

# RESIST

—  
2017  
ANNUAL  
REPORT

**ACLU**

## TABLE OF CONTENTS

Messages from the President and Executive Director	1
We the People	2
Voting Rights	8
Racial Justice	9
Immigrants' Rights	10
LGBT Equality	12
Reproductive Freedom	13
Smart Justice	14
Financial Summary	20
How You Can Help	21

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NO  
MUSLIM  
BAN

ACLU  
PEOPLE  
POWER

## MESSAGE FROM THE PRESIDENT

One of the ACLU's greatest strengths has always been our state affiliates.

The ACLU's federated structure enables us to forge on-the-ground relationships with state and local officials, cultivate deep roots in the community, and organize locally. With affiliates in every state, the ACLU was on the frontlines of hundreds, if not thousands, of civil liberties battles in 2017.

We've been using our staffed presence and the ever-growing power of the people to make change happen, whether it's by gathering signatures to set up a 2018 push to restore voting rights to 1.6 million formerly incarcerated people in Florida, or by meeting with dozens of city councils and mayors to urge adoption of resolutions offering sanctuary to immigrants.

On every page of this report, you'll find proof of what the ACLU can accomplish when we flex our collective muscle. We know we couldn't do it without you, our members and supporters. Thank you for making this critical work possible.

## MESSAGE FROM THE EXECUTIVE DIRECTOR

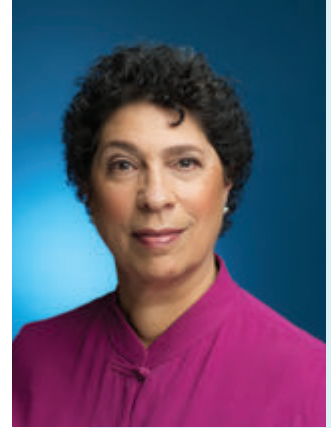
Like many of you, I've run through a gamut of emotions since November 8, 2016—concern, outrage, determination.

But the one I keep coming back to, and the one I plan to focus on in the coming year, is hope.

What gives me hope is the people who continually find the courage to stand up for their rights: the young Dreamers who risk everything by speaking out publicly, the formerly incarcerated men and women leading the movement for criminal justice reform, the transgender teen who refused to surrender his dignity and privacy—and so many more.

These courageous individuals are undoubtedly on the right side of history—and the ACLU is fighting not only for them, but for those who came before them and those who will come after.

What gives me even more hope is the knowledge that the ACLU's power is growing to match the threat: 1.6 million members, more than 150 new professional staffers, a super-charged budget, and the passion and commitment of supporters like you, who make all of our work possible. Standing together, we have fought back against the Trump administration and won. We remain ready to take them on at every turn, and we will ensure that we never yield an inch in the fight to protect our cherished rights and liberties.



A handwritten signature in black ink that reads "Susan N. Herman".

Susan N. Herman



A handwritten signature in black ink that reads "A. Romero".

Anthony D. Romero



KEEP YOUR  
HANDS OFF MY

SHALL

TRUMP  
OVERWHELM  
BELIEVE ME

Will  
Trade  
Racists  
For  
Refugees

RESPECT  
WOMEN OF COLOR

WE  
THE  
PEOPLE  
ACLU

WOMENS  
RIGHTS ARE  
HUMAN RIGHTS



THE UNITED  
STATES OF  
IMMIGRANTS. CITIZEN  
VETERANS. MUSLIM  
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LATINOS. BOOMERS  
GAYS. LGBTQIA. M  
DOOR. THE 1%  
MIDDLE CLA

LIBERTY & JUSTICE  
FOR ALL



**WITH THE ELECTION OF DONALD TRUMP** and the threat he represents to the Constitution and American values, millions of you have stood up to fight back with your hearts, minds, hands, feet, and pocketbooks.

And in a rollercoaster ride of jolting highs and lows, together we have resisted, using the rule of law and the institutions of democracy to fight back as President Trump has sought to wage war on immigrants, subvert voting rights, endorse police abuse, and put LGBT people's rights at the mercy of religious extremists.

Immediately after Trump's election, the ACLU published a full-page letter in *The New York Times*, urging the president-elect to reverse course—and vowing to see him in court if he did not. We warned soon-to-be President Trump that if he did not reconsider his agenda, he would have to “contend with the full firepower of the ACLU at [his] every step.” We've been tested like this before: In the aftermath of 9/11, when the Bush administration began to restrict civil liberties with the USA PATRIOT Act, the ACLU sued to expose government abuses around torture and warrantless spying on civilians.

Since Trump's inauguration, we've filed more than 100 legal actions—from public records requests about potential Trump conflicts of interests to a lawsuit against the president's sham commission on voter fraud.

### LEADING THE RESISTANCE

The day after Trump's inauguration, millions turned out for ACLU-co-sponsored women's marches throughout the country, to publicly proclaim their opposition to the president's outlaw agenda. But the first big test of the resistance came days later when the ACLU partnered with activists and organizations throughout the country to deploy the Constitution and the rule of law to block President Trump's Muslim Ban.

Trump's draconian and hasty first Muslim Ban was signed on Friday, January 27. Throughout the next day, chaos reigned at airports as immigrants and

refugees were detained or turned back by border officials—and thousands of activists and attorneys gathered to support them and loudly bear witness. By 5 p.m. on Saturday, the ACLU had filed legal papers seeking an emergency halt to the ban.

