

ACLU of Northern California

FACING FORWARD, FACING FREEDOM
2005 Annual Report

TABLE OF CONTENTS

03	DEATH PENALTY
04	FREE SPEECH
05	KEEPING PACE WITH CALIFORNIA'S CHANGING FACE
06	GOVERNMENT SURVEILLANCE / SAFE & FREE CAMPAIGN
08	LGBTI RIGHTS
09	POLICE PRACTICES
10	RACIAL JUSTICE
11	REPRODUCTIVE RIGHTS
12	TECHNOLOGY & CIVIL LIBERTIES
13	ACLU YOUTH
14	MEMBERSHIP & VOLUNTEERS
16	OUR DONORS
26	FINANCIAL REPORT

DEAR FRIENDS OF THE ACLU



The government's abuse of power dominated the 2005 agenda of the ACLU of Northern California (ACLU-NC)—whether it was a death penalty system no fairer than a lottery, local and state law enforcement's infiltration of anti-war protests, or our groundbreaking investigation into police misuse of stun guns following 15 post-Taser deaths in Northern and Central California.

From our campaign to reform the USA Patriot Act to our "No Fly" litigation, the ACLU-NC collaborated with the national ACLU to mobilize members and challenge the federal government's relentless pursuit of unchecked power in the name of national security.

Through the generous support of our existing donors and our many new members, we have been able to invest greater resources in fighting each new threat. We now have a new San Jose office, a staff attorney devoted to technology and civil liberties, an expanded communications department, a Death Penalty Policy director, and a third full-time lobbyist in our Sacramento office. As a result, we are having an even greater impact on key strategic issue areas and in regions across Northern California.

So when anti-abortion backers put a measure on the November ballot that would have forced physicians to notify parents before giving minors access to abortion, we joined forces with our coalition partners. Together we convinced Californians to reject Proposition 73 and preserve minors' abortion rights.

And last year also saw the passage of the nation's first marriage equality legislation. California lawmakers, lobbied by ACLU-NC, approved a same-sex marriage bill. Although the governor vetoed the bill, it was a major milestone in the fight for marriage equality.

When a school in the tiny Northern California town of Sutter forced students as young as five to wear badges embedded with Radio Frequency Identification tags to track their every movement, we joined concerned parents to stop this program. In the process, we brought international attention to technology's ever-increasing threats to privacy.

We continued to expose the abuses of racial profiling. Our legal team won a landmark settlement that prevents Union City Police from rounding up students of color, targeting them as so-called gang members. We also challenged a sweeping injunction that imposed a lifetime curfew on a West Sacramento community, separating friends and family and trampling basic rights.

Protecting the fundamental right to vote for thousands of people with felony convictions, the Racial Justice Project uncovered and documented widespread misinformation that obstructed access to the ballot box. In pursuit of this centerpiece of our democracy, we also focused on renewing and strengthening key provisions of the Voting Rights Act that are up for reauthorization.

Meanwhile, we continue to nurture a new generation of civil liberties leaders through the Howard A. Friedman First Amendment Education Project. This program offers conferences, retreats, and field trips to empower high school students to make a difference.

With nearly 50 staff members, we have outgrown our Mission Street offices and are moving to wonderful new headquarters near San Francisco's Embarcadero. This move returns us to our historic roots, locating the ACLU-NC near the site where the General Strike began in 1934.

A dynamic new Web site also premieres this year. This key resource will extend our affiliate's reach, providing even more information to the public in Northern California and beyond.

As we grow in size and expertise, we are mindful of our momentous responsibility to protect civil liberties during these dangerous times. It is an effort that relies on your stalwart support. On behalf of the staff and the board of the ACLU of Northern California, we are grateful for your confidence in our ability to defend this democracy.

Sincerely,

A handwritten signature in black ink that reads "M. Quinn Delaney".

M. Quinn Delaney, *Chair, Board of Directors*

A handwritten signature in black ink that reads "Dorothy Ehrlich".

