


**ACLU**

**ANNUAL  
REPORT  
2018**





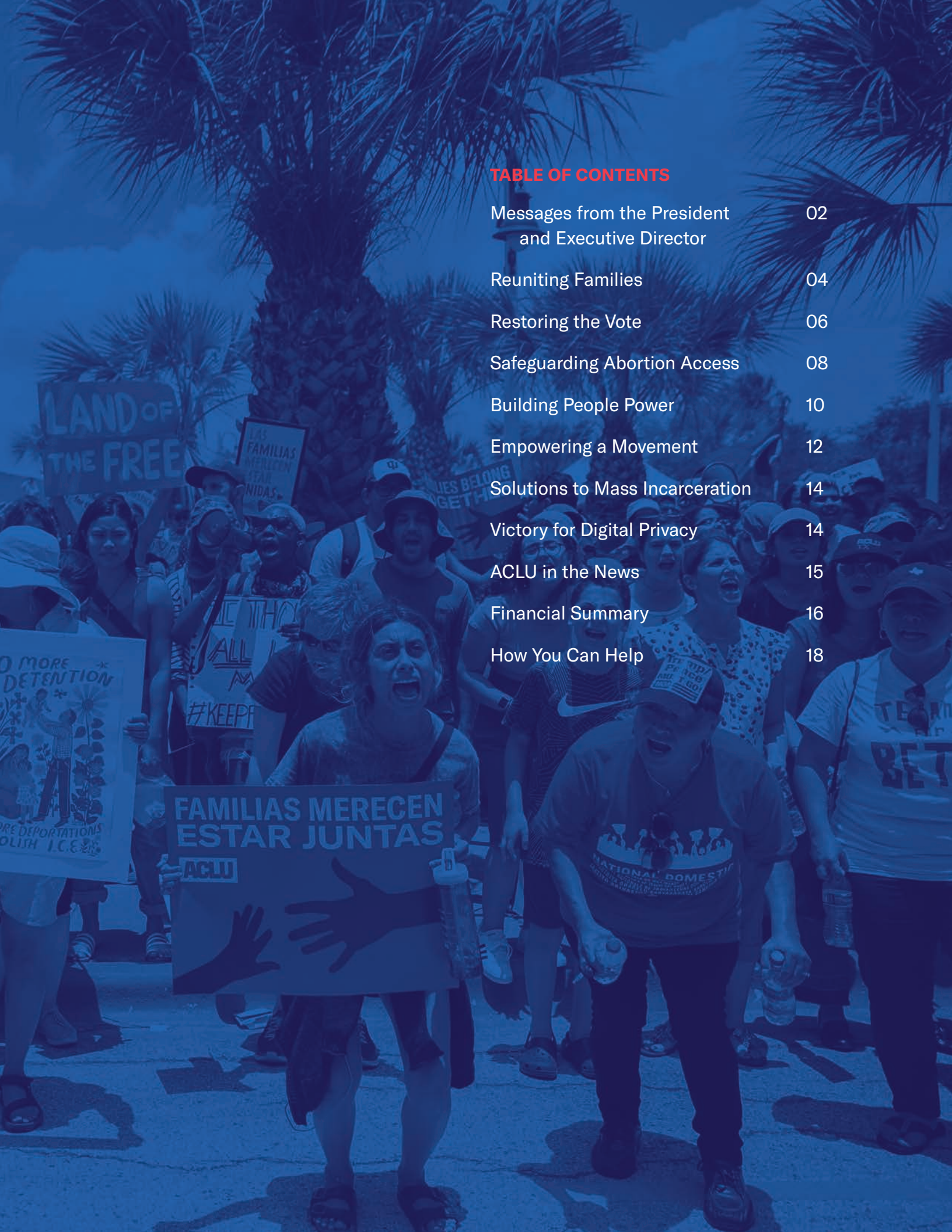
“ When the history of the Trump administration is written, it will, inevitably, also be a history of the ACLU.”

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**Cover photo:** Jessica Colotl (pictured with her nephew Julio Cesar Chamorro) has fought to remain in this country despite hostile efforts by the Trump administration to rescind the DACA program that allows immigrants brought to the United States as children to remain in the country to work and live. Photo by Kathryn Gamble.

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Susan N. Herman  
President

“ Together, we are keeping the light of freedom burning even in the darkest of times.”

## MESSAGE FROM THE PRESIDENT

When the history of the Trump presidency is written, it will, inevitably, also be a history of the ACLU. With every step President Trump has taken to attack immigrants and people of color, turn back the clock on reproductive freedom and LGBT rights, restrict voting rights, and block every kind of progress toward equality, the ACLU has been there, fighting back with everything we've got.

And what we've got is a force to be reckoned with. Backed by our 1.85 million members and a growing movement of online activists—now over 3.6 million strong—the ACLU has proven what a robust resistance can accomplish.