Time was of the essence—border agents were forcing immigrants on planes to return to countries where their lives were at risk. By 9 p.m., we had obtained a nationwide temporary restraining order from a federal judge in Brooklyn—and we exited the courthouse to crowds cheering that law and justice had prevailed. Thousands more pledged their support to the ACLU online, enabling us to expand our efforts, like never before, to defend the rights of the most vulnerable.

In the months since the first Muslim Ban, we have secured re-entry options for those turned back and thus far successfully limited the president's subsequent travel bans. We have also secured a separate nationwide injunction against the imminent deportation of more than 1,400 Iraqis, including many Christians who face torture and death if deported. And when President Trump ended the Obama-era Deferred Action for Childhood Arrivals (DACA) policy protecting 800,000 young immigrants, we pulled out the stops to advance legislation in Congress and sue to support Dreamers.

### DEFENDING DEMOCRACY

Leadership means vigilance, and we promptly sounded the alarm when President Trump used the bully pulpit of the presidency to denounce a nonexistent epidemic of voter fraud, supposedly losing him the popular vote.

Following President Trump's January allegation that millions of noncitizens voted illegally in the November 2016 elections, the ACLU warned, in a *New York Times* op-ed, that “Trump's Lies Pave the



Way for an Assault on Voting Rights.” This op-ed likely stalled the president’s promised executive order on voting fraud.

When the order finally emerged in May—announcing a presidential commission on election integrity, with Kansas Secretary of State Kris Kobach as vice chair—we filed a public records request demanding whatever evidence the administration claimed to have showing widespread voter fraud. Kobach—the mastermind behind the commission and vicious, illegal voter suppression schemes, who proudly describes himself as “the ACLU’s worst nightmare”—has been our frequent foe in court. During the past year, we have won four rulings against him, including court sanctions penalizing him for lies and obstruction.

We filed suit against the secrecy of the commission, forcing its proceedings out into the open, and ACLU members showed up in force with protest signs—“Vote Free or Die!”—when the commission held its second meeting in New Hampshire in September.

Robust democracy requires voting rights and people power. Recognizing this, in October, we launched Let People Vote, a nationwide campaign engaging ACLU activists to protect and expand voting rights in anticipation of the midterm elections in 2018. On the day of the campaign’s launch, thousands attended 600 events, with at least one in every state, to learn about threats to Americans’ voting rights—and how, state-by-state, we’re going on offense to expand

access to the ballot. One priority is voting rights restoration for people formerly incarcerated, which in Florida alone would give almost 1,600,000 people their vote back.

Democracy also requires justice, and the ACLU has stood fiercely against the efforts of Trump’s Attorney General Jeff Sessions to reverse momentum on criminal justice reform. Our bipartisan coalition efforts resulted in historic reforms in Louisiana, which has the highest incarceration rate in the world.

Of deep concern has been President Trump’s encouragement of police abuse and militarization. We’ve responded with litigation to expose entrenched police department racism, such as our lawsuit in May against the Madison County, Mississippi, Sheriff’s Department (MCSD). MCSD’s website honors a past sheriff who led a white supremacist “Citizen’s Council,” and today, the department terrorizes black residents with outlaw tactics like warrantless home invasions. We’ve also sought to empower city councils throughout the country to make police accountable, releasing model legislation that would curb police access to military weapons.

## PROMOTING EQUALITY

The Trump administration’s strong-arm schemes against the most vulnerable have encompassed attacks on the rights of transgender people—and again, we’ve been ready.

When President Trump, reneging on campaign promises, revoked an Obama-era guidance explicitly protecting transgender public school students from discrimination, we promoted our heroic client Gavin Grimm, the transgender teen whose highly anticipated Supreme Court case was derailed by Trump's action. "The fight for transgender rights is bigger than me," Grimm declared in *The New York Times*, and his influence expanded as he testified before Congress and was lauded by *Time* magazine, *Rolling Stone*, and others. Simultaneously, we pursued litigation to preserve the federal protections Grimm had done so much to advance.

Our longtime advocacy on behalf of LGBT people also meant we were primed to respond when a tweet by President Trump triggered the reversal of a hard-won 2016 policy protecting approximately 15,000 transgender people in the military—a policy, supported by U.S. Department of Defense research, that had allowed service members finally to come out as transgender and to obtain health benefits without endangering their careers or their pensions. Now, transgender service people are at terrible risk, and in September, we filed suit to block the ban.

After a harrowing summer for women's reproductive health, the ACLU fought back and in October, filed suit against the Trump administration's rolling back of contraceptive care for women. The rollback would permit nearly all employers to deny insurance coverage for contraception if the employer has a religious or moral objection. The order was



accompanied by a broad license to discriminate from the U.S. Department of Justice, which the ACLU is challenging with a mighty coalition of LGBT leaders, women's health advocates, and civil rights and faith leaders.

The full force of the ACLU continues to keep President Trump in check. Though the president has the entire federal government at his disposal—including 11,000 lawyers in the Justice Department alone—we have the combined power of successful litigation and strong grassroots advocacy to slow down the administration's progress.

And we have the momentum: In 2017, our membership reached nearly 1.6 million strong, we created more than 150 new staff positions, and our budget expanded all because of you, our supporters. You make this unprecedented defense possible.