Dorothy Ehrlich, *Executive Director*

The year began and ended with the all-too-sobering reality that capital punishment does indeed result in death, sparking renewed debate over the death penalty. In 2005, Donald Beardslee was executed at San Quentin State Prison in the first minutes of Jan. 17. Eleven months later, amid international media attention, Crips gang founder Stanley Tookie Williams received a lethal injection that abruptly ended his redemptive efforts to steer young people away from gangs. In a nonstop campaign to educate lawmakers and policy shapers about the injustices of capital punishment, the new ACLU-NC Death Penalty Project pushed vigorously for legislation to suspend executions while an independent commission looked into the growing number of wrongful convictions.

FACING DEATH: A 2005 TIMELINE

Jan. 11: The ACLU-NC and Death Penalty Focus file an amicus brief in a civil case challenging California's method of lethal injection, saying the public and press have the right to witness and to gather accurate information about California's execution procedure. The case, *Beardslee v. Wood*, seeks a temporary restraining order to halt the execution on the grounds that Pavulon, one of three drugs used in the lethal injection process, paralyzes a person, making it impossible to signal if they are in pain. "Our concern is that the drug Pavulon acts as a curtain to prevent those witnessing the execution from knowing whether the condemned inmate is suffering excruciating pain," says ACLU-NC Legal Director Alan Schlosser.

Jan. 18: Gov. Arnold Schwarzenegger denies a clemency petition that Beardslee is severely brain damaged, despite pleas to spare his life from a former San Quentin warden, a dozen Catholic archdioceses and a leading mental health expert. This comes as a blow to the ACLU-NC's Death Penalty Project, which has worked closely with the clemency team and whose outreach to newspaper editorial boards resulted in three major dailies calling for clemency.

June 6: California Assembly members introduce AB1121, which calls for the suspension of executions, at an ACLU-NC press conference.

Speakers include four exonerees, who are people who have been freed after being wrongfully convicted, as well as relatives of murder victims who oppose the death penalty.

July 5: Republicans introduce the Streamlined Procedures Act in the U.S. Senate in an attempt to speed up executions. The ACLU-NC plays a critical role in stopping this bill, sending California exonerees to meet with U.S. Sen. Dianne Feinstein, who is persuaded to oppose the measure.

Aug. 27: The first meeting is held of the California Commission on the Fair Administration of Justice, an independent panel created by the California Legislature with the help of the ACLU-NC.

Sept. 21: The ACLU-NC makes public the first statewide study examining how race, ethnicity, and geography affect death sentencing in California. The report, published by the Santa Clara University Law School and authored by Glenn Pierce, a criminal justice professor at Northeastern University, and Michael Radelet, a sociology professor at the University of Colorado, concludes that the race and ethnicity of the victim and the location of the crime play a critical role in determining who will be sentenced to death.

Nov. 30: The ACLU-NC helps organize press conferences and rallies in more than a dozen California cities in recognition of "World Cities Against the Death Penalty Day." Meanwhile the

DEATH PENALTY

Death Penalty Project works hard to generate support for the execution moratorium bill through lobbying, op-eds and interviews with the news media. Dozens of religious groups and civil rights organizations get involved.

Dec. 13: Stanley Tookie Williams is executed by lethal injection at 12:35 a.m. after one of the biggest anti-death penalty campaigns in decades. More than 2,000 people, including civil rights activist Jesse Jackson and singer Joan Baez, gather outside the prison, singing protest songs and renewing calls for an end to the death penalty.



People who have been wrongfully convicted gather for Lobbying Day in Sacramento, along with Assembly members Sally Lieber (D-Mountain View) and Paul Koretz (D-West Hollywood), co-authors of the California Moratorium of Executions Act.

"No one should be put to death... while a commission studies wrongful convictions and flaws in the death penalty system. No one should be put to death when more than 122 people were released from death rows because they did not commit the crimes for which they were convicted."

ACLU-NC Executive Director Dorothy Ehrlich

DEER VALLEY STUDENTS WIN RIGHT TO RALLY

In Antioch in February, Deer Valley High School's Students for Peace and Justice asked permission to hold a peace rally on the Iraq war, complete with folk singer, student speeches, leaflets and banners. At first the principal denied their request, concerned that the anti-war message might offend people. After negotiations, he agreed to allow it, but days before the rally, told students they could not use the school's sound system. And then at the last moment, he withdrew permission for the event altogether, going on to place the rally's two main organizers on suspension.

