

AMERICAN CIVIL LIBERTIES UNION

# 2008 ANNUAL REPORT

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AMERICAN CIVIL LIBERTIES UNION

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New York, NY 10004

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

<b>3</b>	<b>INTRODUCTION</b>
<b>4</b>	<b>ELECTION 2008</b>
<b>5</b>	<b>KEEPING AMERICA SAFE &amp; FREE</b>
<b>6</b>	<b>PROTECTING AMERICA'S MOST VULNERABLE</b> Race and Criminal Justice Fighting the Death Penalty Protecting the Rights of Prisoners Confronting Anti-immigrant Backlash
<b>10</b>	<b>DEFENDING AGAINST A MORALIZING GOVERNMENT</b> Advancing the Right to Love and Bear Children as We Choose Guarding the Right to Worship as We Choose
<b>12</b>	<b>HUMAN RIGHTS BEGIN AT HOME</b>
<b>14</b>	<b>FINANCIALS</b>
<b>17</b>	<b>OFFICERS</b>
<b>18</b>	<b>BOARD OF DIRECTORS</b>

## INTRODUCTION

Founded in 1920, the ACLU is a nonprofit, multi-issue, public interest organization with more than 550,000 members, devoted to protecting the fundamental civil liberties of all people in the United States. We combine litigation, legislative work and public education efforts to stand up for ordinary people—especially the vulnerable.

At the same time, the ACLU represents a wide segment of mainstream America that believes in responsible government, accountable to an informed citizenry. Because we care about constitutional principles—not ideology—we push for government accountability, regardless of who is in power. Our effectiveness is enhanced through crossing partisan lines and we regularly seek to build left-right alliances.

With more than 95 full time litigators in the national organization, and a vast network of cooperating attorneys across the nation, we work daily in courts, legislatures and communities to defend and protect constitutional freedoms. We utilize our unique network of 53 fully-staffed state affiliates and national chapters to bring precedent-setting litigation and to create model programs likely to spark national change. Our Washington Legislative Office advances our objectives in Congress and the Executive Branch and supports our affiliates at the state legislative level. The ACLU's national legal projects—from reproductive freedom to racial justice—possess the focus and expertise of single-issue organizations along with the institutional resources of the national organization and the broad reach and grassroots connections provided by our affiliates.

Communicating with the public is a crucial component of the ACLU's work. We utilize focus groups and public opinion research to help shape messages that both resonate with our constituents and help to mobilize support among others who may be persuaded to support us. Our advocacy and litigation work generates news and feature stories on compelling and complex issues that might otherwise be ignored or obscured by the media; and our high profile media coverage has been extensive, with more than 6,000 mentions of the ACLU in print and online in the last quarter of 2008 alone. In framing civil liberties debates for the public and policy makers we maintain our status as the “go to” organization.

ACLU work is literally shaping history. In the past year we have witnessed extraordinary examples of how much America has come to rely on the principled persistence of the ACLU—and ACLU supporters—to protect American values and defend the integrity of our government.

## ELECTION 2008

Several months before the election we began a comprehensive voter protection campaign. It was launched with the release of a headline-generating report, issued jointly by the ACLU and the Brennan Center, documenting the widespread failure of state officials to understand and comply with laws governing the voting rights of citizens with felony convictions. In Michigan we filed a lawsuit, ultimately successful, to halt voter purges that threatened to disenfranchise hundreds of thousands of potential voters prior to Election Day; and in Ohio we won rulings that protected voters' access to absentee ballots. In a victory for disability rights, we persuaded the Veterans Administration to allow voter registration in V.A. nursing homes, homeless shelters and rehabilitation centers.

Our aggressive efforts to protect voter-rights included the publication of state-specific portable voter empowerment cards in 35 states and establishing a voter information and assistance hotline through our toll free number. Our website, [www.votingrights.org](http://www.votingrights.org) provided regularly updated information and enabled voters to email questions directly to our staff.

Election Day 2008 was a watershed moment for America: not only the historic election of an African-American president, but a desperately needed chance for national redemption and renewal. In the months leading up to the election, the ACLU's "I'm a Constitution Voter" campaign raised our nonpartisan profile and positioned us to influence a new administration aspiring to bipartisanship. Less than a week after Election Day, we embarked upon a vigorous grassroots campaign to encourage Barack Obama to make his first day as president one of decisive action for freedom and justice. Our *Open Letter to Obama*, urging the President Elect to close Guantanamo and shut down the military commissions, amassed nearly 65,000 signatures and ran as a full page ad in the *New York Times*. We also introduced the first in a powerful series of closegitmo.com videos produced by filmmaker Robert Greenwald.

