and high school students in Tucson. At the Pima County LGBTQ Youth Summit, The ACLU of Arizona partnered with Casa Grande-based Central Arizona Rainbow Education (CARE) to host a Know Your Rights workshop for high school students at Maricopa High School. On April 2nd, the ACLU of Arizona co-sponsored the Students of Color Organizing Conference at the Phoenix Convention Center where dozens of students of color from around the Phoenix Metro area participated in a full day of activism workshops. Students left with tools to start advocacy projects in their own communities.



Students participated in activism workshops at the Students of Color Organizing Conference in April 2011.

## Immigration Detention

In late June we released *In Their Own Words: Enduring Abuse in Arizona Immigration Detention Centers*, the first comprehensive report documenting systemic abuses in Arizona's immigration detention centers. Ten percent of the country's detained immigrants are held in five detention centers in Arizona. Three of those centers are run by the private Corrections Corporation of America and a fourth is run by Pinal County, where we documented the most egregious examples of human rights abuses, including no contact visits with family, no access to the outdoors, untimely medical care and physical and verbal abuse.

The report was produced following a two-year period of extensive documentation efforts led by ACLU of

Arizona Immigrant Rights Advocate Victoria Lopez, who conducted 115 face-to-face interviews with immigrants detained in Eloy and Florence, corresponded with detainees, interviewed their family members, and culled through hundreds of government records. The report illustrates the real stories of people, including vulnerable women and transgender detainees, who have suffered from abuses related to inhumane conditions and inadequate legal



protections while detained. As part of our advocacy efforts moving forward, we're working with allies across the state to pressure ICE to terminate its contract with Pinal County Jail, which makes about \$13 million a year from its contract with the feds to house immigrant detainees.

## Brown Bag Lecture Series

The ACLU of Arizona hosted its first-ever *Summer 2011 Brown Bag Lecture Series* to give members and supporters a unique opportunity to have one-on-one conversations with ACLU staff and learn more about our strategies to address some of the most pressing issues facing Arizona, including our



wasteful and inhumane immigration detention system, the school-to-prison pipeline and police misconduct. The series kicked off on June 29th with a talk on our new detention report, *In Their Own Words*. In July, Public Policy Director Anjali Abraham discussed the need to continue investing in cost-saving juvenile diversion programs that help keep kids out of the court system and in school. The final luncheon focused on the disturbing findings detailed in an ACLU of Arizona report examining the relationship between Taser use and the deployment of lethal force by police in Arizona.

## Out in the Silence Film Tour

In February, the ACLU of Arizona co-sponsored two screenings of the award-winning documentary *Out in the Silence* in Southern Arizona. More than 200 people attended a special screening at The Loft Cinema in Tucson. Filmmaker/director Joe Wilson, featured musician Namoli Brennet, and local gay rights activists from Wingspan joined ACLU members for an interactive question-and-answer session after the film. We hosted a second screening of the film in Yuma to celebrate the two-year anniversary of the Yuma High School GSA's recognition as an official school club. After years of resistance from school administrators, the ACLU of Arizona helped students push administrators to recognize the GSA as an official school club.



## Supporter Impact

**The ACLU community is strong in Arizona and our numbers are growing. Hundreds of supporters and individuals participated in ACLU community events and forums in 2011 and we nearly doubled our followers on Twitter and Facebook. Our supporters and followers are critical to drawing attention to laws and policies that threaten our rights and spreading the understanding of ACLU's mission and work.**

## By the Numbers

ACLU-sponsored forums

18

ACLU mentions in the press

93

Twitter Followers

1,314

Facebook Friends

897

Website visits

30,290

## STAFF

EXECUTIVE DIRECTOR  
Alessandra Soler Meetze  
LEGAL DIRECTOR  
Dan Pochoda  
PUBLIC POLICY DIRECTOR  
Anjali Abraham  
DEVELOPMENT DIRECTOR  
Courtney Spellacy  
PROGRAM DIRECTOR  
Victoria Lopez  
FINANCE DIRECTOR  
Deanna Robinson  
STAFF ATTORNEY  
James Duff Lyall  
INTAKE ATTORNEY  
Darrell Hill  
PARALEGAL  
Gloria Torres  
OFFICE MANAGER  
Beth Thomson-Gorman  
PROGRAM ASSOCIATE  
Addy Bareiss  
DEVELOPMENT AND COMMUNICATIONS ASSOCIATE  
Lindsay Nordstrom