In doing so, we've kept our sights set firmly on our six strategic priority issues—criminal justice reform, LGBT equality, immigrants' rights, voting rights, reproductive freedom, and digital privacy—and made real progress even in the face of unprecedented challenges from the federal government and emboldened states.

Here are just a few highlights of our 2018 accomplishments that you'll find in the pages of this report:

- We forced Trump to back down on his inhumane policy of separating immigrant children from their parents, through aggressive activism and litigation;
- Our Campaign for Smart Justice's 50-state blueprints show every state how it could transform its criminal justice system and cut incarceration in half;
- We launched a new era in funding nonpartisan election-related activities, including promoting important state ballot initiatives;
- We won a landmark Supreme Court ruling that police need a warrant to seize our sensitive cell phone location data; and
- Our litigation blocked 17 state restrictions on reproductive freedom.

Together, we are keeping the light of freedom burning even in the darkest of times.

Thank you for standing with us.

Susan N. Herman



Anthony D. Romero  
Executive Director

“ For nearly 100 years, the ACLU has never wavered in our mission to ensure that the protections of the Bill of Rights apply to everyone.”

## MESSAGE FROM THE EXECUTIVE DIRECTOR

The day Donald J. Trump was elected marked a turning point for civil rights and civil liberties. But we the people never wavered—and now the administration and his allies are on notice. With you by our side, we built an emboldened ACLU with the capacity to fight forcefully on all fronts—in the courts *and* at the ballot box. We’ve made a real difference.

Without a doubt, the November elections have given us some cause for hope. Through the passage of critical ballot referenda, the ACLU is proud to have played a leading role in expanding voting rights to more than 2 million people in key states, by re-enfranchising 1.4 million people with prior convictions in Florida, and through a suite of voting reforms in Michigan and Nevada. We made significant investments in 10 ballot measures (winning eight of them), raised civil liberties issues in candidate races, and built a massive voter mobilization program across the country. These reforms will contribute to a groundswell of voter engagement and energy in future elections.

In a year that brought us Trump’s abhorrent family separation policy, a bruising Supreme Court nomination process, and underhanded attempts to disenfranchise voters, the ACLU has had to act swiftly. Our rapid and powerful responses—made possible through the steadfast commitment of ACLU supporters like you—will be the key to our success over the coming years. Our People Power grassroots mobilization platform amplified our power in the courts by deploying our members to take to the streets to protest and demand protection of our civil liberties and civil rights.

There is, indeed, cause for hope. As every page of this report demonstrates, we have what it takes to fight back—and then some—to reaffirm our democratic values and respect for civil liberties. For nearly 100 years, the ACLU has never flinched in our mission to ensure that the protections of the Bill of Rights apply to everyone, and we aren’t stopping now.

Thank you for your belief that, together, we can create a more perfect union.

Anthony D. Romero

# REUNITING FAMILIES AT THE BORDER

It had been a long, treacherous journey from war-torn Congo to seek political asylum at the San Diego border. The 39-year-old woman, clutching her 7-year-old daughter, saw the American flag and told her daughter everything was going to be okay: “We have arrived.”



## HOW THE ACLU DEFENDED FAMILIES TORN APART BY THE GOVERNMENT

OCTOBER 2017

The ACLU of San Diego interviewed a detained Guatemalan woman whose child was removed from her custody in California and sent to New York. ACLU staff alerted their peers at other border affiliates to find the missing child. It soon became clear that this incident wasn't an anomaly, but a new federal policy to separate migrant families detained at the border.

FEBRUARY 2018

The ACLU sues for the release and reunification of Ms. L. and daughter (see story above), securing her release and a mother-daughter reunion.

MARCH 2018

The ACLU expands our challenge into a class-action lawsuit.

APRIL 2018

Attorney General Jeff Sessions announces a policy to increase family separations.

What happened next has since happened to thousands like her: the woman (identified as “Ms. L.” to protect her privacy) was forcibly torn from her daughter, “S.,” who was transported 2,000 miles away to Chicago, by Immigration and Customs Enforcement (ICE). No one explained why her sobbing daughter was being taken away, where she was being taken, or if she would see her child again. Meanwhile, Ms. L. was put in detention.

In the more than four months that they were separated, Ms. L. was only able to speak to her daughter a handful of times. Ms. L. tried to stay strong for her daughter, but in reality, the stress and uncertainty of the situation took a huge toll.

After months of advocacy failed to gain their release, the ACLU filed suit in February on behalf of Ms. L. and her daughter, arguing that their detention and separation were in blatant violation of the due process protections of the Fifth Amendment. One month later they were reunited at a shelter for formerly detained immigrants run by an interfaith group in Chicago. The two have remained there while awaiting a final hearing on their asylum claim, which could take years.