Next, the ACLU released a lengthy document—almost 100 pages in total—entitled *A Campaign to Restore America* that describes what President-Elect Obama must do to begin restoring the rule of law in the first year of his administration. The document is a sobering reminder of the damage inflicted on this country in a mere eight years, but offers hope in the form of a detailed and prioritized transition plan to redress human rights abuses starting on "Day One." The plan's detailed drafts of Executive Orders and presidential administrative directives were praised by the Obama transition team as the most useful they received. Reflecting both the quality of our plan and the expertise of the ACLU, we met more than 100 times with the transition team. As the nation's single most steadfast and strong voice for democratic values and government accountability, the ACLU has a crucial role to play in the rebuilding process.

## KEEPING AMERICA SAFE AND FREE

It would be hard to overestimate the continuing impact of our Freedom of Information Act (FOIA) litigation to expose the United States use of torture as an interrogation tool. Our torture FOIA has successfully kept the issue of torture before Congress and the public, generating front page news, influential editorial support, and forcing reconsideration of the official claim that the problem consisted of “a few bad apples,” rather than a system authorized from the top. In April, we obtained the release of a secret Justice Department memo asserting President Bush’s unlimited power to order brutal interrogations of detainees. A month later the Justice Department released an Inspector General report, triggered by our litigation, exposing the refusal of White House officials to respond to the FBI’s early and vehement objections to the torture of “high value” detainees. The report presciently warned that coerced statements would be inadmissible in court.

We have continued to monitor every military commission proceeding at Guantanamo, calling attention to their blatant unconstitutionality through blogging and media outreach; and in April, we launched the *John Adams Project*, a crucial effort to provide civilian attorneys to assist in the representation of detainees facing prosecution at Guantanamo.

We have assembled some of the nation’s most prominent criminal defense lawyers, as well as investigators and experts in mitigation and classified evidence, to participate in this project.

In June, we requested a federal appeals court to reinstate our lawsuit against Boeing subsidiary Jeppesen Dataplan for its role in the CIA’s extraordinary rendition program on the grounds that the government inappropriately invoked the “states secrets privilege” to avoid legal scrutiny of an unlawful program.

Immediately following Congressional passage of the FISA Amendments Act of 2008, we filed a landmark lawsuit, in July, to stop the government from conducting surveillance under the new wiretapping law. The law gives the government virtually unchecked power to intercept Americans’ international emails and telephone calls. We represent a broad coalition of attorneys and human rights, labor, legal and media organizations whose ability to perform their work—which relies on confidential communications—will be greatly compromised.

In September, we won a federal appeals court ruling, again directing the Defense Department to release torture photos and, most significantly, acknowledging the public’s right to know. In December, the Supreme Court agreed to review the Fourth Circuit Court of Appeals’ July ruling that the President is empowered to imprison a legal resident of the United States as an “enemy combatant” indefinitely without charge or trial. Our client, Ali Saleh Kahlah al-Marri, is a legal resident who has been detained since 2001. Resolution of the Al-Marri lawsuit will have profound implications for civil liberties and human rights.

And finally, in December, we won a landmark federal appeals court victory halting the deportation of Sameh Khouzam, an Egyptian Christian. The ruling was significant because it permits courts to review the reliability of “diplomatic assurances,” in this case Egypt’s assurance that it would not torture Khouzam—a promise other U.S. courts had determined Egypt would likely break—and because the judge cited the Convention Against Torture in his decision.

## PROTECTING AMERICA’S MOST VULNERABLE

No task is more fundamental to the mission of the ACLU than the defense of the nation’s most vulnerable and disenfranchised residents: the unpopular, the impoverished, the imprisoned, the newly arrived and the poor. Despite progress in courts and legislatures over the last few decades, this task remains particularly urgent. Too often, the search for solutions to the nation’s challenges becomes a search for scapegoats. We believe that upholding the rights of the politically disenfranchised is vital because, when the government has the power to deny legal rights and due process to one group of people, it puts all our rights in danger.

### Race and Criminal Justice

The ACLU continues to spur high-impact work by national projects and affiliates around issues of race and criminal justice, joining the two areas because people of color—especially those with low socioeconomic status—are routinely targeted by law enforcement and treated like criminals. By providing research that helps to develop effective strategies and technical expertise, we work closely with our affiliates to advance reforms related to over-incarceration such as disparities in sentencing, drug law enforcement and felon enfranchisement.

In April, we won a landmark settlement with the Maryland State Police on behalf of individuals who were racially profiled on Interstate 95 in Maryland. The agreement provides substantial damages to the individual plaintiffs and requires the state police to retain an independent expert to assess and foster reform.

In five Super Tuesday-targeted states, the ACLU partnered closely with its affiliates to achieve outstanding success in combating anti-affirmative action campaigns. In Missouri and Oklahoma, we challenged our opponents misleading language in court and the widespread media coverage of this litigation helped to expose their campaign of distortion and misinformation.

