Thank you

For nearly a century, the ACLU has played a critical role in virtually every major battle for civil liberties and social justice in this country. Our depth of experience on the issues is unmatched. With the U.S. Constitution on our side and decades of experience advancing liberty in even the most trying times, we are a steadfast force for positive change.

At any given time, the ACLU is involved in some 1,400 lawsuits nationwide and participates in more U.S. Supreme Court cases than any organization besides the U.S. Department of Justice—about 25 percent of all cases each year.

But we cannot do it without your financial support. The ACLU neither accepts government support nor charges its clients in legal actions. The gifts and membership dues of individuals make possible all that we do. Thank you for helping make the ACLU the influential organization it has become in Arizona and across the nation.

Ways to Give

The ACLU actively challenges the abuse of power. We take on politicians and government officials who aim to undermine our democracy and we work to hold those who violate the Constitution accountable. Our work is made possible by generous donors. Here’s how you can support the ACLU:

Tax-Deductible Contributions by Check or Online: Checks may be made payable to “ACLU Foundation of Arizona” and mailed to P.O. Box 17148, Phoenix, AZ 85011. Or contributions can be made online at www.acluaz.org/donate.

Beneficiary Designations: To name the ACLU as a beneficiary of a life insurance policy, IRA, Keogh, 401(k), 403(b) or other qualified retirement plan, please provide the following information to your financial institution: American Civil Liberties Union Foundation, P.O. Box 17148, Phoenix, AZ 85011. Tax ID Number 23-7238580.

Charitable Gift Annuity: Make a contribution today and receive lifetime payments in return. In many cases you can increase your income, enjoy a current tax deduction, avoid capital gains taxes and reduce your potentially taxable estate.

Bequests: For a sample of bequest language visit www.aclu.org/bequest or call the ACLU of Arizona office at 602-773-6005.

Other Instruments: The ACLU accepts IRA charitable rollovers, Roth IRA conversions, Real Estate, Business Interests, Artworks, Royalties and Other Property. Please contact the ACLU of Arizona office of 602-773-6005.

Non-Tax-Deductible Giving: Please consider making a non-deductible gift to the ACLU of Arizona’s 501(c)(4) arm, which can be used more flexibly for our most pressing priorities, including legislative lobbying. Checks can be made payable to the “ACLU of Arizona” and mailed to ACLU of Arizona, P.O. Box 17148, Phoenix, AZ 85011.

Tax-Educated Contributions by Stock: Contributions via our broker do not identify the donor. To be credited with the correct contribution amount, you must notify the ACLU Foundation of Arizona.

Please donate@acluaz.org or call the ACLU of Arizona office at 602-773-6005.

Stock Contributions:

Broker: Charles Schwab

DTC: 0164 Code 40

Depreciable: ACLU Foundation of Arizona

Charles Schwab One Acct: 62269950

If stock transfer is being made by a self-directed online transfer, please add 593853800 in front of the 8-digit account number.

IRS EIN #: 23-7238580

If stock transfer is being made by a self-directed online account number.

For more information, please contact the ACLU of Arizona office at 602-773-6005.

Beneficiary Designations: To name the ACLU as a beneficiary of a life insurance policy, IRA, Keogh, 401(k), 403(b) or other qualified retirement plan, please provide the following information to your financial institution: American Civil Liberties Union Foundation, P.O. Box 17148, Phoenix, AZ 85011. Tax ID Number 23-7238580.

Charitable Gift Annuity: Make a contribution today and receive lifetime payments in return. In many cases you can increase your income, enjoy a current tax deduction, avoid capital gains taxes and reduce your potentially taxable estate.

Bequests: For a sample of bequest language visit www.aclu.org/bequest or call the ACLU of Arizona office at 602-773-6005.

Other Instruments: The ACLU accepts IRA charitable rollovers, Roth IRA conversions, Real Estate, Business Interests, Artworks, Royalties and Other Property. Please contact the ACLU of Arizona office at 602-773-6005.

Non-Tax-Deductible Giving: Please consider making a non-deductible gift to the ACLU of Arizona’s 501(c)(4) arm, which can be used more flexibly for our most pressing priorities, including legislative lobbying. Checks can be made payable to the “ACLU of Arizona” and mailed to ACLU of Arizona, P.O. Box 17148, Phoenix, AZ 85011.

