

# FINANCIAL REPORT

## ACLU Foundation of Arizona Operating Income And Expenses 2008-2009

### Support and Revenue

Individual Contributions	\$189,148
Bequests	\$6,039
Restricted Foundation Grants	\$83,548
Event Income	\$34,557
Investment Income, net of expense	\$6,993
Legal Fees Awarded	\$47,404
Revenue Sharing*	\$14,650
In-Kind Legal Contributions	\$849,216
Total	\$1,231,555

\*Indicates sharing of contributions with National ACLU.

### Expenses

Program Services	\$1,163,724
Fundraising	\$94,424
Management and General	\$49,865
Total	\$1,308,013

## ACLU of Arizona Operating Income And Expenses 2008-2009

### Support and Revenue

Membership Dues	\$178,151
Event Income	\$1,405
Bequests	\$53,958
Investment Income	\$6,305
Revenue Sharing*	\$(198)
Total	\$239,621

\*Indicates sharing of contributions and dues with National ACLU.

### Expenses

Program Services	\$160,819
Membership	\$27,532
Management and General	\$30,829
Total	\$219,180

Source: Audited Financial Statements for the year ending March 31, 2009 by Walker and Armstrong. Complete copies are available by writing: ACLU-AZ, PO Box 17148, Phoenix, AZ 85011.

## Planned Giving

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.

### Ways to give:

- Bequests
- Gifts of Retirement Plans and Life Insurance Policies
- Gifts of Real Estate
- Outright Gifts
- Life Income Plans

Whatever your stage of life, whatever your family and financial picture, there are flexible ways to plan a gift that will make you proud to leave a legacy of liberty with the ACLU Foundation of Arizona.

For further information on planned giving or the DeSilver Society, please contact:

ACLU Foundation  
Office of Gift Planning  
125 Broad Street, 18th Floor  
New York, NY 10004  
Toll-free: 877-867-1025  
Email: legacy@aclu.org

*The ACLU of Arizona would like to thank the sponsors who contributed to our 50th Anniversary Celebrations in Tucson and Phoenix.*

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The Tohono Oodham Nation  
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Phoenix, AZ 85011  
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# FIGHTING FOR JUSTICE FOR FIFTY YEARS



## Message from the Executive Director and President

On December 11, 1959, when the American Civil Liberties Union of Arizona filed its first lawsuit challenging Arizona's discriminatory miscegenation law, our organization was just a few months old.

At that time, we maintained a small, but impressive docket of cases, relying solely on volunteer attorneys to represent the brave individuals who stood in defense of civil liberties. For example, we defended county employees who were prohibited from referring patients to Planned Parenthood because of a 1901 law that banned birth control ads. We filed historic U.S. Supreme Court litigation to protect individuals from being convicted based on their own confessions. These cases, which shed light on the victims of illegal government practices, became part of the rich history of the ACLU in Arizona.

This is the 50th year of the ACLU of Arizona's existence, and your investment in 2009 has produced significant results.

Here are a few highlights:

**Immigrants' Rights** > In March 2009, we launched an Immigrant Detention Advocacy Project to survey and document human rights violations in immigration detention facilities, and conducted 40 face-to-face interviews with detainees experiencing abuse. We also filed a lawsuit challenging the illegal arrest and detention of a U.S. citizen and a legal resident by Maricopa County Sheriff's Office (MCSO) deputies. The lawsuit is the first of its kind challenging immigration enforcement actions by local law enforcement officers.

**Students' Rights** > We challenged the unconstitutional strip search of 13-year-old honor roll student in a case that went all the way to the U.S. Supreme Court, and helped 23 students at Yuma High

School gain recognition for their gay-straight alliance club. We also stopped school officials from violating the free speech rights of a gay 14-year-old Peoria student who was told to stop wearing his rainbow wristband at school.