"As students prepare to participate as full citizens in society, schools should encourage independent thought and dialogue about current events, even controversial ones. School administrators certainly cannot silence students because they disagree with the students' message, which is what happened here."

ACLU-NC staff attorney Julia Harumi Mass

FREE SPEECH

The right to wear logos on your school clothes, the right to rally for peace on campus, the right to complain about police harassment, even when the accusations appear frivolous; these are among the First Amendment freedoms that the ACLU-NC vigorously defended in 2005. In the post 9/11 crackdown on dissent, the affiliate is committed to defending freedom of speech whenever censorship rears its head. It's a tradition that goes back to the General Strike of the 1930s in San Francisco.



That's when ACLU-NC staff attorney Julia Harumi Mass stepped in and helped the student group win the right to hold its rally in the fall. Moreover, the Antioch Unified School District agreed to remove the suspensions from the students' records and to rescind a district-wide policy that requires students to get prior approval for literature they pass out on school campuses.

UNABOMBER'S WRITINGS CAN'T BE MOTHBALLED

Unabomber Ted Kaczynski had a plan for the thousands of papers and journals he wrote that were seized by the FBI. He wanted to donate them to the University of Michigan, where they would be added to a special collection on radical social and political movements. But the Sacramento U.S. Attorneys' office wanted them hidden from view. Librarians, scholars and archivists filed suit to keep his writings from being mothballed, and ACLU-NC staff attorney Margaret Crosby, together with ACLU cooperating attorneys Michael Traynor and Christopher Durbin from the Cooley, Godward firm, filed an amicus brief on their behalf. It asked the 9th U.S. Circuit Court of Appeals to reverse a lower court's decision blocking public access to the journals. Last July, the 9th Circuit agreed and ordered the U.S. Attorney's Office either to sell the materials and use the proceeds to compensate the victims or to make the documents publicly available.

GAG ORDER ON STATE LABOR LAWYERS

State labor lawyers who advise on the rules governing workers' comp, overtime, meal and rest breaks, minimum wage and other issues got a shock last summer when the Division of Labor Standards Enforcement issued a policy preventing them from making public speaking appearances. It was around the time that the Schwarzenegger administration, along with the California Restaurant Association and other pro-business lobbying groups, were crafting "emergency" regulations that would end obligatory meal breaks. In response, attorneys Rachel Folberg and Anne Hipshman asked the ACLU-NC for help. "It was particularly ironic that the state agency responsible for enforcing employees' rights was ready to violate its own employees' most precious right—the right to free expression," said Hipshman, a lawyer with the Department of Industrial Relations labor standards division for 16 years. ACLU-NC staff attorney Julia Harumi Mass sent the division a letter challenging the rule as a violation of employees' First Amendment rights, and the policy was swiftly rescinded.

ACLU FIGHTS FOR SIKH'S RIGHT TO WEAR TURBAN IN JAIL

While reports surfaced about human rights abuses in American-run prisons abroad, Harpal Singh Cheema filed a grievance about religious intolerance right here in California. As a persecuted political activist and human rights lawyer in India, Cheema sought refuge in the United States in 1993. Four years later, and with his application still pending, Cheema was detained by federal immigration authorities and finally locked up at the Yuba County Jail. As an Amritdhari Sikh, Cheema must adhere to a strict code of conduct that requires he does not cut his hair, and cover it with a turban at all times, except to wash and comb it. At the Yuba County Jail, he was only permitted to wear a cloth garment covering his head during certain prayers and mealtimes. When he complained, he was placed in segregation for a month. The ACLU-NC filed a lawsuit on Cheema's behalf, asking that he be allowed to wear an appropriate religious head covering in jail, on condition that he submit to reasonable searches.



California's ACLU affiliates organized a volunteer legal observer project to monitor vigilante activities along the Mexican border. Volunteers were recruited and trained to record interactions, and report such illegal activities as assaults and unlawful detentions, all the while making sure not to interfere with the Minutemen's First Amendment rights.