We have continued to focus attention on the many ways in which young people—especially youth of color—are channeled out of school and into the criminal justice system. Two cases filed this past spring are of special note. In March, together with the ACLU of Georgia, we filed a class action lawsuit against the Atlanta Independent School System and Community Education Partners (CEP) for violating students’ constitutional right to an adequate public education. CEP is a for-profit corporation paid by the city to run its disciplinary alternative school: one of the most dangerous

and lowest performing schools in Georgia. The case received extensive media coverage, with a lengthy cover story in a local newsweekly, in *The Atlanta Journal-Constitution* and on National Public Radio. The case was dismissed without prejudice and we have filed an amended complaint.

Also in March, we filed suit against the School Board of Palm Beach County and the Palm Beach Superintendent of Schools. This unprecedented class action charges that the county's low graduation rates (most significantly among black and Latino students) are evidence of educational inadequacy that violates the state's constitutional mandate for a "uniform, efficient, safe, secure and high quality education." The case received noteworthy attention from national and local media outlets and we have appealed a circuit court ruling in July that dismissed the suit. We are in the process of exploring potential cases in Florida and Texas that raise important issues regarding the misuse of disciplinary alternative schools for students with special education needs.

In New York and Connecticut we are drawing attention to the rapidly increasing use of law enforcement in schools and the often discriminatory use of the criminal justice system as a means of school discipline. An investigation we recently conducted revealed that between 2005 and 2007 approximately 300 New York Public School students were illegally arrested on school property for non-criminal violations and taken to police precincts. In November, we released two groundbreaking reports about the harm to children caused by harsh discipline regimes and the over-policing of schools in Connecticut. The first spotlighted the targeting and disproportionate arrest of black and Hispanic students in Hartford, and the second focused on the abusive implementation of "zero tolerance" discipline policies in New Haven schools. The publicity generated by our reports led to a meeting between the ACLU and state legislators—at their request—in which we discussed and drafted model legislation to correct over-policing in Connecticut schools. We are also working with the Governor's Office of Policy and Management to develop statewide standards.

Two additional reports, written with our Massachusetts affiliate, also received extensive and high-profile media coverage. The first, released in May, documents the grossly disproportionate use of pre-trial lockup for youth of color and critiques the widespread and wasteful detention of youth for minor offenses. In December, we followed up with another report documenting the unnecessary incarceration of youth arrested when juvenile court is closed, many of whom are denied bail and held in conditions that do not meet state regulations.

In June 2008, a judge approved our vital, hard-won settlement in *Sheff v. O'Neill*, the historic effort to desegregate the Hartford public schools. It provides new educational opportunities for minority students and requires that the state provide sufficient programs to meet the demand for integration.

## Fighting the Death Penalty

In the last several years, the ACLU has dramatically expanded its capital punishment work to include litigation. That expansion has paid off with hard-won and much-celebrated victories, including a series of achievements this past spring and summer. In May, our client Levon “Bo” Jones became the 129<sup>th</sup> innocent person exonerated from death row since 1973. A black man sentenced to death in North Carolina, in 1993, he had always maintained his innocence. Jones exoneration sparked front page *New York Times* coverage in a story entitled, “Executions Resume, As Do Questions of Fairness.” Also in June, we secured guilty pleas and sentences of life imprisonment for two men sentenced to death despite their extensive, documented histories of severe mental illness. And in August, we secured a guilty plea and life sentence for a mentally retarded black teenager in Mississippi facing the death penalty for the murder of two white people.

In December, we filed a brief challenging the death sentence of Texas death row inmate Adrian Estrada. In addition to challenging the state’s presentation of false testimony to obtain a death sentence, the appeal contests the constitutionality of the fetal homicide statute and the failure of police to honor Estrada’s invocation of the right to remain silent.

Also of note, we played a pivotal role in *Kennedy v. Louisiana*, the June 2008 U.S. Supreme Court decision holding that capital punishment for child rape constitutes cruel and unusual punishment. In addition to helping create a winning legal strategy and recruiting child advocates who could serve as persuasive witnesses, we worked with our affiliates to dissuade state legislatures from enacting child-rape death penalty statutes so that the Court could not view the Louisiana statute as a current trend.

Our multi-state Mitigation Mentoring Initiative continues to improve death penalty representation through the training and support of “mitigation specialists,” who assist defense counsel in the investigation of capital defendants’ life stories.