## Government-Funded Religion

> We joined parents and educators in successfully challenging a lawsuit striking down Arizona's school voucher programs, and convinced the 9th Circuit Court of Appeals to rule that Arizona's individual tax-credit funded scholarship program was unconstitutional because of religious discrimination.

**Jail Conditions and Medical Care** > After more than a decade of litigation, we settled a class action lawsuit challenging Maricopa County Sheriff Joe Arpaio's horrendous treatment of pre-trial detainees, especially those with severe medical and mental health problems. In another major win against Arpaio, an Arizona court found that he can no longer require inmates to prepay their transportation and security costs before they can obtain an abortion.

We are proud of these achievements and even more excited to announce that with the help of devoted ACLU donors from across the country, Arizona will be an integral part of what has been a tremendous ACLU growth spurt nationwide. This growth is not a one, two or five-year plan; rather, we are fundamentally changing the landscape of civil liberties in Arizona now and for generations to come.

This expansion, which includes adding more attorneys and lobbyists over the next few years, needs a backbone to support it in the years and decades to come. It is imperative that we guarantee our freedoms in the future by planning for it today. With your continued financial support, the ACLU is poised to have even greater impact in Arizona in 2010. Our sincerest thanks for your investment and confidence in our work.



Alessandra Soler Meetze

Executive Director  
ameetze@acluaz.org



Robert Meitz

Board President



# 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.



**Jail Conditions >**

This case challenging deteriorating conditions within Maricopa County jail facilities that house pre-trial detainees was resolved in October 2008 when a federal judge ruled that conditions were inhumane and unconstitutional. Now in the monitoring phase of the case, ACLU staff attorneys conduct regular jail visits to interview detainees – people who have been arrested but not yet tried or convicted – and ensure compliance with the federal court order.



**Religious Freedom >**

Discrimination against Muslims is at the center of three ACLU-AZ lawsuits filed this year against the Maricopa County Sheriff's Office (MCSO). Two lawsuits involve Muslim women who were forced to remove their hijabs, or head scarves, while confined in Maricopa County jails. The third lawsuit was filed on behalf of a former detention officer who was discriminated against while working for MCSO and effectively forced to leave.

**Unreasonable Seizure and Equal Protection >**

An ACLU of Arizona lawsuit, filed in August, charges that Maricopa County Sheriff's Office (MCSO) deputies racially profiled Julian and Julio Mora as they drove their pickup truck on a busy public road, and illegally arrested and transported them to the site of an immigration raid. It is the first



challenge to the Maricopa County Sheriff's use of the state employer sanctions law to remove persons solely because of their immigration status and not because of criminal acts. Julio is a U.S. citizen and his father, Julian, is a legal resident.

**School Searches >**

Savana Redding was strip searched by school officials as they looked for two Ibuprofen



tablets. She was only 13 at the time of the incident and an honor roll student at Safford Middle School. Their suspicion was based solely on the uncorroborated claim of another student who had been found with pills. In a far-reaching decision that will impact students throughout the country, the strip search was declared unconstitutional by the United States Supreme Court in June.

**LGBT Equality >**

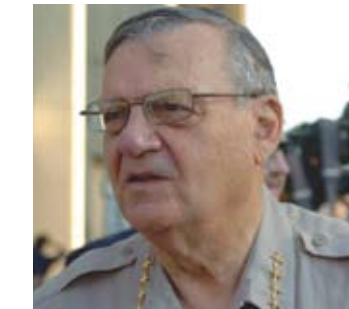
Yuma High School junior Douglas Sanchez hosted his first on-campus meeting as president of the new Yuma High School Gay-Straight Alliance (GSA) on February 19, less than a month after the ACLU sent a letter to school officials informing them that it was illegal for them to prevent the GSA from forming. Sanchez and several other students first approached school officials about forming the club in the fall of 2008, but administrators continually delayed approval of the club and imposed conditions that were not required of other non-curricular clubs.