SUPPORTING THE RIGHT TO DIE ON ONE'S OWN TERMS

Legislation modeled on Oregon's "Death with Dignity" law became a political hot potato last year as Democratic Assembly members Patty Berg and Lloyd Levine introduced the California Compassionate Choices Act. The measure would have allowed mentally competent, terminally ill patients to obtain from a physician a lethal medication to hasten death. Opposition to the bill came mainly from the Catholic Church. The Field Poll found 70 percent of Californians said they would want the option to obtain a medical prescription to end their lives if they were battling a terminal illness. ACLU-NC members

KEEPING PACE WITH CALIFORNIA'S CHANGING FACE

California is the most populous and diverse state in the nation. To meet evolving multicultural and multi-generational needs, the ACLU-NC has broadened its civil rights work on numerous fronts, to serve young and old, native and foreign born. Following is a sampling of the cases and issues that have required the cross-cultural and legal expertise of the ACLU-NC.

EYE ON BORDER VIGILANTES

Since the founding of the Golden State, immigrants have been an integral part of California's economy. History shows that hostility toward undocumented workers and others deemed "undesirable," however, rises during times of economic uncertainty. During such a time last year, a group of armed vigilantes calling themselves the "Minutemen," began patrolling the U.S.-Mexico border. Not surprisingly, among their ranks were avowed white supremacists, some of whom openly decried the influx of Latinos to the United States. In response,

sent letters, e-mails, and postcards to their state representatives, urging them to support the bill. "The ACLU believes that terminally ill patients should be provided the comfort and compassion to live their final days with dignity and peace," wrote California's ACLU affiliates in a joint letter to members. The bill was shelved temporarily to build more support among state lawmakers. The recent U.S. Supreme Court decision upholding Oregon's law has bolstered efforts to get the bill to the governor's desk this year.

"At a time when the world is watching how America treats its detainees abroad, it is important that our government respect the fundamental rights of people detained in this country."

ACLU-NC staff attorney Margaret Crosby

GOVERNMENT SURVEILLANCE/SAFE AND FREE CAMPAIGN

Attacks on civil liberties continued last year under the guise of “anti-terrorism” efforts. However, a remarkable confluence of events gave cause for hope. In December, as Congress was poised to renew the law’s most intrusive provisions, out came the extraordinary revelation that the Bush administration had authorized warrantless wiretapping to eavesdrop on the telephone and email conversations of “suspected terrorists,” and the effort was put on hold. That provided a welcome boost for ACLU affiliates across the country that had faced phenomenal challenges to effecting necessary reforms to the far reaching law. Indeed, the ACLU-NC’s 2005 Bill of Rights Day was abuzz with audience members faxing letters to U.S. Sen. Dianne Feinstein, asking her to keep alive the Patriot Act debate. Meanwhile, the ACLU-NC pressed for details of government spying on college campus protests and events as national news media reported that the FBI had been monitoring and infiltrating political organizations such as Greenpeace, People for the Ethical Treatment of Animals and the American-Arab Anti-Discrimination Committee.



“The National Guard should not be spying on the families of slain American soldiers who fought and died to protect our First Amendment rights.”

ACLU-NC Executive Director Dorothy Ehrlich

BATTLE OF THE PATRIOTS

The ACLU put Patriot Act reform high on its 2005 agenda. And the message got across. Seven states and more than 380 cities and communities around the country, representing more than 60 million people, passed resolutions calling for reform of the law. California alone saw the passage of 64 such resolutions. After the Fourth of July weekend, House and Senate committees hammered out bills to reauthorize the act's expiring provisions for roving wiretaps and searches of library, medical and other personal records. Meanwhile, ACLU volunteers and interns hit the streets wearing sandwich boards bearing such slogans as "My library book, *The Joy of Sex*, is two weeks overdue," and "I took Viagra this morning." The intense lobbying effort paid off, with the northern California House of Representatives delegation voting 15-6 against reauthorizing the expiring provisions of the overreaching measure, compared with its 6-15 vote in favor of the Patriot Act in October, 2001.