Shortly after the reunion, the ACLU expanded its lawsuit into a class action on behalf of at least 2,000 children separated from their parents by ICE. By early summer, the administration was facing a full-blown crisis, as images of children sitting in cages sparked worldwide outrage. In a rare reversal, Trump backed down and signed an executive order requiring immigrant families be detained together. His public relations solution to the human rights calamity he’d created was too little, too late.

Lee Gelernt, deputy director of the ACLU’s Immigrants’ Rights Project, says that the results are just gut-wrenching. “I’ve been at the ACLU for 26 years,” he says. “This is the worst government practice I have seen in my time at the ACLU. It’s the most brutal.”

It soon emerged that the government had already deported more than 500 parents without their children, including six who are under the age of 5, with no plan for how they would be ever be reunited. Shockingly, the administration then argued that the ACLU should be responsible for locating parents who had been deported or released, a suggestion the court forcefully rejected.

The struggle to reunite these families is by no means over, and many families remain separated. In September, the ACLU reached an agreement with the government allowing parents and children who had been denied asylum a second shot at a hearing. Nothing can ever fully undo the damage and trauma caused by the family separation policy—but the agreement is an important step toward protecting the asylum rights of impacted children and parents.

“This is the worst government practice I have seen in my time at the ACLU.”

#### MAY 2018

For the first time, news outlets report thousands of families have been affected by the administration’s policy.

#### JUNE 2018

After public outrage and pressure, President Trump signs an executive order that purports to end family separations, but could instead place asylum-seeking families into indefinite detention.

The ACLU wins a national injunction in the Ms. L. case: The court orders the reunification of thousands of parents and children within 30 days and prohibits further separations.

#### JULY 2018

The administration fails to reunite over 700 children by the court’s deadline because it had deported and lost track of many parents.

#### AUGUST 2018

The ACLU brings together organizations to locate and advise missing parents, work that continues.

#### SEPTEMBER 2018

The ACLU reaches a tentative agreement with the government that would reunite families and give many reunited families a real shot at asylum.



## THE ACLU VOTER

# RESTORING THE RIGHT TO VOTE IN FLORIDA

Howard Simon, executive director of the ACLU of Florida for 44 years, has long said he wouldn't retire until the state's lifetime voting ban for former felons—which dates back to post-Civil War efforts to keep African Americans disenfranchised—is overturned.

On November 6, with the successful passage of Amendment 4 at the polls, after years of effort from the ACLU and statewide coalition partners, he finally got his wish. So did about 1.4 million Floridians who have completed their sentences and can finally vote.

“This is the most significant civil rights change the ACLU of Florida has ever had,” says Simon, who worked to pass the Voting Rights Act in 1965. “For me, this has been the unfinished business of the civil rights movement.”

And, he says, it would not have been possible had Florida not been tapped for the ACLU's Strategic Affiliate Initiative (SAI), a more than decade-long effort to build the legal, public advocacy, and communications capacity of affiliates in key battleground states. (Other priority state affiliates this year include Arizona, Colorado, Georgia, Kansas, Louisiana, Michigan, Missouri, North Carolina, Ohio, Pennsylvania, Texas, Virginia, and Wisconsin.)

Through SAI, the ACLU of Florida, headquartered in Miami, was able to open regional offices in Orlando,



Tampa, Pensacola, and Jacksonville and hire someone to mount criminal justice reform campaigns. “Now we have the funding and staff to take on things on a scale we never could before,” says Simon.

Take Amendment 4, for example. Amid state laws nationwide that restrict the formerly incarcerated from voting, Florida stood alone with Iowa, Kentucky, and Virginia in restricting them for life. The ACLU—working alongside the Florida Rights Restoration Coalition, led by Desmond Meade, who was formerly incarcerated and later graduated from law school—did everything in its power to re-enfranchise Floridians. It had modest success under Gov. Charlie Crist, only to have those gains set back by Rick Scott, who succeeded him.

Finally, says Simon, “We realized that changing the state constitution was really the only way to do this.” With the support of the national ACLU, which was the largest backer of the referendum, the affiliate obtained approximately 70,000 petition signatures to bring the proposed language to the state’s Supreme Court last year, which unanimously approved it. Next came the Herculean task of gathering more than 750,000 signatures statewide needed to put the amendment on the ballot. Ultimately, 1.1 million were collected.

“This has been the unfinished business of the civil rights movement.”

“At an event in Tampa, I remember two people who were skeptical of restoring voting rights to formerly incarcerated people,” recalls Kirk Bailey, ACLU of Florida political director. “They were upset with a family member with a felony conviction and wanted them to have consequences. But the more we talked, the more they realized how cutting off so many people from the vote is damaging to the community—and that if their relative got his vote back, it might engage him more and set him on the right path.”