**Racial Profiling >**

Maricopa County Sheriff Joe Arpaio has received local, national and international attention for engaging in a broad campaign to paint as "illegal" the entire Latino community through unjust

traffic stops and neighborhood sweeps. The ACLU of Arizona is part of the legal team challenging the egregious practice of racially profiling Latinos in an attempt to investigate their immigration status.



**Voting Rights >**

No one should be denied the right to vote because they are not affluent. That's the argument ACLU attorney Nancy Abudu made at a Ninth Circuit Court of Appeals hearing at Arizona State University on October 19. The ACLU of Arizona has joined the National ACLU's Voting Rights Project in a lawsuit seeking to automatically restore voting rights to people like Raymond Lewis, Jr., who was convicted of two drug felony offenses more than 10 years ago, but who remains shut out of the democratic process because of Arizona's felon voting ban.

**Death Penalty >**

Deborah Jean Milke has been sitting on Arizona's death row for nearly 20 years, largely because a police detective said she confessed to plotting her four-year-old son's murder. In a "friend-of-the-court" brief filed on her behalf, the ACLU of Arizona argued that

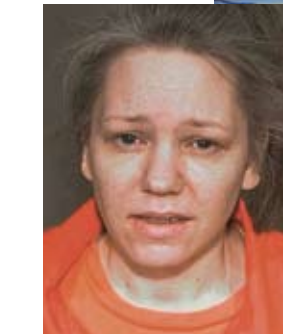


questionable police practices led to her conviction and that her confession in the absence of a video record was unreliable. In an unprecedented move, the Ninth Circuit Court of Appeals found that no evidence existed proving that Milke, 45, waived her rights in the police interview in 1989 and remanded the case back to the federal district court. A hearing is scheduled in January that could result in reversal of the conviction.

**Government-Funded Religion >**

In March, the Arizona Supreme Court struck down as unconstitutional two state-run voucher programs. The Arizona Legislature responded to the decision by passing a special law turning vouchers into tuition tax credit programs, but those programs may also be in

jeopardy. A federal appeals court found that the organizations distributing scholarships under the programs may be discriminating against students based on religion and directed the federal district court to hold a trial.



Adding It All Up

Legal inquiries processed  
**1051**

Cases in litigation  
**20**

Public records requests  
**41**

Value of donated legal services  
**\$849,216**



**2008-2009 Cooperating Attorneys**

*Doe v. Arpaio*  
Kristina Holmstrom  
Randy Papetti

*Hart v. Hill*  
Larry Hammond  
Debra A. Hill  
Sharad Desai  
Jason Romero

*Green v. Garriott*  
The Late Marvin S. Cohen  
Paul Bender

*Winn v. Garriott*  
The Late Marvin S. Cohen  
Paul Bender

*The Inter-Tribal Council of Arizona v. Secretary of State Jan Brewer*  
David Rosenbaum  
Thomas L. Hudson  
Sara Greene

*State v. Berger*  
Donald M. Peters

*Frazier v. Boomsa*  
Lee Phillips  
Natalie Jacobs  
Charles Babbitt

*People v. Milke*  
Larry Hammond

*Fazlovic v. Maricopa*  
Daniel L. Bonnett  
Theresa Seifert

*Mabrouk v. Arpaio;*  
*Kassem v. Arpaio*  
Ronald W. Messerly  
Benjamin M. Mitsuda  
Jason Ebe  
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Ahmed Ibrahim  
Colleen Schiman

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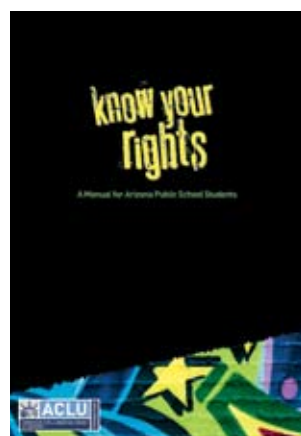
# PUBLIC EDUCATION AND MEDIA OUTREACH

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.