Non-Tax-Deductible Giving: Please consider making a non-deductible gift to the ACLU of Arizona’s 501(c)(4) arm, which can be used more flexibly for our most pressing priorities, including legislative lobbying. Checks can be made payable to the “ACLU of Arizona” and mailed to ACLU of Arizona, P.O. Box 17148, Phoenix, AZ 85011.

Other Instruments: The ACLU accepts IRA charitable rollovers, Roth IRA conversions, Real Estate, Business Interests, Artworks, Royalties and Other Property. Please contact the ACLU of Arizona office at 602-773-6005.

Non-Tax-Deductible Giving: Please consider making a non-deductible gift to the ACLU of Arizona’s 501(c)(4) arm, which can be used more flexibly for our most pressing priorities, including legislative lobbying. Checks can be made payable to the “ACLU of Arizona” and mailed to ACLU of Arizona, P.O. Box 17148, Phoenix, AZ 85011.

Other Instruments: The ACLU accepts IRA charitable rollovers, Roth IRA conversions, Real Estate, Business Interests, Artworks, Royalties and Other Property. Please contact the ACLU of Arizona office at 602-773-6005.

Non-Tax-Deductible Giving: Please consider making a non-deductible gift to the ACLU of Arizona’s 501(c)(4) arm, which can be used more flexibly for our most pressing priorities, including legislative lobbying. Checks can be made payable to the “ACLU of Arizona” and mailed to ACLU of Arizona, P.O. Box 17148, Phoenix, AZ 85011.

Aye, we had a lot of work to do in 2016—
and we took it on successfully. Please help us make sure we can do the same in 2017 by making a stretch gift—double what you normally give—to help us staff up and strengthen our work so on so many of the core issues you care about. With your support, the ACLU will be ready to take on whatever challenges confront our fundamental American values.

In Liberty,

Alessandra Soler
Executive Director,
ACLU of Arizona
“Even now I get emotional. I cried out of joy that finally something was being done that he (Arpaio) understands.”

MCSO racial profiling victim Dan Magos, speaking to Cronkite News, Arizona PBS

**Proving Arpaio’s continued wrongdoing**

In 2008, we brought a claim against the Maricopa County Sheriff’s Office and its anti-immigrant leader, Joe Arpaio, for racially profiling Latinos. Years later, after we had fully proved our case against the Sheriff’s Office and a court-appointed monitor was installed to oversee the agency’s mandatory reforms, it came to light that Arpaio and others ignored court orders. Sheriff’s deputies had continued to unlawfully pursue Latino drivers.

We could not let Arpaio’s refusal to follow the Constitution—and a federal judge’s orders—he swept under the rug, so we demanded the sheriff and other agency officials face contempt of court proceedings. In May, after ACLU litigators spent weeks in court proving the agency’s intransigence, the judge found Arpaio and three other MCSO officials in civil contempt. More changes to the Sheriff’s Office were ordered to protect the rights of Latinos. Furthermore, because the judge determined Arpaio intentionally ignored court orders, the U.S. Department of Justice is now prosecuting the outgoing sheriff for criminal contempt, which could lead to jail time.

The ACLU is non-partisan, which means we do not endorse or oppose candidates for office, but the reality is that Sheriff Arpaio lost his re-election bid after nine labor-intensive and expensive years of litigation in our racial profiling lawsuit. The lawsuit and Arpaio’s eventual defeat happened because our community—Latino Arizonans and their allies—worked hard, despite being directly under Arpaio’s bootheel. And it happened because people in Maricopa County and around the country stood up, sent money, and voiced their opinions in solidarity with the Latino community.

Even though Arpaio lost his re-election in November, our work will go on for years to ensure compliance with court-ordered reforms, which include body cameras for all deputies, an early intervention system to detect problematic behavior by deputies, and data collection to ensure no minority group is targeted again by the Sheriff’s Office. The agency cannot be released from court oversight for at least three years after complete compliance with the court’s reforms, which are still far from being fully implemented.

**Demanding separation of church and state**

Picture this: You walk into your local police department and see a large banner with a Bible verse across it that is intended to describe police officers as “God’s servants... agents of wrath to bring punishment on the wrongdoers.” It would be shocking, wouldn’t it?

That’s exactly the shock many Prescott residents received as they entered the Prescott Police Department today—a banner resigning the role of police officers in the criminal justice system and proclaiming an overt and foreboding Christian message in violation of the constitutional guarantee of the separation of church and state.