No one yet knows exactly how the amendment will change voting patterns or Florida’s political future. But Simon now feels he can retire having finally helped push through this landmark achievement. “This will open up the democratic process here to 1.4 million new voters,” he says. “It was a huge injustice that needed to be corrected, and I think it’ll transform Florida forever.”

The support of donors and activists from Florida and other states is more important now than ever, says Simon. “As the courts become less friendly to civil liberties, the best protection is to prevent bad laws from being enacted in the first place and the visibility of the American people saying no to bad policies. Both have been critical to our work in Florida.”



## VOTER ACCESS ACROSS THE COUNTRY

For the past decade, the ACLU has become a truly nationwide organization with an on-the-ground presence in every state. This year, we collaborated with coalition partners in battleground states, including Florida, to expand access to the vote. These partnerships yielded exciting results this November:

### Michigan—Promote the Vote

The ACLU spearheaded another ballot referendum to amend the Michigan Constitution to create fair rules to ensure that all eligible citizens in this swing state have access to a secure vote, an up-to-date system, and accurate voter lists. Like Florida, this win has enormous implications in 2020—we estimate as many as 245,000 people in Michigan will gain the right to vote from our efforts.

### Nevada—Question 5, Automatic Voter Registration Initiative

ACLU canvassers knocked on thousands of doors in Las Vegas and Reno to spread the word about this common-sense policy solution: automatic voter registration. This expansion of the popular “motor voter” strategy automatically registers eligible citizens to vote through the DMV unless they decline. The “yes” vote will enfranchise as many as 72,000 new voters in Nevada.

Please note that contributions to the ACLU are not earmarked for use in these ballot measures.

# SAFEGUARDING WOMEN'S ACCESS TO ABORTION

“I’ve always felt very strongly about women’s access to abortion and contraception,” says Brigitte Amiri, deputy director of the ACLU’s Reproductive Freedom Project. Early in her career, she argued that Indiana’s constitution obligated the state to cover abortion for low-income women via Medicaid—and won.

“It’s still one of the most important victories of my career,” she says, “because I realized the incredible impact it could have on the most marginalized communities. I often feel a lot of anger in my job over how federal and state governments are trying to block access to abortion, but I channel it into fighting back and fighting hard.”

Brigitte has brought that resolute determination to the ACLU during a time when reproductive freedom is under constant threat. “This is really an unprecedented time; we’re on the verge of seeing

*Roe v. Wade* overturned and many women will likely lose access to abortion,” she says. “If the Trump administration could ban all women from accessing abortion, it would. Look at Jane Doe.”

Seventeen-year-old Jane Doe escaped violence in Central America only to be detained at the border where she discovered she was pregnant and secured a Texas judge’s permission to get an abortion. But Trump official Scott Lloyd, head of the Office of Refugee Resettlement, made it his mission to stop her—and other young immigrant women—from



Brigitte Amiri, deputy director of the ACLU’s Reproductive Rights Project

accessing their fundamental right. Brigitte and her team at the ACLU took the administration to court in October 2017, in *Azar v. Garza*, challenging the Trump administration’s policy prohibiting unaccompanied immigrant minors in federal custody from getting abortions. A federal judge ordered a halt to the administration’s ban, and Jane Doe was able to get the abortion she wanted.

“Despite attempts at coercion, Jane was resolute in her decision and decided to fight back,” says Amiri. “It was the most intense and important case I ever worked on because the clock was ticking and Jane may have been forced to have the child if we hadn’t been successful,” says Amiri. “The government was fighting us tooth and nail.”

The government took the case to an appeals court, which eventually ruled in Jane Doe’s favor. In June 2018, the Supreme Court threw out the appeals court ruling because Jane Doe had her abortion. The Supreme Court ruling does not affect the class-action suit the ACLU brought against the federal ban on behalf of all immigrant minors seeking abortions. For now, the freeze on the government’s anti-abortion ban stands.

“If the Trump administration could ban all women from accessing abortion, it would. Look at Jane Doe.”

The federal government even went so far as to ask the Supreme Court to discipline Amiri and other ACLU lawyers on the case, saying that they had misled them about the timing of Jane Doe’s abortion to keep the government from further obstructing it. But the Supreme Court found no merit to those allegations. “Far from acting unethically,” says Amiri, “we did what was in the best interest of our client and ensured that she got an abortion as quickly as she could after the court’s order.”

Amiri and the ACLU have also worked on a slew of other cases over the past year (see sidebar) defending reproductive freedom, from the fight to keep the Trump administration from dismantling Title X, the nation’s only family planning program funding healthcare centers nationwide, to efforts to save the last abortion clinic in Kentucky over the objections of the state’s anti-abortion governor.