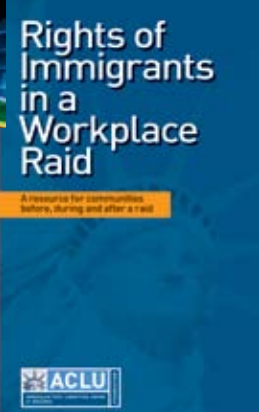
## Next Generation of Civil Libertarians

In the *Tinker v. Des Moines* decision of 1969, U.S. Supreme Court Justice Abe Fortas wrote: "Students in school as well as out of school are 'persons' under our Constitution." The ACLU Foundation of Arizona is working to safeguard this longstanding principle. In November, we kicked off the first phase of our campaign to inform students about their constitutional rights by releasing a student rights handbook ([www.acluaz.org/myrights](http://www.acluaz.org/myrights)).



## Immigrants' Rights

In March, we launched an Immigrant Detention Advocacy Project to survey and document human rights abuses in Arizona's immigration detention facilities. Since then, we've conducted 40 face-to-face interviews with detainees whose rights have been violated and presented our findings to members of the Inter-American Commission on Human Rights. We also filed a request under the Freedom of Information Act and received hundreds of pages of information and statistics from the federal government about immigrant detention in Arizona.



the Maricopa County Sheriff's Office has stepped up enforcement efforts by conducting far-reaching worksite raids across Maricopa County. Deputies rely on the state's draconian employer sanctions law to selectively target predominantly Latino worksites, often entering without the consent of business owners to interrogate workers. These tactics have resulted in the detention of many law-abiding immigrants. That's precisely why we created a bilingual handbook entitled *Rights of Immigrants in a Workplace Raid*.



Courtesy of the Arizona Republic

*On a daily basis, our rights as human beings are violated... we are subject to inhuman and degrading situations... please help us improve the conditions we have to live under if ICE has to detain us for such long periods of time."*

Letter from detainees held at Pinal County Jail

Aggressive immigration enforcement tactics carried out by local police officials have led to widespread constitutional violations. In particular,

## Legal Response Working Group on Work Site Raids

In March, the ACLU of Arizona partnered with local bar associations to launch a volunteer legal response network to provide critical and timely legal assistance to families impacted by immigration raids and sweeps and to assist observers who video-tape law enforcement in the streets.



Community members outside the Durango Jail in Phoenix protest the 287(g) program and actions of Sheriff Arpaio.

Those who have been helped include victims of racial profiling and unreasonable seizures, U.S. citizens and legal residents, and primary caregivers. The network has not only provided a valuable service to the impacted community, it has enabled the organization to better document police practices on raids and sweeps and inform our legal challenges to these practices in the courts.

## School-to-Prison Pipeline

This year, we devoted an increasing amount of resources

to combating what's known as the school-to-prison pipeline (STPP), a disturbing trend whereby schoolchildren are being pushed out of classrooms and into the juvenile and criminal justice systems. We conducted a survey of 94 school districts to gather information about zero-tolerance disciplinary policies and filed public records requests with the Maricopa and Pima County Juvenile Courts, as well as with some law enforcement agencies that have

school resource officers. We are also exploring legal strategies to hold school districts accountable to their obligation to provide students, especially those with special needs, with quality education.

## Racial and Ethnic Profiling

While Maricopa County Sheriff Joe Arpaio has received national and international attention for his practice of profiling Latinos in Maricopa County, racial profiling is also a serious concern in other parts of the state. The problem has been exacerbated by the federal 287(g)

program allowing Immigration and Customs Enforcement (ICE) to enter into agreements with states and localities authorizing local law enforcement officers to perform certain immigration-related functions. Agencies from as far north as Yavapai County to as far south as Pima County have entered into these types of agreements. As part of our on-going efforts to combat racial profiling, the ACLU of Arizona has pursued targeted litigation (see previous page) and hosted racial



Just days after the ACLU of Arizona hosted a racial profiling forum in Flagstaff, federal agents, working in conjunction with the Yavapai County Sheriff's Office and the Prescott Police Department, conducted immigration raids in Northern Arizona. An ACLU of Arizona records request revealed that the federal government ignored its stated mission of arresting dangerous fugitives and instead targeted immigrants with no criminal records.

profiling forums in Prescott and Flagstaff to document complaints from victims of racial profiling. In addition, we continue to work with the Citizen Traffic Stop Advisory Board to improve police procedures.