## Protecting the Rights of Prisoners

Our ongoing prisoners’ rights agenda is dedicated to ensuring that our nation’s prisons, jails, juvenile facilities, and immigration detention centers, comply with the Constitution, federal law and international human rights principles. We are committed to addressing the national crisis of over-incarceration, and to bring public attention as well as judicial scrutiny to pervasive and unconstitutional conditions of confinement. At any given time, we have litigation pending in 20-25 states on issues ranging from unlawful discrimination to inadequate mental and medical healthcare—many of them class actions on behalf of inmates in maximum security facilities.

The past year has brought a number of accomplishments. In October, we released the results of our investigation of federal death row in Terre Haute, Indiana, revealing grossly inadequate conditions. More than 50 of the men have not received sufficient medical care, even in emergency

conditions; one inmate with a cardiac emergency was not seen by a doctor for almost four hours. Inmates with mental illness do not regularly receive their prescribed psychotropic medicine, leading one desperate inmate to volunteer for execution.

In December, we finally secured a settlement in a case so wrenching it was the subject of a fourteen column plea for justice in *The Washington Post*. Jonathan Magbie was a 27-year-old quadriplegic sentenced by a Washington, D.C., judge to ten days in jail for possession of a marijuana cigarette—his first offense. The judge was well aware of the fact that Magbie needed a ventilator to breathe and that local jails were not equipped for his medical needs. She ignored the prosecutors' request that she not send him to jail. Once admitted, Magbie suffered respiratory distress and died.

As part of the settlement, correctional officials agreed to modify their policies in order to protect prisoners with severe medical problems. This includes defining specifically which medical conditions are too severe to be treated by the jail's infirmary, and ensuring that prisoners with these conditions are transferred to an appropriate facility.

## Confronting Anti-Immigrant Backlash

The rising wave of anti-immigrant sentiment—fueled in part by the demise of comprehensive immigration reform and the increase in punitive enforcement policies—has endangered immigrant communities throughout the country. On this wave, the Bush administration adopted a slew of policies and practices that have exacerbated the hostile climate and further diminished civil liberties protections for immigrants. We have worked vigorously to curb some of the worst aspects of this backlash, notably with regard to workplace raids, “No-Match” letters and immigrant detention.

Over the past year, we provided key strategic leadership in response to the upsurge of Immigration and Customs Enforcement (ICE) immigration raids around the country. For example, in Postville, Iowa, ICE and federal prosecutors conducted an unprecedented workplace raid with mass criminal prosecutions of immigrant workers that led to fast-track guilty pleas and compelled abandonment of all immigration claims. In leading the national effort to address this new tactic, we have exposed close collaboration between courts and prosecutors, convened collaborative consultations with other major organizations, and submitted congressional testimony. We also worked with a *pro bono* law firm to explore potential legal claims and helped organize a model training for criminal defense attorneys.

In Laurel, Mississippi, ICE conducted an even larger single-site raid. Building on lessons learned from the Postville raid, we sent training materials, mobilized resources, and provided expertise to local immigration and criminal defense attorneys. We are continuing to work closely with our affiliates and advocates on the ground to investigate and document constitutional violations that occur during these raids and to prepare legal strategies in response.

We have continued to fight back successfully against proposed federal “No Match” regulations that would require employers to fire workers who—according to an often erroneous government data base—use false security numbers. Our injunction remains in effect, but the government recently filed a motion requesting the court to dissolve the injunction and for summary judgment.

We have also persevered in our efforts to improve conditions of confinement in immigrant detention. In June, we obtained court approval for a final settlement that will allow us to continue monitoring conditions at an immigration detention facility in San Diego. We also filed a second lawsuit against the San Diego facility charging failure to provide medical treatment that has resulted in suffering and death. Our case was given a boost by recent hearings on Capitol Hill as well as a series of articles in the Washington Post series on negligent medical care in immigrant detention centers.

## **DEFENDING AGAINST A MORALIZING GOVERNMENT**

That government should not be imposing moral decisions on individuals is central to American democracy. In the last generation we have made tremendous strides toward that ideal of our nation as a haven in which individuals are free to seek their own answers to complex moral and religious questions. But even in the face of this progress, there has been bigotry and backlash.

### **Protecting the Right to Love and Bear Children as We Choose**

We continue to confront vicious prejudice against LGBT people, but our long term efforts are furthered by three developments. First, is the dramatic cultural shift that has made even the most conservative young people more tolerant of LGBT rights than their parents. Second, is the coordinated national movement that the ACLU has helped to lead among leading LGBT organizations which has resulted in unprecedented legal and public education victories. Finally, the increasingly strong ACLU affiliate network now has the ability to target, and bring to public scrutiny, homophobic hotspots.

In September, we won a groundbreaking victory when a federal judge ruled that discriminating against someone for changing genders is sex discrimination under federal law. We represented Diane Schroer, a Special Forces veteran whose job offer from the Library of Congress was rescinded after she announced her intention to transition from male to female. The court compared discrimination against someone transitioning from one gender to another, to discriminating against converts from one religious faith to another.