“The Trump administration and its allies are effectively trying in various ways to prevent people from accessing abortion, and that is blatantly unconstitutional,” says Amiri. “We’ll do everything we can at the ACLU to prevent that from happening, so people can get the health care they need without shame or stigma.”



## THE GOOD FIGHT

With the White House and hostile states determined to dismantle women’s hard-won reproductive rights, the ACLU is not just holding the line but striking back with legal firepower:

- We blocked the Office of Refugee Resettlement’s cruel “no abortion” policy for unaccompanied young immigrant women (like Jane Doe) in federal custody.
- We sued to stop the Trump administration from carrying out a radical shift in the nation’s Title X family planning program by shifting funding from high-quality clinic care to an ideologically driven program that promotes an “abstinence-only-until-marriage” agenda.
- We struck down a law that would have shut down the last abortion clinic in Kentucky.
- We invalidated an Ohio law criminalizing abortions.
- We overturned an Alabama law that would have effectively banned all second-trimester abortions in the state.

## THE ORGANIZER

# BUILDING THE ACLU'S PEOPLE POWER

For the ACLU's Lorella Praeli, the work is always personal. When outrage broke last summer over news that the Trump administration had separated thousands of migrant children from their parents, Praeli, with the backing of the ACLU's massive grassroots army of activists, organized an emergency reunification rally in Brownsville, Texas.



*Lorella Praeli, deputy national  
political director of the ACLU*

“ We want to show the impact on people’s lives and shed light on what’s really happening on the front lines.”

The rally drew thousands to Brownsville’s courthouse and helped mobilize the immense Families Belong Together protests that took place in cities nationwide on June 30.

That’s just the kind of work that Praeli—who previously was director of advocacy and policy at United We Dream, the country’s largest immigrant youth-led organization—specializes in: rallying public and media attention behind issues that the ACLU is also fighting in court. “We want to show the impact on people’s lives and shed light on what’s really happening on the front lines,” she says.

At the core of Praeli and team’s efforts is the energy of the American people who are willing to stand up and say no to cruel, unconstitutional policies. The ACLU recognizes that wins in the courtroom alone cannot achieve lasting change. Public support is essential, which is why the ACLU invests in the work of integrated advocacy, like Praeli’s, as well as litigation to make an impact in a court of law and the court of public opinion.

Earlier this year, when President Trump first announced that he was going to rescind Deferred Action for Childhood Arrivals (DACA), the Obama-era policy allowing undocumented immigrants brought to the United States as children to live, work, and study legally, and bluntly told Congress to “fix” the program, Praeli stepped in with the power of the people behind her. “We did a lot of inside work with legislators trying to define the parameters of a potential deal,” she says. “We also joined rallies in D.C. and drove calls to Congress.” (Capitol Hill failed

to resolve DACA, but courts have preserved the program for the time being.)

DACA hits close to home for Praeli. Although she acquired her Green Card through marriage in 2012, a childhood injury in her native Peru left her an amputee and compelled her parents, when she was 10, to move with her, undocumented, to Connecticut for better medical care. As a teenager, a cyberbully called her both “peg leg” and “border hopper,” but she fought back through her school and eventually got the bully to apologize. Soon after, via an anti-bullying program, she shared her story publicly.

“That’s when I began to understand the power of stories to change lives,” she says.

Now she’s focused on a campaign the ACLU launched in October to get Greyhound bus lines to deny ICE and border patrol agents, looking for undocumented passengers, the right to board their vehicles without a search warrant. These incidents have increased in the Trump era. “Greyhound has said that they’re stuck in the middle, but they’re not,” says Praeli. “They’re facilitating these practices.”

If it sounds like Praeli might occasionally get exhausted, she does. “Doing this work is a day-to-day grind that takes an emotional toll,” she says. “But I also find a lot of hope in this moment. The DACA kids have a lot of anxiety, but with the support of the majority of Americans, they’re still fighting to stay here because this is their home. There’s a power and resistance there that I find really beautiful.”



Jason Wiesefeld (r) and his children (l-r) Myles, Maxwell, and Chloe

## THE NEXT GENERATION

# EMPOWERING A MOVEMENT

In the overwhelming surge of people who have stepped up to support the ACLU during this tumultuous year can be found those new to the organization as well as longtime members: Baby Boomers who were active during the Civil Rights Era, Millennials in the midst of #MeToo, and individuals from a wide range of political and religious beliefs.

Among them is Jason Wiesefeld, whose extended family encompasses many of these descriptions. His giving is inspired not only by the urgency of today's headline-making civil liberties struggles, but also by his own deeply personal connection to a landmark 1975 ACLU case that helped turn the tide in the battle for women's rights.