Maricopa County Sheriff Joe Arpaio marched more than 200 almost exclusively Latino inmates who he claimed were "illegal immigrants" (in fact, some of them were legal residents) in chain gang formation from Durango jail to Maricopa County's Tent City jail. Before the march, Arpaio contacted the media, ensuring that the inmates would be publicly shamed.

## Adding It All Up

ACLU-sponsored forums

# 10

Attendance at ACLU forums

# 570

News releases issued

# 40

ACLU mentions in the press

# 82

Web site visits

# 460,423



# MEMBERSHIP & LEGISLATIVE ACTIVITIES

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.



ACLU of Arizona Immigrant Rights Advocate **Victoria Lopez** shared statistics about the human and dollar costs of detaining immigrants at a forum on July 11 in Tucson. The event, sponsored by ACLU of Arizona's Southern Chapter, focused on current harsh sentencing laws in both Arizona's corrections system and the federal immigration detention system.



More than 100 people attended our **Checkpoints and Civil Liberties in the Constitution-Free Zone** forum held on July 16 in Green Valley.



**Kyle Dignoti**, a student at Salpointe Catholic High School, was one of the featured panelists at a students' rights forum hosted by the ACLU of Arizona's Southern Chapter on September 12 at Pima Community College.



Members of the **Tohono O'odham Nation** shared their personal experiences of being regularly stopped, questioned and detained while travelling near the reservation, which is divided by the international border.



Pima County Public Defender **Margo Cowan** gave people information about their rights and what to do when they're stopped at border checkpoints.



## Freedom Film Festival

September 17th  
thru October 22nd

This fall, the ACLU of Arizona presented the **Freedom Film Festival** featuring two new films, **The Response** and **The Least of These**. Both films were screened in Phoenix and Tucson and followed by panel discussions featuring speakers from across the state, including professors from Arizona State University and University of Arizona.

At the Phoenix premiere of **The Response** on October 8, Deedra Abboud, executive director of the Muslim American Society-Arizona, shared her insights about post 9-11 discrimination against Muslims.

## Legislative Highlights

The ACLU of Arizona lobbies Arizona legislators and school board and city council members to take action on public policies that impact civil liberties. Lobbying activities include reviewing proposed laws, testifying at public hearings, meeting with legislators and mobilizing our members to take action.

In 2009, we launched a new project to give members a chance to make their voices heard at the Arizona Legislature through the bill commenting system called ALIS. We registered 175 ACLU members and supporters to submit comments online.

While the 2009 session of the Arizona Legislature was dominated by the budget, we tracked 22 bills and testified on three bills, including a proposed anti-immigrant measure to create the country's first state trespassing law targeted at undocumented immigrants. The bill (SB 1175) ultimately was defeated.

## Adding It All Up

Total number of members and supporters

# 6691

New ACLU-AZ members

# 152

Total number of action alert subscribers

# 3383

Volunteers and Interns

# 53

### Board of Directors

ACLU Foundation of Arizona and ACLU of Arizona

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**Program Coordinator**  
Addy Bareiss

### 2009 Office Volunteers and Interns

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Molly Weinstein

Emily Winograd

Lily Yan



Members of the ACLU of Arizona's Southern Chapter joined staff member Addy Bareiss at the **Tucson Pride Festival** at Reid Park on October 10. In this photo, Southern Chapter Board Member Paul Barby enjoyed free hula hoop lessons from one of the attendees.