Together we will persevere—and win—to defend democracy.

## ACLU GOES TO SUPREME COURT

The ACLU is counsel in five major cases taken up by the Supreme Court in its 2017-2018 term.

- *Trump v. International Refugee Assistance Project*: challenging the 2.0 version of the **Muslim ban**.
- *Husted v. A. Philip Randolph Institute*: fighting Ohio's **removal of voters** from the rolls if the voter hasn't cast a ballot in two consecutive federal elections.
- *Masterpiece Cakeshop v. Colorado*: challenging the use of religion to **discriminate against same-sex couples**.
- *Carpenter v. United States*: arguing the Fourth Amendment requires the government **to get a warrant** before obtaining a person's cell phone location data from cell phone providers.
- *Jennings v. Rodriguez*: challenging the government's practice of **detaining immigrants** for months or even years without a bond hearing.







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## OUR WORK IN ACTION

In the last year, the ACLU saw unprecedented growth: We created more than 150 new staff positions across the organization and filed more than 100 legal actions against the Trump administration. Our multi-issue focus and presence in all 50 states empower us to protect vulnerable voters, defend immigrants, challenge discrimination against LGBT people, and stand up for the rights of so many more who are under attack.

## VOTING RIGHTS

President Trump and emboldened state legislators have advanced a voter suppression agenda—but the ACLU’s 50-state activist network is fiercely protecting our bedrock right to vote.

### BLOCKING VOTER SUPPRESSION

Before the November 2016 election, the ACLU had made remarkable progress against the false narrative of widespread voter fraud, a fiction used to drive state-based, partisan voter suppression campaigns. Then, President Trump put the power of the presidency behind that lie. We’ve pushed back, forcing his sham commission on “election integrity” into the spotlight and suing voter-suppressing states.

In Kansas, we’ve sued the architect of voter suppression and vice chair of Trump’s commission, Kris Kobach, four times, winning every time. In one suit alone, we represented more than 30,000 Kansans secretly purged from the Kansas voter rolls. In October, we won a fight to force Kobach to release documents related to a draft amendment to the National Voting Rights Act (informally known as the “Motor Voter” Act) that would allow states to impose documentary proof of citizenship requirements on motor-voter applicants.

In May, our long battle against North Carolina’s comprehensive anti-voting law came to a victorious close when the Supreme Court made final our historic appeals court win. The appeals court had slammed the legislature as targeting African Americans “with almost surgical precision” when it curbed ballot access protections such as same-day registration and early voting. And in Ohio, we won against voter purges in the 6th Circuit—and defended our win before the Supreme Court this fall.

We’re currently on the front lines in 11 states, suing to block laws that would suppress the vote through tactics ranging from implementing strict photo ID rules to diluting minority voting power.

### EXPANDING BALLOT ACCESS

With new postelection support, we’ve embraced a proactive agenda, increasing our voting rights staff from 11 to 17, including three new litigators. We also absorbed the nine-case docket of Project Vote, taking on its mission to enforce federal voter registration law—including the right to register through DMVs and public assistance agencies. That docket has already resulted in validating almost 3 million voter registrations. And our new People Power activist outreach has spurred a 50-state ACLU campaign, engaging more than a million people when launched via livestream in October 2017.



In July 2017, a broad coalition of cultural, advocacy, and civil rights organizations, including the ACLU, protested the first meeting of Trump’s so-called Presidential Advisory Commission on Election Integrity in Washington, D.C.

Under the current administration, racism has gained new currency. The ACLU’s long-standing battle against racism and discrimination—in police practices and daily life—has never felt more urgent.

## CONFRONTING POLICE BIAS

Combating police brutality continued to be a top ACLU priority, spurring major new lawsuits. In May 2017, we charged the Madison County, Mississippi, Sheriff’s Department (MCSD) with warrantless home invasions and other lawless tactics that put black residents in a state of siege, terrorizing majority-black towns in the county. ACLU client Quinnetta Manning described how sheriff’s deputies forced their way into her home, threatening to jail her and her husband if they did not submit false witness statements—and handcuffed, choked, and beat her husband until the couple capitulated.

Also in May, we challenged the Milwaukee Police Department for pervasive racial targeting. The lawsuit challenges the department’s unlawful stop-and-frisk program. Each plaintiff is black or Latino and was unlawfully stopped while engaged in routine activities. We also filed suit on behalf of a white West Virginia police officer fired because he refused to shoot a black man, who, intent on committing suicide, had tried to provoke the officer into killing him.

## EXPOSING SYSTEMIC DISCRIMINATION

In May, we celebrated a Supreme Court decision acknowledging that systemic race discrimination continues to harm communities of color in housing. We supported the city of Miami, which had sued banks under the Fair Housing Act, because the banks had targeted people of color for predatory loans, ultimately victimizing the city’s taxpayers with foreclosures.

Systemic discrimination also takes place online, as algorithms—speculative computer formulas used for predicting human behavior—determine who gets



Born and raised in Milwaukee, Caleb Roberts is one of five plaintiffs in a racial profiling lawsuit against the city of Milwaukee. Four Milwaukee police officers illegally stopped Roberts and his friends when they were driving home from a concert. The officers each gave a different reason for the stop, none of which made sense.

to see job or housing opportunities marketed online. These algorithms often illegally use race-related data, but that use is hidden because the algorithms are proprietary.