It started in 1972 with an unimaginable tragedy: when Jason's mother, Paula, died in childbirth. Left on his own, Jason's father Stephen sought the Social Security benefits from his wife's earnings

as a schoolteacher that would allow him to stay at home as the sole provider for his newborn son. But at the time, the so-called "mother's insurance benefit" of the Social Security Act provided financial support to widows—not widowers—who were left to raise children alone.

Enter the ACLU, in the person of then-Women's Rights Project co-founder and co-director Ruth Bader Ginsburg. Ginsburg saw in the Wiesefeld case both an opportunity to help a grieving father and to challenge one of countless irrational gender-based



Stephen Wiesenfeld bicycles with his son, Jason, in 1975. Wiesenfeld's case, argued by Ruth Bader Ginsburg, was a critical link in a line of landmark ACLU cases for women.



Supreme Court Justice Ruth Bader Ginsburg argued her first case before the court in 1973 when she was co-founder and co-director of the ACLU's Women's Rights Project. Two years later, she argued the Wiesenfeld case before the court and won a unanimous verdict.

distinctions in the law. In 1975, she took the case to the Supreme Court and won a unanimous verdict that the Social Security policy violated women's rights. In bringing this groundbreaking case on behalf of a male plaintiff, Ginsburg was able to show that the law had discriminated against men acting as caregivers as well as women serving as breadwinners. The Wiesenfeld case was a critical link in a line of landmark ACLU cases brought by Ginsburg and others based on what was at the time a revolutionary argument: that women should be considered equal in the eyes of the law.

Jason is proud of the fact that his family is part of the ACLU's storied history (as seen in "RBG," the wildly popular 2018 documentary about Justice Ginsburg), and that his support will help ensure an equally storied future for the nearly 100-year-old organization. Now a father to three—Chloe, 16, Maxwell, 14, and Myles, 9—Jason thinks a lot about what the future holds for his three children, and in particular, for his daughter Chloe, who will soon be

starting to get serious about college applications. "When she goes to college and enters the work force, I want there to be a level playing field," Jason says.

Perhaps more than most, Jason understands that behind the headlines and legal papers in each of the ACLU's cases are real people, standing up courageously in the face of injustice. "Thanks in part to the ACLU," says Jason, "my father was always there when I got home from school, to help with homework, cook dinner, and put me to bed. He always chaperoned on school trips." Jason emphasizes that, as a nonpartisan organization, the ACLU protects the rights and liberties of everyone. "No matter what side of the political aisle you're on, if you have a civil liberties issue, the ACLU will stand up for you."

As for what the future holds during these politically divisive times, "I'm an optimist," Jason declares. "I've seen our institutions respond to injustice, and I have faith that they will continue to do so."



## STATE SOLUTIONS TO MASS INCARCERATION

Since the 1970s, the United States has locked up millions and millions of people, endorsing harsher sentencing, and propping up costly jails and prison systems. Our mass incarceration crisis has destroyed neighborhoods and perpetuated racial injustice. While the scale of the crisis extends across the country, approximately 90 percent of the incarcerated are held in local jails and state prisons.

“Mass incarceration is a nationwide problem, but one that is rooted in the states and must be fixed by the states,” said Udi Ofer, director of the ACLU’s Campaign for Smart Justice.

In September, the Campaign for Smart Justice released its 50-State Blueprints, a thorough, state-by-state analysis of how states can transform their criminal justice systems and cut incarceration in half. The blueprints serve as customized road maps for states to develop their own actionable policy options, and they capture the nuances of local laws and histories.

The ACLU created the reports—and the interactive website at [50stateblueprint.aclu.org](http://50stateblueprint.aclu.org)—as part of a multi-year partnership with state affiliates and the Urban Institute.

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# SUPREME COURT VICTORY FOR PRIVACY

“Get a warrant.” That’s what the U.S. Supreme Court told the federal government in June 2018, when—in a huge ACLU victory for privacy—the court ruled 5–4 that people’s sensitive cell phone location information, stored by cell phone companies, is protected by the Fourth Amendment.

The ACLU represented Timothy Carpenter, convicted in 2013 of a string of burglaries in Detroit. To convict him, the FBI had obtained—without a probable cause warrant—127 days of location data from Carpenter’s cell phone company, revealing a vast trove of personal information, including where he slept and where he went to church.

As Chief Justice Roberts observed in his majority opinion, what the FBI obtained was “near perfect surveillance, as if [the government] had attached an ankle monitor” to Carpenter. The FBI would have needed a warrant for an ankle monitor or any surveillance device. Yet, according to the feds, no warrant was necessary for its extraordinary sweep of Carpenter’s personal information.

Relying on a decades-old legal rule called the “third-party doctrine,” the government argued that we give up our “expectation of privacy” once we voluntarily share our information with others—others including the cell phone company storing our data.

But what’s “voluntary” sharing of digital data? The third-party doctrine pre-dates the digital age. And today almost all digital data is automatically shared.