In November we won a deeply moving and critical decision in a longstanding Florida battle. A circuit court ruled that a 30-year Florida law barring lesbians and gay men from adopting children violates the equal protection guarantee of the state constitution.

We also celebrated landmark historic rulings, winning marriage rights for gay couples in California and Connecticut. As the passage of Proposition 8 in California, in November, illustrates: this battle is far from over. We have sued to challenge the constitutionality of this referendum.

### Protecting the Right to Worship as We Choose

Through its Freedom of Religion and Belief Program, the ACLU seeks to preserve the values of religious pluralism and freedom of conscience enshrined in the First Amendment and to raise awareness about the risks involved when government advocates for a specific set of religious beliefs.

In March 2008, we won a victory in a federal lawsuit filed in Odessa, Texas, that challenged a local school board's attempt to inject religious dogma into the curriculum of two public high schools. The victory garnered substantial press coverage, with stories in the *New York Times* and *Washington Post*, in addition to an AP story widely circulated across the country. The coverage helped us to publicize plans by the National Council on Bible Curriculum to "get God back into your public school."

The ACLU also regularly stands up for religious believers, protecting their ability to express and to manifest their beliefs. In November, we successfully settled a federal lawsuit on behalf of an American Muslim woman forced to remove her headscarf by police and secured a groundbreaking agreement with San Bernardino County, CA, giving women the right to wear religious head scarves in jail. We also sponsored a workshop in Dearborn, Michigan, "Keeping your Faith: Religious and Ethnic Discrimination and Human Rights," designed to help ACLU state affiliates address continuing anti-Muslim harassment.

In the past year, program staff have given presentations on religious freedom issues to a wide variety of organizations such as the American Academy of Religion and the American Constitution Society, and participated in a series of debates across the country that have contributed to the ACLU's ongoing role as a leader in discussions involving religion and public policy.

## HUMAN RIGHTS BEGIN AT HOME

Although our human rights program is relatively new, our credibility, media savvy and cross-cutting expertise, has given us a unique and critical role within the U.S. human rights community. The Human Rights Program has two main goals: capacity-building to advance the domestic human rights movement, and seeking to move the U.S. towards upholding international human rights standards in its policies and practices. As we have increased our human rights activities and built a record of success, our impact and influence have grown. We are now a major player, with connections that extend from grassroots activists to national and international advocates, policymakers and professionals. Our timing could not be better. Widespread disaffection with the xenophobia of the Bush administration has generated a new receptiveness within the United States to the use of international human rights norms and frameworks to protect civil rights at home.

This past year saw our vision of an ACLU human rights program fully realized when, in March, the U.N. Committee on the Elimination of Racial Discrimination (CERD) issued concluding observations that found fault with the United States' record on racial discrimination and urged the government to make sweeping reforms. This remarkable development was due, in large part, to a strategic advocacy effort spearheaded by the ACLU. In December 2007, we released a voluminous and devastating critique of the U.S. government's record on racial justice issues entitled *Race and Ethnicity in America: Turning a Blind Eye to Injustice*. Our "shadow report," in which 16 ACLU affiliates provided documentation from their states, served as a catalyst for the vigorous outcry from non-governmental organizations (NGOs) to the defective, distorted U.S. government report.

We followed up in February, by organizing a large delegation of NGOs to engage in advocacy at the Geneva meeting of CERD. ACLU staff provided briefings to UN Special Rapporteurs and other delegates that detailed setbacks in the promotion of racial and ethnic equality, including the U.S. government's attack on affirmative action and the courts' curtailment of civil rights. Ultimately, the release of the report and on site advocacy, followed by the CERD concluding recommendations, led to a wave of public and media attention. We have continued to build upon this platform to publicize the discrimination in America that permeates education, employment, the treatment of migrants and immigrants, law enforcement, access to justice for juveniles and adults, detention, incarceration and the death penalty.

Among our many successful advocacy efforts, the ACLU's work on the child soldier issue is especially notable for its creativity and synergistic impact as well as the extensive media coverage it has generated. In advance of a meeting of the U.N. Committee on the Rights of the Child, we released a report spotlighting the U.S. failure to protect the rights of child soldiers. At the Committee proceedings in Geneva, we publicized U.S. acknowledgement that it had imprisoned hundreds of children overseas and gained coverage of U.S. abuses in several AP stories that ran in the *New York Times*, the *Los Angeles Times*, *Time*, *USA Today*, MSNBC.com, National Public Radio, and hundreds of other outlets.