The ACLU leads the struggle to force “Big Data” to comply with anti-discrimination laws. In February, our advocacy pushed Facebook to adopt precedent-setting reforms explicitly prohibiting online racial targeting in ads for housing, credit, and employment. Also in July, we launched a partnership with AI Now, a research initiative helping to curb computer-facilitated race discrimination.

## IMMIGRANTS' RIGHTS

In his first week in office, President Trump signed five executive orders; three took aim at immigrants. The ACLU is challenging these efforts every step of the way to defend immigrant families and build resistance.

### LIVES ON THE LINE

Days after his inauguration, President Trump issued his first Muslim ban, wreaking havoc worldwide at airports and among immigrant families. Refugees and U.S. visa holders were turned back by U.S. border agents.

Within 30 hours, the ACLU—partnering with legal, immigrant, and refugee organizations nationwide—had obtained the first of many injunctions, blocking the ban. Our immediate victory against the Trump agenda brought energy and determination to the resistance—and millions of activists to our ranks.

In the months since, we have largely blocked two subsequent Muslim bans—and secured for our original clients renewed opportunity to enter the

United States. We've also succeeded in spotlighting the bans' viciousness and unconstitutionality and petitioned the Supreme Court to hear our challenge to Muslim Ban 3.0.

Defending immigrants is a top ACLU priority. In the first 10 months of the Trump administration, we filed more than 65 legal actions on behalf of immigrants, often on an emergency basis. Among notable successes thus far, we've succeeded in halting Trump's efforts to deport over 1,400 Iraqis, many of them Christian, who face near-certain persecution, torture, and death upon their return to Iraq.

We've also fiercely supported Dreamers, the undocumented young people who came to the United States as children and were granted legal status under the Obama-era DACA program.

This fall, when President Trump announced the end of DACA, he imperiled the lives of nearly 800,000 Dreamers granted work permits under President Obama. We sued to protect them in October 2017, filing a class action to prevent the arbitrary revocation of their legal status. Our clients include 23-year-old Jesús Arreola, who—before his DACA status was wrongly revoked—had worked two jobs to help support his parents and siblings and was the caregiver for his young, American-born sister with disabilities. An almost life-long Angeleno, Arreola is expecting his first child in December. “I want to continue the life I've lived here since I was a baby,” he said, fearing deportation would “take everything I love away from me.” The ACLU also went to court on behalf of noted Dreamer Jessica Colotl, whose DACA renewal was denied by the government twice in 2017, even though nothing has changed in her circumstances, and she remains eligible for the program.

We've sought to spotlight and curb systemic anti-immigrant abuse—such as the vastly expanded use of detention to pressure immigrants to forgo due process and volunteer for deportation. Importantly, in the 9th Circuit and elsewhere, we secured the right

## A NATION OF IMMIGRANTS

The Trump administration's targeting of immigrants has been swift and unrelenting. We've challenged every unconstitutional move, vigilantly protecting our country's promise to welcome all.

- The ACLU has taken more than 65 legal actions in defense of immigrants since Trump became president.
- Muslim bans 1.0 and 2.0 alone resulted in more than a dozen lawsuits—and our litigation and advocacy have largely prevented the bans' implementation.
- When Trump plunged the lives of nearly 800,000 young immigrants protected under DACA into chaos, we sued—and lent full-scale legislative support to the DREAM Act.



Jesús Arreola (right) and his girlfriend, Crystal Alvarado (left), are expecting their first child in December. Arreola, who was brought to Los Angeles as an infant, received protection under DACA in 2012, but his status was revoked earlier this year. He now faces deportation.

to a bond hearing for immigrants who have languished in detention for six months or more waiting for a hearing—and in October 2017, we defended that win in the Supreme Court. Also this fall, we exposed plans by U.S. Immigration and Customs Enforcement (ICE) to destroy its records of immigrant detention abuses, from sex abuse to deaths in detention, generating a flood of media coverage and public outrage.

### **FIGHTING BACK**

Though Trump galvanized anti-immigrant forces, we mobilized the resistance, spurring unprecedented grassroots activism and partnerships that extended from local immigrant groups to state attorneys general.

Over 600 cities and counties have sought to limit police cooperation with ICE. When Texas recently passed a bill that threatened local officials with heavy fines and removal from office if they don't cooperate with ICE and act as *de facto* immigration enforcers, we sued, representing Texas border town El Cenizo. And in August 2017, we won a federal court ruling striking down key parts of the law.

Our expanded base of supporters and their powerful activism have produced real results. Recently, it was uncovered that Motel 6 locations were routinely sharing guest lists with ICE to try to identify undocumented immigrants. We posted the news on Twitter and Facebook—and within a day, we and our supporters had successfully advocated the motel chain to adopt a new policy prohibiting the voluntary sharing of guest lists at all 1,400 Motel 6 locations.

## LGBT EQUALITY



Transgender student Gavin Grimm sued his Gloucester, Virginia, school board for banning him from the boys' restroom.

Never to be taken for granted, LGBT protections experienced a stark rollback this year under the Trump administration. The ACLU is advocating to halt this rights retreat.