## OFFICE VOLUNTEERS AND INTERNS

Shifa Alkhatib  
Molly Berning-O'Neill  
Courtney DeWitt  
Brendan Davis  
Matthew Gajdowski  
Ijana Harris  
Lynn Hoffman  
Girard Kelly  
Crystal Krzysh  
Kyle La Rose  
Roarke Lacey  
Tina Lee  
Yadhira (Yaddy) Moreno  
Amie Otis Mendoza  
Seth Reeker  
Annalia Horan Skilton  
Catrina Wang  
Allyson Zive



# LEGISLATIVE AND POLICY

The policy department works with the ACLU-AZ's other departments to identify and implement the organization's policy priorities. Public Policy Director Anjali Abraham conducts all legislative lobbying efforts, including drafting legislation, tracking proposed bills, testifying for or against especially noteworthy bills, and meeting with lawmakers and key legislative staff. The ACLU-AZ also maintains relationships and monitors policy activities at the federal, county, and municipal level. Additionally, we collaborate with coalition partners to ensure that Arizonans' civil liberties remain secure and robust.

## Legislative Overview

The first regular legislative session of 2011 lasted exactly 100 days, which provided just enough time for the state to endanger our civil liberties to an unacceptable degree.

### Reproductive Rights

Reproductive freedom has never been as imperiled as it is now – a fact made painfully clear during this legislative session. Lawmakers passed several bills that restrict a woman's constitutional right to abortion in shockingly intrusive ways. The Legislature chose to expand the definition of the term "abortion," making it easier to regulate, and decimated reproductive care options for rural women. Lawmakers also outlawed abortions based on the sex or race of the fetus. While proponents contended that the bill is necessary to protect female and minority children, there is no credible evidence to



Anjali Abraham

suggest that such abortions actually occur in Arizona. More disturbingly, some arguments made in support of the bill rested on outdated and odious stereotypes about women, particularly women of color.

The Legislature also passed a bill that prevents charitable organizations from accepting donations through the Working Poor Tax Credit Program if they provide, pay for, promote, or even discuss abortions with their clients or if they financially support any other entities that do the same. This law forces charitable organizations to choose between providing critical health information to women in dire straits – many of whom are victims of domestic and sexual violence – and receiving donations upon which these organizations rely just to stay open. ACLU-AZ is currently challenging this bill in court.

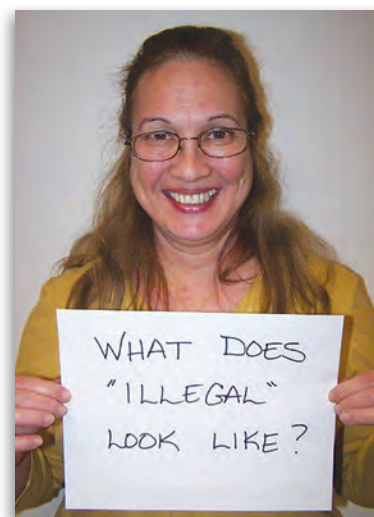


### Tuition Tax Credit

The Legislature also continued to green-light tax credits for school tuition organizations that parlay donations into scholarship assistance for children to attend private schools, many of which are non-secular schools. Despite supporters' claims that these scholarships help low-income children obtain "a better education," a recent investigation showed that many of the scholarship recipients do not come from low-income families. Governor Jan Brewer did veto some of these bills, but out of concern for their effect on state revenue rather than dismay at the Legislature's unyielding interest in sending public dollars to private, often sectarian schools. In addition, the Legislature decided that married couples should wait even longer before they can divorce and that married couples should have a preference over non-married individuals in adoption proceedings.

### Immigration

But not all was lost. Fans of high drama and wise policymaking enjoyed a rare legislative treat earlier this year. In March, Republicans and Democrats in the Arizona Senate defeated five grossly anti-immigrant bills in a single sweep. Among other things, these bills would have criminalized nearly every aspect of daily living for undocumented immigrants, prevented undocumented students from receiving any level of education, eviscerated the 14th Amendment's priceless guarantee of constitutional citizenship, and turned hospitals into ICE satellite offices by requiring hospital workers to check patients' immigration status. Worn and weary after SB 1070 and the economic misery it reaped upon our state, a majority of our state senators acknowledged that Arizona needs to take a new direction in policy matters. Nonetheless, following major shake-ups in legislative membership and leadership throughout the year, some of these bills will undoubtedly make a return. Whether they will be successful depends in large part on the tenacity of the dedicated civil libertarians that we are privileged to represent.