We also produced an online video about Omar Khadr, a former child soldier captured at 15, and observed his military commission hearings. Our focus on Khadr's age when he was captured and tortured helped persuade the military attorney prosecuting him to resign; the prosecutor subsequently published a wrenching opinion piece in the Washington Post about the mistreatment of Khadr and Guantanamo "justice." We also attended the Guantanamo hearing of another child soldier, Mohammed Jawad, and now represent him in a habeas proceeding challenging his detention.

Our human rights messaging work has been dramatically improved with the advent of two significant ACLU communications developments. First, the inclusion of a seasoned documentarian on staff has led to an increase in our ability to produce sophisticated and persuasive videos. Video viewership has jumped from 100 online viewers per day to 2000. Second, with the launch of a new online feature, "The ACLU Blog of Rights," blog readership has skyrocketed from 500 to 3,000 per day.

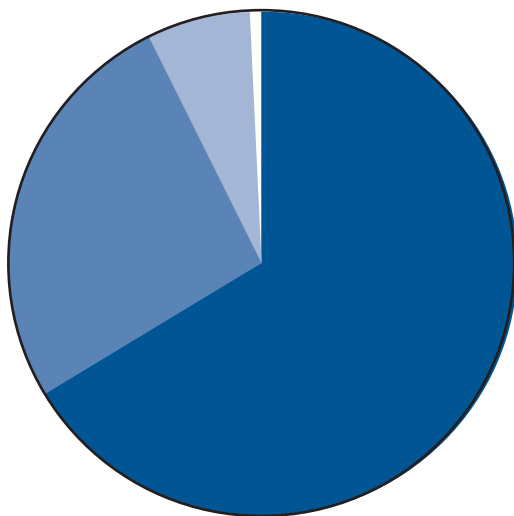
In December we used the 60<sup>th</sup> anniversary of the Universal Declaration of Human Rights as an opportunity to team up with more than a dozen affiliates for 20 events around the country, spotlighting our human rights work and reaching out to the media and public. In commemoration of the Anniversary, we released *Human Rights Begin at Home* a series of essays celebrating the breadth and continuing relevance of the UDHR.

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

### Consolidated Statement of Activities - Year Ended March 31, 2009

(with summarized comparative information for the year ended March 31, 2008)

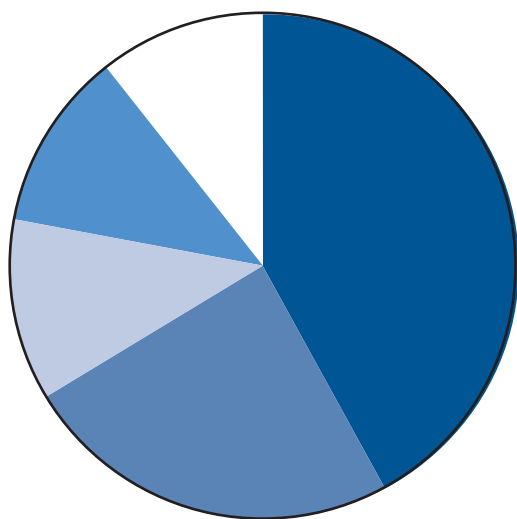
	FY2009				FY2008
	Unrestricted	Temporarily Restricted	Permanently Restricted	Total	Total
<b>Support and Revenue</b>					
<b>Support</b>					
Grants and Contributions	\$16,537,399	\$38,495,950	\$321,382	\$55,354,731	\$70,903,194
Bequests	\$6,781,698	\$94,874	-	\$6,876,572	\$5,459,132
Total Support	\$23,319,097	\$38,590,824	\$321,382	\$62,321,303	\$76,362,326
<b>Revenue</b>					
Rent Income	\$1,477,091	-	-	\$1,477,091	-
Other Income	\$38,152	\$54,196	-	\$92,348	\$32,113
Total Revenue	\$1,515,243	\$54,196	-	\$1,569,439	\$32,113
Net assests released from restrictions	\$25,654,420	(\$25,654,420)	-	-	-
<b>Total Support and Revenue</b>	<b>\$50,488,760</b>	<b>\$12,990,600</b>	<b>\$321,382</b>	<b>\$63,800,742</b>	<b>\$76,394,439</b>



#### FY09 Income

- Grants & Contributions (66.59%)
- Bequests (27.31%)
- Rent Income (5.95%)
- Other Income (0.15%)