As soon as the banner was brought to our attention, we sent a strongly worded demand letter to the Prescott Police Department, insisting the banner be removed. It was removed but, unfortunately, the damage was already done. Every time a government agency demonstrates a preference for one religion it alienates people who do not share the beliefs expressed—including in the case of a police department, potential witnesses and victims of crime.

This year we also opposed the Town of Chino Valley’s practice of conducting sectarian prayers during Town Council meetings, which was discriminatory and constituted an unconstitutional entanglement of government with religion.

Based on the composition of the Council and its practice of allowing only councilmembers to deliver invocations, only Christian invocations were being spoken at the start of meetings—despite the attendance of non-believers and people of non-Christian faiths. After we objected, the Town Council ended its public invocation practice, which undoubtedly made those public meetings more welcoming and inclusive for everyone.

**Standing with Arizona women**

In August, a federal district court officially closed an ACLU case that resulted in the repeal of an Arizona law aiming to restrict medication abortions. The challenged law required doctors to mislead women by telling them that it may be possible to reverse a medication abortion—a statement that lacks any credible medical support.

The Legislature passed the restriction in 2013. After unsuccessfully attempting to defend the law in court for almost a year, the state repealed the controversial requirement in May. The ACLU’s legal challenge came to an official end a few months ago, as the judge signed off on the parties’ agreement to close the case as a result of the legislative repeal.

The reversal of this unjustified restriction was good news for women and demonstrates the power of litigation to effect legislative change. Nevertheless, it shouldn’t have taken a year in court to convince Arizona politicians to keep junk science out of the criminal justice system and proclaiming ‘God’s servants’... agents of wrath to bring punishment on the wrongdoers.” It would be shocking, wouldn’t it?

That’s exactly the shock many Prescott residents received as they entered the Prescott Police Department today—a banner resigning the role of police officers in the criminal justice system and proclaiming an overt and foreboding Christian message in violation of the constitutional guarantee of the separation of church and state.

As soon as the banner was brought to our attention, we sent a strongly worded demand letter to the Prescott Police Department, insisting the banner be removed. It was removed but, unfortunately, the damage was already done. Every time a government agency demonstrates a preference for one religion it alienates people who do not share the beliefs expressed—including in the case of a police department, potential witnesses and victims of crime.

This year we also opposed the Town of Chino Valley’s practice of conducting sectarian prayers during Town Council meetings, which was discriminatory and constituted an unconstitutional entanglement of government with religion.

Based on the composition of the Council and its practice of allowing only councilmembers to deliver invocations, only Christian invocations were being spoken at the start of meetings—despite the attendance of non-believers and people of non-Christian faiths. After we objected, the Town Council ended its public invocation practice, which undoubtedly made those public meetings more welcoming and inclusive for everyone.

**Fighting for reproductive freedom**

This year, the Arizona Legislature passed a law that creates impossible accounting hurdles for abortion providers. Under the new law, if abortion providers do not comply with the requirements to the satisfaction of the state, they can be kicked out of the state’s Medicaid program. Removing healthcare providers like Planned Parenthood from the Medicaid program would prevent low-income women from obtaining healthcare from their provider of choice.

Fortunately, in July, the ACLU and Planned Parenthood filed a legal challenge to the new requirements. Under federal law, states may not prevent Medicaid recipients from obtaining care from their provider of choice simply because that provider offers the full range of reproductive healthcare, including abortion. Arizona enacted a law with a nearly identical effect in 2012, which was struck down after the ACLU and Planned Parenthood sued.

Shortly after this year’s case was filed, the state’s Medicaid program agreed not to enforce the law for the time being, relaxing anxious abortion providers from the fear that their patients could at any time have their insurance restricted.
Challenging anti-Muslim discrimination

In October, we filed official complaints with the U.S. Department of Justice and the U.S. Department of Education against the Academy of Excellence, a public charter school in Phoenix. Last school year, while our client A.A. was a sixth grader, he was repeatedly discriminated against by his teacher because he is a Muslim refugee from Somalia.

On one occasion, A.A.’s teacher showed a video to the class about 9/11 terrorists and then said to A.A., in front of the entire class, “That’s going to be you,” suggesting that he was destined to become a terrorist himself.

Another time, referring to the fact that A.A. and his family were resettled in the United States on refugee visas, the teacher started ranting about Donald Trump, telling A.A.: “I can’t wait until Trump is elected. He’s going to deport all you Muslims. Muslims shouldn’t be given visas. They’ll probably take away your visa and deport you. You’re going to be the next terrorist, I bet.”