## The ACLU's landmark win reboots privacy law, updating it for the digital age.

Arguing before the court, ACLU attorney Nathan Freed Wessler described a rapidly shifting landscape. Today, 95 percent of Americans carry cell phones, “perfect tracking devices,” in their pocket. Tech companies’ vast and growing access to our personal information was never anticipated by lawmakers nor agreed to by consumers.

Indeed, the tech world sided with us: Apple, Facebook, Google and other tech leaders urged the court to extend the Fourth Amendment to digital data, asserting in their friend-of-the-court brief that “no constitutional doctrine should presume that consumers assume the risk of warrantless government surveillance simply by using technologies...”

As Wessler remarked after our victory, “We can’t go about our lives without leaving these highly revealing crumbs behind us. It’s much more than location data: It’s the content of emails, information about homes collected by smart devices—even the state of our bodies—heart rate data from a smartwatch, which we share with Apple, for example.”

Though *Carpenter* explicitly addresses only cell phone location data, the ACLU’s landmark win effectively reboots privacy law, updating it for the digital age. As Georgetown Law Professor Paul Ohm declared, “This is the opinion most privacy law scholars and privacy advocates have been awaiting for decades.”

Certainly *Carpenter* gives the ACLU great momentum. And we’re taking full advantage, already leveraging the decision to extend privacy protections, most recently opposing, in the Maine Supreme Court, the real-time tracking of a suspect via his cell phone, conducted without a warrant.

## ACLU IN THE NEWS

The ACLU’s work defending civil liberties for all has been in the headlines on an almost daily basis since Trump took office, from the early days of his presidency when we obtained the first injunction against his Muslim ban to this year’s pitched battle to reunite families torn apart by the administration’s inhumane immigration policies.

In fact, since January 2017, the ACLU has appeared in the news nearly 1 million times, including 2,605 mentions in *The New York Times*, 1,600 in *The Washington Post*, and 1,491 in the *Los Angeles Times*.

And through cover stories such as “How the ACLU is Leading the Resistance” (*Fast Company*), “A Revamped ACLU Takes on Today’s Fights” (*Stanford Social Innovation Review*), and “Can the ACLU Become the NRA for the Left?” (*New York Times Magazine*), the ACLU’s ability to advance critical issues like voting rights, racial justice, and immigrants’ rights—and change hearts and minds—is growing every day.

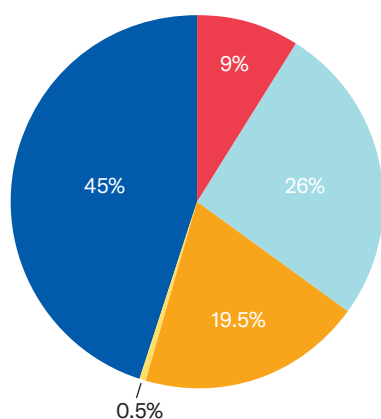
What these articles add up to is the story of an organization that is not only on the front page, but also on the front line guarding the Constitution and those whose rights count on its protections.



# FINANCIAL SUMMARY

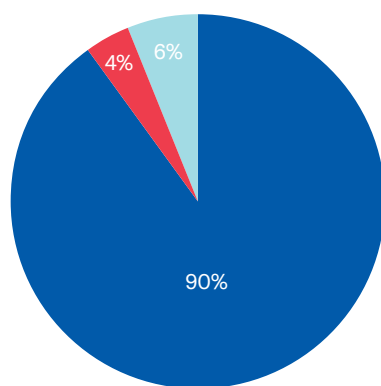
The ACLU is comprised of two organizations: the American Civil Liberties Union (the 501(c)(4) arm), whose focus is legislative work at the federal and state levels; and the ACLU Foundation (the 501(c)(3) arm), whose focus is litigation and public education. Following is the financial summary of the ACLU entities for the years ended March 31, 2018 and March 31, 2017.

## American Civil Liberties Union & Consolidated Entities



### PROGRAM SERVICES

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



### OUR EFFICIENCY

- Total Program Services
- Management and General
- Fundraising

### Support & Revenue

	FY2018	FY2017
Grants & Contributions	\$250,059,321	\$274,104,575
Donated Legal Services	9,780,957	2,202,732
Bequests	24,262,394	21,256,361
Other Revenue	1,687,990	2,117,600
<b>TOTAL SUPPORT &amp; REVENUE*</b>	<b>285,790,662</b>	<b>299,681,268</b>