### DEFENDING PROTECTIONS

Emboldened by the Trump administration's unabashed abandonment of LGBT protections, 29 states introduced more than 100 anti-LGBT bills in 2017, many of them using religion to justify discrimination against LGBT people. The ACLU responded by lobbying against those measures through public education, advocacy campaigns, and legal challenges. In Michigan, for example, so-called "religious exceptions" deny loving homes to 13,000 children in foster care. Religious child welfare agencies have been allowed to repeatedly refuse LGBT couples, like our clients Kristy and Dana Dumont, the chance to adopt simply because they are gay.

Meanwhile, the ACLU has continued our record of uninterrupted success fighting businesses that try to use religion as a license to discriminate. In October, we intervened on behalf of Aimee Stephens, fired from her job as a funeral director after almost six years because she informed her employer she is

transgender and would begin to present as a woman. The funeral home claimed Stephens' transition violated the owner's religious beliefs. And in December, we are going to the Supreme Court to defend our victory in Colorado's top court, on behalf of a gay couple refused a wedding cake on religious grounds.

### ADVANCING TRANSGENDER RIGHTS

The day after Trump announced a ban on transgender people in the military, the ACLU was in court with a class-action lawsuit. Our cutting-edge docket also includes ongoing litigation against North Carolina's still-terrible anti-transgender law, which would effectively force transgender people out of public life.

In August, we successfully thwarted an anti-transgender bathroom bill in Texas, and we've also amplified the voices of transgender heroes—most notably ACLU client Gavin Grimm, whose Virginia high school refused to allow him to use the boys' restroom.

When the Justice Department sabotaged Grimm's Supreme Court case, we helped transform a setback into a moment for public education and outreach. In addition to penning a powerful *New York Times* op-ed, Grimm testified before Congress and was named one of *Time* magazine's 100 most influential people.

With anti-abortion forces in control of Congress and the White House and heading critical agencies, we're combatting threats from all corners to ensure that women get the reproductive health care they need.

### PROTECTING ABORTION ACCESS

Throughout 2017, our aggressive litigation kept clinic doors open and took down numerous barriers that prevented women—many of them low income—from accessing abortion care. In October, when Trump made good on his promise to allow virtually *all* employers to refuse to provide insurance coverage for contraception, we were ready with a lawsuit that same day.

In all, ACLU lawsuits have blocked 17 state abortion restrictions in the past year. For example:

- We prevented Kentucky from shutting down the last abortion clinic in the state.
- We blocked Arkansas from putting into effect four extreme bills restricting abortion.
- We blocked Alabama's outrageous abortion restrictions that allowed the court to put minors on trial for seeking abortions and appoint a lawyer for the fetus.
- Our litigation led the Alaska Medical Board to revise antiquated and medically unnecessary restrictions that required Alaskan women seeking an abortion later in their pregnancy to fly to Seattle or elsewhere to get care.

### NOT JUST PLAYING DEFENSE

The ACLU is known for its aggressive and relentless defense of women's reproductive rights. But we're not just playing defense—we're pushing to expand care and abortion access. The Supreme Court's *Whole Woman's Health* decision—saying states cannot place undue burdens on women seeking abortions—opened up an opportunity to challenge medically unnecessary abortion restrictions.

We used this momentous win to challenge a provision in Maine law that requires that abortions be performed solely by physicians and blocks qualified nurse practitioners and nurse-midwives from doing so. This lawsuit, filed in September, is the first in 20 years to challenge a "doctors only" law.

Across the country, states like Illinois, New York, and Oregon are taking bold action and passing proactive laws that protect access to abortion and contraception. ACLU affiliates are playing an important role in this effort by lobbying on behalf of critical protections that safeguard women's health and dignity.



With a president in office who holds up the disgraced former Sheriff Joe Arpaio as a paragon of “law and order” and an attorney general intent on pursuing a regressive “tough on crime” agenda at the Justice Department, now might not seem like the time for the ACLU to push hard for criminal justice reform. But that’s exactly what happened this year—thanks to our Campaign for Smart Justice—and we found success.

## MAPPING CRIMINAL JUSTICE REFORM

The United States has the sorry distinction of being the world’s largest jailer. Mass incarceration is a national crisis: Jails overflow with nonviolent offenders and house many more who shouldn’t be there—they simply can’t afford to pay bail. Quietly

## STATES LEAD REFORM EFFORTS

The ACLU worked to reduce mass incarceration throughout the country over the past year, countering Attorney General Sessions’ regressive approach to criminal justice. Here are a few examples of state victories achieved with our help:

- Connecticut passed legislation to reform the state’s bail system.
- Georgia passed probation reform legislation.
- Louisiana, which incarcerates more people per capita than any other state, passed 10 bills to reduce its prison population by 10% to 12%.
- Oklahoma fought off repeal of a law that will result in a 10% reduction of its prison population.
- Oregon approved three historic bills, including one to de-felonize simple drug possession.
- Texas is on the path to close four prisons.

and tenaciously, in states across the country, the ACLU—led by our Campaign for Smart Justice—has been successfully advancing the ACLU’s agenda of reducing the U.S. jail population by 50 percent and addressing racial disparities in the criminal justice system.

We know that while mass incarceration is a nationwide problem, it’s one rooted in the states, and it must be fixed in the states. In fact, about 90 percent of the more than 2.3 million people incarcerated in the United States are in state prisons and local jails, while only 196,000 are in federal prisons. With staffed offices in all 50 states, the ACLU is uniquely positioned to address the mass incarceration problem in every state in the nation.