In January, after A.A.’s mother complained about her son’s treatment, school officials falsely claimed that A.A. had broken school rules by opening an emergency window on the bus. Academy of Excellence subsequently forced A.A.—and his younger sister, F.A.—to withdraw and find a new school.

We stand with A.A. and all Muslim or immigrant kids, who—more and more—are being harassed in school. Public schools have an obligation to protect students from discrimination, so they can safely live their lives and receive an education. And, as our complaints make clear, the DOJ and DOE have a duty to make sure schools honor the protections our laws provide.

Fighting for the rights of transgender people

In June, we filed a federal lawsuit against the fifth largest healthcare system in the U.S., Dignity Health, because it denies transgender employees health insurance coverage for medically necessary transition-related healthcare.

Joe Robinson, an operating room nurse at Chandler Regional Medical Center, is challenging his employer’s discriminatory insurance policy, which contradicts widely accepted medical standards and violates federal law. The lawsuit argues that Dignity Health’s refusal to provide insurance coverage for medically necessary transition-related care discriminates on the basis of sex, in violation of Title VII of the Civil Rights Act and the Affordable Care Act.

“I want the same healthcare benefits other, non-transgender Dignity employees receive, which is coverage for medically necessary treatments,” Joe said when we filed the case, which is still pending.

Protesting students’ freedom of speech

It’s hard to believe that in 2016, public schools are still trying to force students to stand during the recitation of the Pledge of Allegiance. But that’s exactly what happened to Madison Smith, a 14-year-old student at Kingman Middle School.

In September, after becoming more engaged with civics during the 2016 election cycle, Madison decided she was going to sit as the pledge was broadcast over the speaker in her classroom. It was a decision school officials did not like. Madison was told that students at Kingman Middle School are required to stand during the pledge.

The ACLU intervened immediately upon hearing from Madison and her mother, sending a letter to the school and the Kingman Unified School District. We insisted that the school district inform all teachers and administrators of the rights of their students to engage in First Amendment-protected activities. The school district’s lawyers quickly agreed with us, recognizing longstanding U.S. Supreme Court precedent about students’ free speech rights.

2016 The Year in Review

“We were not able to sleep all night because of the cold. At one point my six-month daughter did fall asleep briefly and I laid her down on the cold concrete floor. She was able to sleep a little bit but she was shivering from the cold as she slept.” G.F.G.

Stopping abuse at the border

We celebrated a major victory in November, when a federal court found that Border Patrol has been violating the constitutional rights of people detained in holding facilities in Arizona. The court ordered the federal government to take steps to improve conditions in these facilities, which are known as hieleras (“iceboxes” in Spanish).

Border Patrol has been holding individuals—including traumatized asylum seekers and mothers with infants and small children—for days at a time in cold, overcrowded, and dirty cells that are designed to detain people for only a few hours.

We sued over the deplorable conditions in the hieleras within the Tucson Border Patrol Sector, which encompasses much of southern Arizona. Graphic photographs the ACLU obtained through the lawsuit show detainees packed into filthy, overcrowded rooms. One image captures a mother changing an infant’s diaper on a trash-strewn concrete floor. People who have been held in Tucson Sector Border Patrol facilities described to the court bone-chillingly cold holding cells, limited access to food and water, nonexistent access to personal hygiene products, and other appalling conditions.

The results of our lawsuit will greatly improve the harmful and illegal conditions that thousands of Border Patrol detainees have had to endure and that the government has kept hidden from the public for years.

We celebrated a major victory in November, when a federal court found that Border Patrol has been violating the constitutional rights of people detained in holding facilities in Arizona. The court ordered the federal government to take steps to improve conditions in these facilities, which are known as hieleras (“iceboxes” in Spanish).

Border Patrol has been holding individuals—including traumatized asylum seekers and mothers with infants and small children—for days at a time in cold, overcrowded, and dirty cells that are designed to detain people for only a few hours.

We sued over the deplorable conditions in the hieleras within the Tucson Border Patrol Sector, which encompasses much of southern Arizona. Graphic photographs the ACLU obtained through the lawsuit show detainees packed into filthy, overcrowded rooms. One image captures a mother changing an infant’s diaper on a trash-strewn concrete floor. People who have been held in Tucson Sector Border Patrol facilities described to the court bone-chillingly cold holding cells, limited access to food and water, nonexistent access to personal hygiene products, and other appalling conditions.

The results of our lawsuit will greatly improve the harmful and illegal conditions that thousands of Border Patrol detainees have had to endure and that the government has kept hidden from the public for years.