### Expenses

<b>Program Services:</b>		
Legislative	19,919,056	13,712,901
Legal	54,940,490	36,554,859
Public Education	41,107,720	28,551,939
Civil Liberties Policy Formulation	1,029,974	870,391
Affiliate Support	94,736,747	89,205,157
<b>Total Program Services</b>	<b>211,733,987</b>	<b>168,895,247</b>
<b>Supporting Services:</b>		
Management & General	8,417,092	6,364,436
Fundraising	13,640,733	13,965,513
<b>Total Supporting Services</b>	<b>22,057,825</b>	<b>20,329,949</b>
<b>TOTAL EXPENSES</b>	<b>233,791,812</b>	<b>189,225,196</b>
<b>Change in Net Assets Before Other Changes</b>	<b>51,998,850</b>	<b>110,456,072</b>

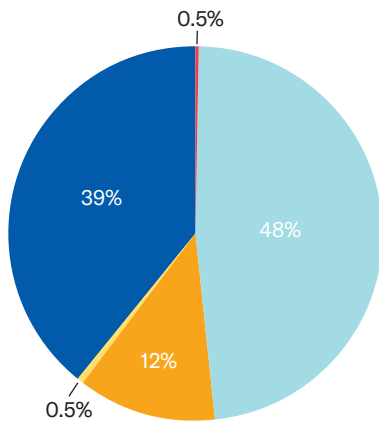
### Other Changes in Net Assets

Net Legal Expenses Awarded	2,695,991	4,139,323
Net Investment Income, Gains & Losses	22,149,354	23,480,097
Changes in Value of Split-Interest Agreements	1,259,377	(1,352,270)
Recognition of Affiliates' Share of Pension Liability	1,531,490	(10,686,574)
Minimum Pension Liability Adjustment	(3,108,052)	15,004,391
Other Adjustments	(652,038)	-
<b>TOTAL OTHER CHANGES IN NET ASSETS</b>	<b>23,876,122</b>	<b>30,584,967</b>
<b>Change in Net Assets</b>	<b>75,874,972</b>	<b>141,041,039</b>

### Net Assets

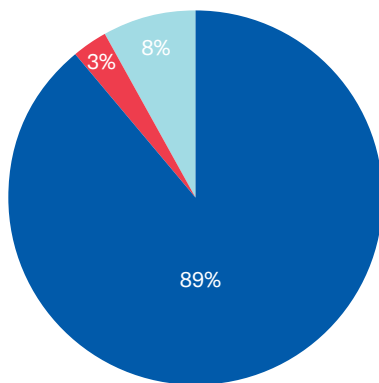
Beginning	415,847,704	274,806,665
Ending	\$491,722,676	\$415,847,704

## American Civil Liberties Union Foundation, Inc. & Subsidiary



### PROGRAM SERVICES

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



### OUR EFFICIENCY

- Total Program Services
- Management and General
- Fundraising

### Support & Revenue

	FY2018	FY2017
Grants & Contributions	\$118,194,444	\$125,796,744
Donated Legal Services	9,780,957	2,202,732
Bequests	15,683,689	14,256,901
Other Revenue	2,029,623	2,300,171
<b>TOTAL SUPPORT &amp; REVENUE</b>	<b>145,688,713</b>	<b>144,556,548</b>

### Expenses

<b>Program Services:</b>		
Legislative	385,231	764,868
Legal	53,769,544	36,415,387
Public Education	13,096,065	11,890,802
Civil Liberties Policy Formulation	473,162	593,724
Affiliate Support	43,253,923	60,011,761
<b>Total Program Services</b>	<b>110,977,925</b>	<b>109,676,542</b>
<b>Supporting Services:</b>		
Management & General	3,853,507	4,266,984
Fundraising	10,413,690	9,220,671
<b>Total Supporting Services</b>	<b>14,267,197</b>	<b>13,487,655</b>
<b>TOTAL EXPENSES</b>	<b>125,245,122</b>	<b>123,164,197</b>
<b>Change in Net Assets Before Other Changes</b>	<b>20,443,591</b>	<b>21,392,351</b>

### Other Changes in Net Assets

Net Legal Expenses Awarded	2,695,991	4,139,323
Net Investment Income, Gains & Losses	19,649,495	23,262,638
Changes in Value of Split-Interest Agreements	1,259,377	(1,352,270)
Recognition of Affiliates' Share of Minimum Pension Liability Adjustment	1,012,139	4,135,119
<b>TOTAL OTHER CHANGES IN NET ASSETS</b>	<b>24,617,002</b>	<b>30,184,810</b>
<b>Change in Net Assets</b>	<b>45,060,593</b>	<b>51,577,161</b>

### Net Assets

Beginning	297,225,948	245,648,787
Ending	\$342,286,541	\$297,225,948

\* Following the 2016 election, the ACLU experienced a tremendous increase in c4 support. We have strategically set aside a portion of these funds for use over the next three years to quickly and effectively respond to the current administration's unprecedented assault on civil liberties.

# 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 as we continue to stand up for the principles of equality, justice, liberty, and democracy.

## 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 local level 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)
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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

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