In 2017, the ACLU began working with our affiliates to create state-specific blueprints to advance our goal of dramatically reducing the incarcerated population. Each blueprint is drawn from a sophisticated, first-of-its-kind analysis of the drivers of incarceration in that particular state, to create a specific menu of policy reforms. The result will be a nationwide de-incarceration agenda that syncs our legal, legislative, public education, coalition-building, and political tactics at the federal and state level.

## STEMMING PROSECUTORIAL ABUSE

In addition to creating state-specific blueprints for reform, in 2017, we also initiated a nationwide campaign targeting prosecutors: the most powerful, unaccountable, and least transparent actors in the criminal justice system. In all but four states, prosecutors are elected to office; most run unopposed, and 95 percent are white.

Our goal is not only to rid our justice system of bad actors who abuse unchecked powers, but also to elevate and empower a new generation of prosecutors committed to reducing incarceration.





In Philadelphia, #VoteSmartJustice canvassers organized to share their stories with voters, educating them about the role of prosecutors in fueling mass incarceration and how to support reform-minded DAs.

Here's a small sampling of our activities in 2017:

- In Philadelphia, the ACLU's nonpartisan #VoteSmartJustice campaign (pictured) built voter engagement around an important primary district attorney race. In addition to generating commitments to criminal justice reform from all the candidates, we trained more than 40 formerly incarcerated people as door-to-door canvassers; they set out to meet 11,000 ACLU members who are registered to vote and thousands of non-ACLU members who live in impacted communities. Our ask: Please support a district attorney who is committed to reform. On May 17, Larry Krasner, widely seen as the most progressive candidate, won. Over the next three years, we'll be replicating this program in nine more key district attorney races around the nation.
- In California, MeetYourDA, an interactive website and video narrated by singer John Legend, connects voters with their district attorney and allows users to "Be DA for Day" to understand just how much power the prosecutor's office wields, including "to prioritize how laws are enforced and whom they are being enforced against." DAs have the power to send a person to prison for life for a nonviolent offense.
- In Oregon, the ACLU is bringing the power back to the people through "They Report to You," a cutting-edge, multiyear criminal justice reform campaign that includes door-to-door voter education, a website with digital organizing tools, and a voter pledge drive to increase participation in the upcoming 2018 DA elections.



**RESIST**

PROFILING TRANS  
WOMEN OF COLOR

NYCLU

**RESIST**

PROFILING TRANS  
WOMEN OF COLOR

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PASS THE  
RIGHT TO  
KNOW ACT

NYCLU

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**WE THE PEOPLE**

ACLU

ACLU



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# THANK YOU TO OUR SUPPORTERS

The ACLU is deeply grateful for our supporters, who propel our work forward and give us the tools to protect and advance civil liberties every day. Together with 1.6 million engaged members, 3.2 million online activists, and 3.7 million social media followers, we are standing strong against injustice.

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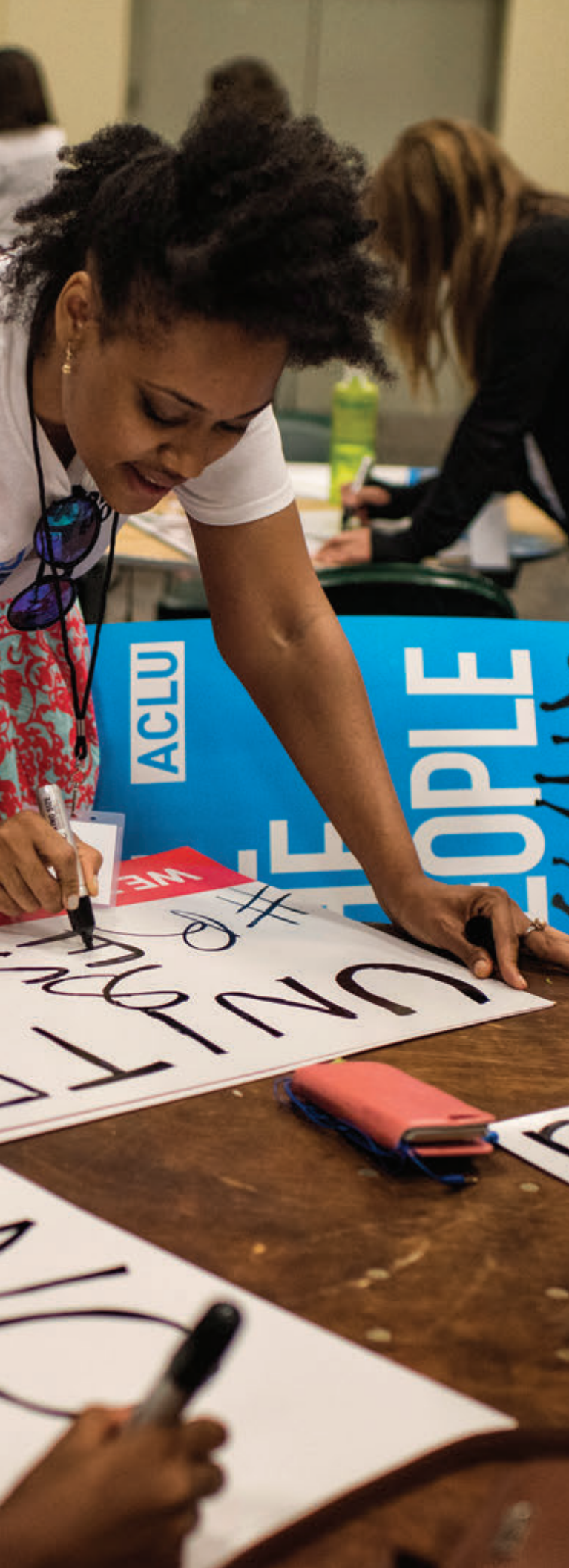
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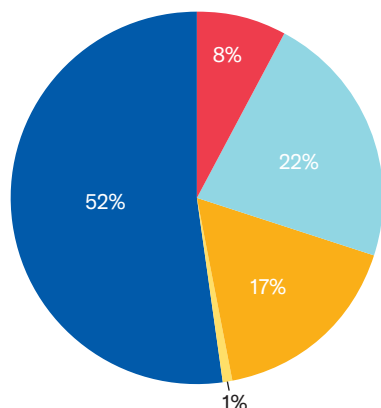