FY2009					FY2008
	Unrestricted	Temporarily Restricted	Permanently Restricted	Total	Total
<b>Expenses</b>					
<b>Program Services</b>					
Legal	\$28,438,997	-	-	\$28,438,997	\$25,132,628
Public Education	\$18,994,396	-	-	\$18,994,396	\$16,813,604
Affiliate Support	\$6,734,770	-	-	\$6,734,770	\$6,754,901
Total program services	\$54,168,163	-	-	\$54,168,163	\$48,701,133
<b>Supporting Services</b>					
Fundraising	\$7,381,443	-	-	\$7,381,443	\$5,514,155
Management and general	\$7,089,000	-	-	\$7,089,000	\$6,568,039
Total supporting services	\$14,470,443	-	-	\$14,470,443	\$12,082,194
<b>Total expenses</b>	<b>\$68,638,606</b>	<b>-</b>	<b>-</b>	<b>\$68,638,606</b>	<b>\$60,783,327</b>



#### **FY09 Expenses**

- Legal (41%)
- Public Education (28%)
- Affiliate Support (10%)
- Fundraising (11%)
- Management and general (10%)

FY2009					FY2008
	Unrestricted	Temporarily Restricted	Permanently Restricted	Total	Total
Change in net assests before other changes	(\$18,149,846)	\$12,990,600	\$321,382	(\$4,837,864)	\$15,611,112
Other changes in net assests:					
Net investment income	\$1,805,989	-	-	\$1,805,989	\$2,201,242
Net investment income, games and losses	(\$63,298,887)	(\$2,027,228)	-	(\$65,326,115)	(\$3,979,248)
Change in value of split-interest agreements	(\$206,496)	(\$218,489)	-	(\$424,985)	(\$3,217,803)
Total other changes in net assests	(\$61,699,394)	(\$2,245,717)	-	(\$63,945,111)	(\$4,995,809)
Change in net assets	(\$79,849,240)	\$10,744,883	\$321,382	(\$68,782,975)	\$10,615,303
Net assets at beginning of year, as previously reported	\$148,840,249	\$76,963,918	\$38,103,550	\$263,907,717	\$255,772,422
Adjustments to accrued pension liability	\$2,480,008	-	-	\$2,480,008	-
Reclassifications	\$31,767,508	(\$31,767,508)	-	-	-
Net assets at beginning of year, as restated	\$183,087,765	\$45,196,410	\$38,103,550	\$266,387,725	\$255,772,422
<b>Net assets at end of year</b>	<b>\$103,238,525</b>	<b>\$55,941,293</b>	<b>\$38,424,932</b>	<b>\$197,604,750</b>	<b>\$266,387,725</b>

## 2008–2009 ACLU Officers

OFFICER NAME:	DATE OF SERVICE (BETWEEN 04/01/2008-03/31/2009)
<b>President:</b>	
Nadine Strossen	{04/01/2008 - 10/18/2008}
Susan Herman	{10/18/2008 - 03/31/2009}
<b>Vice President(s):</b>	
Sam Paz	{04/01/2008 - 10/18/2008}
Rob Remar	{04/01/2008 - 03/31/2009}
Marina Hsieh	{10/18/2008 - 03/31/2009}
Gary Williams	{10/18/2008 - 03/31/2009}
<b>Secretary:</b>	
Philippa Strum	{04/01/2008 - 03/31/2009}
<b>Treasurer:</b>	
Richard Zacks	{04/01/2008 - 03/31/2009}
<b>Assistant Secretary:</b>	
Alma Montclair	{04/01/2008 - 10/18/2008}
Terence Dougherty	{10/18/2008 - 03/31/2009}
<b>Assistant Treasurer:</b>	
Alma Montclair	{04/01/2008 - 03/31/2009}