“We were not able to sleep all night because of the cold. At one point my six-month daughter did fall asleep briefly and I laid her down on the cold concrete floor. She was able to sleep a little bit but she was shivering from the cold as she slept.” G.F.G.
**2016 Legislative Report**

This year in the Arizona Legislature, 1,247 bills were introduced and more than 300 were signed into law. By being strategic, focusing efforts and resources on where we can make the greatest impact, and maintaining a constant presence at the Capitol, we were able to ensure positive outcomes for civil liberties.

**Immigrants’ Rights**

Given the combative rhetoric about immigrants and refugees at the national level, it’s hardly surprising that our legislators spent much of the session attacking these groups. Though we were able to defeat a number of anti-immigrant measures early in the process—such as SB 1017 (preventing cities from issuing identification cards) and SB 1378 (prohibiting “sanctuary cities” from receiving shared revenue)—much of our effort throughout the session was focused on SB 1377. This bill would have given undocumented immigrants harsher sentences than citizens in felony cases, and would have also made them ineligible for community supervision, probation, or any type of early release. Using state law to punish people for violations of federal law is neither new nor constitutional. Indeed, parts of Arizona’s infamous SB 1070 were enjoined by four staff attorneys and dozens of collaborating attorneys.

Even so, a special informational hearing was held on the topic, where the ACLU and others were able to publically detail the myriad problems associated with civil forfeiture. The ACLU will address the issue again during the 2017 legislative session.

**Free Expression**

Early in the legislative session we learned of a bill, SB 1054, which sought to criminalize filming the actions of police officers. Given that a number of federal appeals courts have found a First Amendment free speech right to film police activity, this bill was troubling. The ACLU lodged the public charge against this bill, speaking out early and often. Before the bill could receive a committee hearing, the public pressure caused the sponsor to withdraw the bill.

The Legislature also passed HB 2001, which revised a law passed in 2014 that was intended to address “revenge porn” but in fact criminalized a vast amount of protected speech. The ACLU sued and successfully blocked the implementation of the 2014 law—and the state eventually agreed to permanently block its enforcement. This year’s bill was carefully crafted with our input, and is significantly narrower than the previous version of the law.

**Civil Asset Forfeiture**

This session, a bipartisan group of stakeholders came together in an effort to overhaul Arizona’s civil asset forfeiture laws, which allow police departments to seize—and then keep or sell—any property they allege is involved in a crime. The ACLU was a lead supporter of HB 2369, a bill that would have assured due process when property is confiscated. Unfortunately, the strong opposition from Arizona law enforcement agencies, which have taken more than $500 million through civil forfeiture in the last 15 years, prevented the bill from moving forward this session.

The ACLU of Arizona Policy Director Will Gaona monitors developments at the Arizona Legislature.

**Board Elections**

All current ACLU of Arizona members are eligible to show their support for the board of directors by voting in annual elections. Ballots will be sent by U.S. mail in January and must be returned by the election deadline, February 28, 2017. Cassie Ramirez Breneman and Beike Gonzales have been nominated to join the board. Alizee Bandheir, Rosalit Davis, Pan Baker Dickman, Rikko Kne, Matt Korbeck, May Lu, and Zenaido Quamena are current directors who are renewing their commitment to the organization by seeking re-election. More information about each of these nominees, including their complete bios, will be included with the ballot.

Stay informed year-round about the issues that matter to you by subscribing to the ACLU of Arizona email list and following us on Facebook and Twitter.

**In the past year...**

The ACLU of Arizona received its largest grant in its 57-year history. The funds will support a multi-year investigation and advocacy initiative about discriminatory admission, suspension and expulsion practices in public schools, particularly charter schools.

Arizonans have now committed more than $10.5 million to the ACLU in their estate plans.

The ACLU of Arizona was awarded $194,000 in legal fees in FY 2016 for its successful defense of civil liberties.

We surpassed 12,000 likes on Facebook and 6,800 followers on Twitter.

The ACLU of Arizona email advocacy program grew to more than 40,000 subscribers.

ACLU of Arizona staff and board members spoke to community groups at more than 30 events statewide, reaching more than 2,500 people.

Our legal department sent 17 requests for public records and 13 demand letters in addition to litigating more than a dozen cases.

We processed nearly 1,600 complaints and selected 110 for investigation.

The ACLU of Arizona was awarded $194,000 in legal fees in FY 2016 for its successful defense of civil liberties.