# — PEOPLE POWER

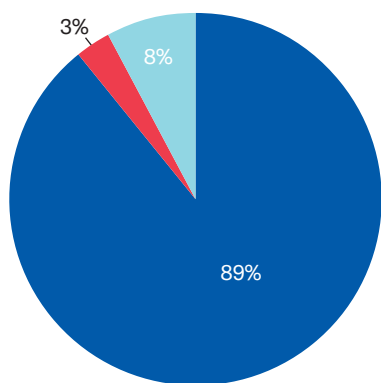
The 2016 presidential election and the first Muslim ban marked a new era of powerful activism and engagement. The people stood up to defend what's just and offered an outpouring of financial support. And People Power, the ACLU's grassroots mobilization platform, enlisted thousands more who were ready to get to work, pound the pavement, and fight for our collective rights.

# FINANCIAL SUMMARY



## PROGRAM SERVICES

- Affiliate Support
- Legislative
- Legal
- Public Education
- Civil Liberties Policy Formulation



## OUR EFFICIENCY

- Total Program Services
- Management and General
- Fundraising

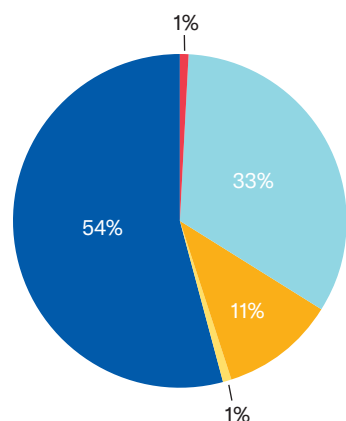
American Civil Liberties Union, the ACLU Foundation & Subsidiary  
Consolidated Statement of Activities for the Years Ended March 31, 2017 & March 31, 2016

	FY2017	FY2016
<b>Support &amp; Revenue</b>		
Grants & Contributions	\$274,104,575	\$106,628,381
Donated Legal Services	2,202,732	5,604,509
Bequests	21,256,361	25,161,624
Other Revenue	2,117,600	791,644
<b>TOTAL SUPPORT &amp; REVENUE*</b>	<b>299,681,268</b>	<b>138,186,158</b>
<b>Expenses</b>		
Program Services:		
Legislative	13,712,901	8,344,909
Legal	36,554,859	36,239,655
Public Education	28,551,939	21,686,654
Civil Liberties Policy Formulation	870,391	758,234
Affiliate Support	89,205,157	42,766,671
<b>Total Program Services</b>	<b>168,895,247</b>	<b>109,796,123</b>
Supporting Services:		
Management & General	6,364,436	5,796,567
Fundraising	13,965,513	11,835,932
<b>Total Supporting Services</b>	<b>20,329,949</b>	<b>17,632,499</b>
<b>TOTAL EXPENSES</b>	<b>189,225,196</b>	<b>127,428,622</b>
Change in Net Assets Before Other Changes	110,456,072	10,757,536
<b>Other Changes in Net Assets</b>		
Net Legal Expenses Awarded	4,139,323	5,422,660
Net Investment Income, Gains & Losses	23,480,097	(6,428,669)
Changes in Value of Split-Interest Agreements	(1,352,270)	(1,024,006)
Recognition of Affiliates' Share of Pension Liability	(10,686,574)	(2,017,313)
Minimum Pension Liability Adjustment	15,004,391	3,320,130
<b>TOTAL OTHER CHANGES IN NET ASSETS</b>	<b>30,584,967</b>	<b>(727,198)</b>
<b>Change in Net Assets</b>	<b>141,041,039</b>	<b>10,030,338</b>
<b>Net Assets</b>		
Beginning	274,806,665	264,776,327
Ending	\$415,847,704	\$274,806,665

\* Donations received by the ACLU after the 2016 election and the Trump administration's first Muslim ban were unprecedented. We plan to invest these funds strategically over the next three years to build our capacity and amplify our impact nationwide, particularly in battleground states.