## 2008–2009 ACLU Board of Directors

NATIONAL BOARD MEMBER NAME:	DATE OF SERVICE (BETWEEN 04/01/2008-03/31/2009)
William Aceves	04/01/2008-03/31/2009
Michelle Alexander	04/01/2008-10/19/2009
Richard Alvarado	10/24/2008-03/31/2009
Laila Al-Qatami	04/01/2008-03/31/2009
Claudia Angelos	10/24/2008-03/31/2009
Kelly Anthony	04/01/2008-03/31/2009
Deborah Archer	01/17/2009-03/31/2009
Adrienne Asch	04/01/2008-03/31/2009
Mark Ayers	06/11/2008-03/31/2009
Karl Baker	04/01/2008-04/25/2008
Grayson Barber	04/01/2008-04/25/2008
Jay Barth	04/01/2008-03/31/2009
Marc O. Beem	04/01/2008-03/31/2009
Alice Bendheim	04/01/2008-10/17/2008
Judith Bendich	04/01/2008-03/31/2009
Phil Bereano	04/01/2008-03/31/2009
Vivian Berger	04/01/2008-03/31/2009
Eve Bigelow-Baxley	04/01/2008-03/31/2009
John Blakeslee	04/01/2008-03/31/2009
John Boddie	04/01/2008-03/31/2009
Cicero Booker, Jr.	04/01/2008-01/16/2009
Vincent Booth	06/11/2008-01/16/2009
Caitlin Borgmann	04/26/2008-03/31/2009
Antonio Brown	10/24/2008-03/31/2009
Luz Buitrago	04/01/2008-03/31/2009
David Burress	04/01/2008-04/25/2008
M. Susan Carlson	04/01/2008-03/31/2009
Robert N. Chester	04/01/2008-03/31/2009
Randall Coyne	06/11/2008-03/31/2009
David Cruz	04/01/2008-03/31/2009
John Cumbler	04/01/2008-04/25/2008
Bessie Daschbach	04/01/2008-06/10/2008
Eileen Durgin-Clinchard	04/01/2008-03/31/2009
Michael Elsner	04/01/2008-03/31/2009
Milton Estes	04/01/2008-03/31/2009
Ellen Feingold	04/01/2008-03/31/2009
Mary Ellen Gale	04/01/2008-03/31/2009
Betty Gartman	04/01/2008-03/31/2009
Anthony Don George	04/01/2008-03/31/2009
Liz Gilchrist	04/01/2008-03/31/2009
Paul Grant	04/01/2008-04/25/2008
Sally T. Grant	04/01/2008-03/31/2009
Scott Greenwood	04/01/2008-03/31/2009
Lawrence A. Hamermesh	04/01/2008-03/31/2009
Susan N. Herman	04/01/2008-03/31/2009
Aundré M. Herron	04/01/2008-03/31/2009
Jeffrey Hong	04/01/2008-03/31/2009
Lisa Honig	04/26/2008-03/31/2009

Marina Hsieh	04/01/2008-03/31/2009
Shelan Joseph	04/01/2008-03/31/2009
Arthur M. Kaplan, Esq.	04/26/2008-03/31/2009
Aly Kassam-Remtulla	04/01/2008-03/31/2009
Hamid R. Kashani	04/01/2008-03/31/2009
David E. Kennison	04/01/2008-01/18/2009
Doug Klunder	04/01/2008-04/25/2008
Joan Laskowski	04/01/2008-03/31/2009
Rev. James M. Lawson, Jr.	04/01/2008-03/31/2009
M. Calien Lewis	04/01/2008-03/31/2009
Roslyn Litman	04/01/2008-03/31/2009
Kevin Mchargue	04/01/2008-10/17/2008
Wendy C. Nakamura	04/01/2008-03/31/2009
Fred R. Neal	04/01/2008-03/31/2009
Galen Paine	04/26/2008-03/31/2009
R. Samuel Paz	04/01/2008-03/31/2009
Mitchell Pearl	04/01/2008-03/31/2009
Michael E. Pheneger	04/01/2008-03/31/2009
Steve M. Presson	04/01/2008-06/10/2008
Kelley Putman	04/01/2008-03/31/2009
Julie L. Ferguson Queen	04/01/2008-03/31/2009
Amit Ranade	04/26/2008-03/31/2009
Rebecca Rand	04/01/2008-03/31/2009
Robert B. Remar, Esq.	04/01/2008-03/31/2009
Chantel Reynolds	04/01/2008-06/10/2008
Jim Rodbard	10/24/2008-03/31/2009
Florence Roisman	04/01/2008-03/31/2009
Margaret Russell	04/01/2008-03/31/2009
Bruce W. Sattler	04/01/2008-03/31/2009
Andy Schatz	01/17/2009-03/31/2009
Albert E. Scherr	04/01/2008-03/31/2009
Eleanor Self	04/26/2008-03/31/2009
Jill Sheinberg	04/01/2008-03/31/2009
Ralph C. Simpson	04/01/2008-10/17/2008
Preetmohan Singh	04/01/2008-03/31/2009
Chuck E. Smith	04/01/2008-03/31/2009
Cherry Spencer-Stark	04/01/2008-03/31/2009
Alison Steiner	04/01/2008-03/31/2009
Nadine Strossen	04/01/2008-10/19/2009
Philippa Strum	04/01/2008-03/31/2009
Joseph Sweat	04/01/2008-03/31/2009
Lisa Thureau-Gray	04/01/2008-03/31/2009
Alan Toy	04/01/2008-03/31/2009
Brigitte Tuller	04/01/2008-03/31/2009
Ron Tyler	04/01/2008-04/25/2008
Jacquelin Washington	01/17/2009-03/31/2009
Lisa Watson	04/26/2008-03/31/2009
Carole Wells	04/01/2008-03/31/2009
Jeralyn Wendelberger	04/01/2008-03/31/2009
Adrian V. White	04/01/2008-10/17/2008
Gary Williams	04/01/2008-03/31/2009
Ron Wilson	01/17/2009-03/31/2009