*"...nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."*

14th Amendment



## Juvenile Justice

One of the most important developments in juvenile justice has been the use of diversion programs to rehabilitate juvenile offenders. Juvenile diversion programs allow juvenile offenders to accept the consequences of their actions and even learn valuable life skills in lieu of formally entering the criminal justice system. These programs are beneficial for a variety of reasons. First, juveniles who enter the criminal justice system are substantially more likely to drop out of school. Second, research indicates that diversion programs lower the rate of recidivism among juvenile offenders, whereas more formal court involvement may actually raise the rate of recidivism. Finally, juvenile diversion programs are far less costly and much more susceptible to swift resolution than anything the criminal justice system can offer.

Earlier this year, the ACLU-AZ published a research paper about the use of juvenile diversion programs in Maricopa County. In doing so, we made concrete recommendations to ensure that diversion programs remain accessible and well-utilized. Specifically, we recommended lessening existing barriers to juvenile diversion programs, such as high fees, limited availability, and lack of public awareness about these programs. We also suggested expanding the categories of offenses that are eligible for diversion. Furthermore, we expressed the need to reduce disproportionate minority treatment in the criminal justice system by increasing opportunities for minority youth to participate in diversion programs.

## Overuse of Tasers

In late June, the ACLU-AZ released its signature report about local law enforcement's use of Taser devices and the associated risk to Arizona's residents. The report, entitled *A Force to be Reckoned With: Taser use and policies in 20 Arizona law enforcement agencies*, demonstrates the overuse of and overreliance upon Tasers by Arizona's law enforcement officers. Based on data obtained from twenty of Arizona's city, county, and state law enforcement agencies, the report includes several specific, critical findings about Taser use in Arizona.

Taser proponents have traditionally billed the Taser device as a safe, viable alternative to lethal force. In fact, it was largely on this claim that Tasers first rose to prominence in law enforcement circles. Unfortunately, our study revealed that the use of lethal force has not declined with the advent of widespread Taser use. Training irregularities are also significant, which is particularly distressing because the vast majority of sworn officers in Arizona carry Tasers. Officers typically receive inconsistent training about Taser safety considerations, such as



the inherent dangers of deploying Tasers on vulnerable populations and where Tasers should

fall on the use-of-force spectrum. Moreover, law enforcement agencies depend too heavily on Arizona-based TASER International, the company that develops and sells Tasers, for their training materials. Lastly, Arizona's law enforcement agencies lack crucial data-gathering mechanisms that would help them accurately determine the safety and effectiveness of these weapons.

The Taser is almost certainly here to stay. When used appropriately and responsibly, it can be an effective tool in the law enforcement arsenal. However, it should never be forgotten that the Taser is a potentially lethal weapon, with potentially tragic consequences for its use and misuse.

## Supporter Impact

Our nearly 7,500 members and supporters in Arizona help make the ACLU's presence at the Capitol possible. In 2011, members responded with strength by taking action to help defeat several discriminatory bills. Our members helped defeat two anti-14th Amendment bills, successfully lobbied Governor Brewer to veto a school tuition/tax-credit bill benefiting private schools and costing the state \$9 million, and stood up for free speech by urging the Tucson City Council to support the dismissal of charges against Occupy Tucson protesters. Members also took action to help shine light on flaws in a church/state entanglement bill that would have given government workers the right to discriminate based on their religious views.

## BOARD OF DIRECTORS

ACLU Foundation of Arizona and ACLU of Arizona

PRESIDENT & NATIONAL BOARD REPRESENTATIVE  
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PAST PRESIDENT & VICE-PRESIDENT FOR PERSONNEL  
Robert Meitz

VICE-PRESIDENT FOR DEVELOPMENT  
Rivko Knox

VICE-PRESIDENT FOR NOMINATIONS  
Jere Humphreys

TREASURER  
Matt Korbeck

SECRETARY  
Tod Zelickson & Tom Bean

GENERAL COUNSEL  
Steve Lee

AFFIRMATIVE ACTION OFFICER  
RJ Shannon

AT-LARGE MEMBERS  
Alice Bendheim  
Sam Daugherty  
Carolyn Trowbridge

Audra Antone  
Andrea Elikan  
Carol Flaherty-Zonis  
Ken Jacuzzi  
Anne Mardick  
Napoleon Pisano  
Zenaido Quintana  
Dr. M. Mujahid Salim  
Phillip Stevenson  
Larry Trachtenberg  
Tod Zelickson  
Laura Hendrickson  
Girard Kelly

## By the Numbers

Members and supporters

7,368

New ACLU-AZ members

763

Action alert subscribers

5,245

Volunteers and interns

38