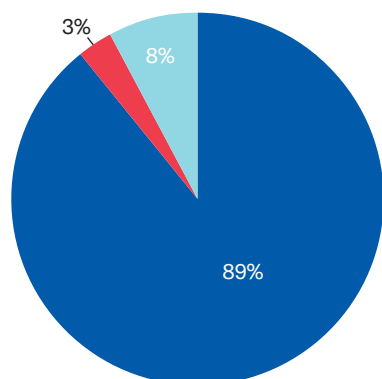
# ADDENDUM TO 2017 ANNUAL REPORT

## FINANCIAL SUMMARY



### PROGRAM SERVICES

- Affiliate Support
- Legislative
- Legal
- Public Education
- Civil Liberties Policy Formulation



### OUR EFFICIENCY

- Total Program Services
- Management and General
- Fundraising

American Civil Liberties Union Foundation, Inc. & Subsidiary  
Consolidated Statement of Activities for the Years Ended March 31, 2017 & March 31, 2016

	FY2017	FY2016
<b>Support &amp; Revenue</b>		
Grants & Contributions	\$125,796,744	\$69,755,137
Donated Legal Services	2,202,732	5,604,509
Bequests	14,256,901	19,716,904
Other Revenue	2,300,171	1,226,704
<b>TOTAL SUPPORT &amp; REVENUE*</b>	<b>144,556,548</b>	<b>96,303,254</b>

### Expenses

<b>Program Services:</b>		
Legislative	764,868	457,640
Legal	36,415,387	36,239,655
Public Education	11,890,802	10,079,664
Civil Liberties Policy Formulation	593,724	483,170
Affiliate Support	60,011,761	31,298,070
<b>Total Program Services</b>	<b>109,676,542</b>	<b>78,558,199</b>
<b>Supporting Services:</b>		
Management & General	4,266,984	3,849,319
Fundraising	9,220,671	7,293,913
<b>Total Supporting Services</b>	<b>13,487,655</b>	<b>11,143,232</b>
<b>TOTAL EXPENSES</b>	<b>123,164,197</b>	<b>89,701,431</b>
<b>Change in Net Assets Before Other Changes</b>	<b>21,392,351</b>	<b>6,601,823</b>

### Other Changes in Net Assets

Net Legal Expenses Awarded	4,139,323	5,422,660
Net Investment Income, Gains & Losses	23,262,638	(6,508,583)
Changes in Value of Split-Interest Agreements	(1,352,270)	(1,024,006)
Recognition of Affiliates' Share of Minimum Pension Liability Adjustment	4,135,119	(576,980)
<b>TOTAL OTHER CHANGES IN NET ASSETS</b>	<b>30,184,810</b>	<b>(2,686,909)</b>
<b>Change in Net Assets</b>	<b>51,577,161</b>	<b>3,914,914</b>

### Net Assets

Beginning	245,648,787	241,733,873
Ending	\$297,225,948	\$245,648,787

\* Donations received by the ACLU after the 2016 election and the Trump administration's first Muslim ban were unprecedented. We plan to invest these funds strategically over the next three years to build our capacity and amplify our impact nationwide, particularly in battleground states.

# HOW YOU CAN HELP

The ACLU works in the courts, legislatures, and communities to defend and preserve the individual rights and liberties guaranteed to all people in this country by the Constitution and laws of the United States.

Join us to protect the principles of justice, liberty, democracy, and equality.

## 1 MAKE A GIFT

- You can defend and advance civil liberties by donating to either the American Civil Liberties Union (ACLU) or the ACLU Foundation. Gifts to the ACLU support our legislative work at the federal and state levels and are not tax deductible. Gifts to the Foundation are tax deductible and support our litigation, communications, and public education efforts. Learn more at [aclu.org/donate](http://aclu.org/donate).

- To give by mail, please make a check payable to the American Civil Liberties Union (ACLU) or the ACLU Foundation and send to:

ACLU Office of Leadership Gifts  
125 Broad Street, 18th Floor  
New York, NY 10004

- For more information about supporting the ACLU through your will, trust, or retirement plan, please contact our Gift Planning Office at (877) 867-1025, or [legacy@aclu.org](mailto:legacy@aclu.org), or visit [aclu.org/legacy](http://aclu.org/legacy).

## 2 GET INVOLVED

People Power is the ACLU's platform for grassroots action. By mobilizing in defense of our civil liberties, volunteers build and strengthen local communities that affirm our American values of respect, equality, and solidarity. Get involved with People Power in your area by visiting [peoplepower.org](http://peoplepower.org).

## 3 JOIN THE CONVERSATION

-  [facebook.com/aclu.nationwide](https://facebook.com/aclu.nationwide)
-  [instagram.com/aclu\\_nationwide](https://instagram.com/aclu_nationwide)
-  [twitter.com/aclu](https://twitter.com/aclu)
-  [youtube.com/acluvideos](https://youtube.com/acluvideos)
-  [aclu.org/shop](http://aclu.org/shop)

Visit us online at [aclu.org](http://aclu.org).



The ACLU has a four-star Charity Navigator rating and meets the highest standards of the Better Business Bureau's Wise Giving Alliance.



“So long as we have enough people in this country willing to fight for their rights, we’ll be called a democracy.”

—ROGER BALDWIN, ACLU FOUNDER

**ACLU**

125 Broad Street, 18th Floor  
New York, NY 10004

[aclu.org](https://www.aclu.org)

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