KEEPING TABS ON FRESNO

After Fresno State University campus police spied on a campus lecture on veganism, the university president, John Welty, issued a memo prohibiting undercover surveillance activities by campus police unless "required by law." The issue was brought to Welty's attention after members of the Campus Peace and Civil Liberties Coalition learned that six undercover police officers had infiltrated a 2004 lecture given by animal rights expert Gary Yourofsky, and contacted the ACLU-NC. Though Welty's memo was welcome, the university administration still has not given the students or the ACLU-NC a clear explanation as to why undercover campus police were sent to monitor the lecture. "Their demands were that the school not spy on students and that the school give them information about what happened," said ACLU-NC Police Practices Policy Director Mark Schlosberg. Despite public records requests asking for the details, the latter is expected to remain a big question. Nor were answers forthcoming in the 2003 case in which the Fresno Police Department's anti-terrorism unit spied on the group Peace Fresno for six months.

49ERS PAT-DOWNS RAISE QUESTIONS AND STRESS LEVELS

Dan and Kathleen Sheehan were 49ers season ticket-holders for more than three decades when their beloved pro-football team implemented a pat-down policy at Monster Stadium, citing post 9/11 security concerns. Suddenly, going to the game became a source of stress as they endured strangers running their hands down their backs, arms, waists and outer legs. "I find it terribly offensive that my family and I now have to be subjected to this because of some unknown fear. Should being frisked by a stranger really be the price of admission to a football game?" Dan Sheehan said. He contacted the ACLU-NC, which agreed to file suit on behalf of the Sheehans in San Francisco Superior Court, saying the pat-downs violate the California Constitution. "Why should thousands of fans be forced to allow a stranger to frisk them based on nothing more than pure speculation that football games might be a target?" said Ann Brick, ACLU-NC staff attorney.

SPYING ON MOMS AND GRANDMAS?

A Mother's Day anti-war rally organized by Gold Star Families for Peace, Raging Grannies, and Code Pink drew more than just activists. The San Jose Mercury News discovered that the California Guard's terrorist unit was there spying on the small gathering of mothers, grandmothers and relatives of soldiers killed in the Iraq War. Schlosberg shot off a public records act request to Gov. Arnold Schwarzenegger and the National Guard. He asked that the governor take immediate steps to stop the Guard from spying on those engaged in peaceful protests. The good news: The National Guard's Intelligence Unit has since been disbanded.

NEVER FORGET CALIFORNIA'S CONSTITUTIONAL RIGHT TO PRIVACY

Growing concerns about government intrusions spurred Californian voters in 1972 to enshrine the right to privacy into the state Constitution. It was an era marked by policing and intelligence gathering abuses, including the infiltration of the civil rights and anti-war movements. The newly minted right to privacy was validated by the California Supreme Court in the case, *White v. Davis* (1975). A UCLA professor brought the lawsuit against the Los Angeles Police Department for using undercover officers to spy on classes and gather information. In response, the state Supreme Court made clear that the right to privacy prohibits police surveillance of First Amendment protected activity in the absence of reasonable suspicion of a crime.



Opposite page: ACLU-NC Police Practices Policy Director Mark Schlosberg at Fresno Press Conference. Above: Patriot Act Reform Sandwich board protest.

In a historic follow-up to the thousands of same-sex marriage vows exchanged at San Francisco City Hall, the California Legislature last year became the first in the nation to approve marriage equality. But the honeymoon was brief as Gov. Arnold Schwarzenegger vetoed the Religious Freedom and Civil Marriage Protection Act, which defined marriage as between “two persons” rather than a man and woman. Still, a precedent for fairness had been set in the Legislature. For the ACLU-NC, the fight for LGBTI rights remained a core civil liberties issue in 2005 as it fought for safe schools and comprehensive domestic partnership benefits and prepared for the next battle over laws that deny same-sex couples the ability to marry.

LGBTI RIGHTS



“Consistently placing juvenile wards in isolation, not to impose discipline for violating rules, but simply to separate LGBT wards from their abusers, cannot be viewed in any reasonable light as advancing a legitimate nonpunitive governmental objective. The Hawaii Youth Correctional Facility has attempted to remedy one harm with an unconstitutional and indefensible solution.”

U.S. District Judge J. Michael Seabright

HARASSMENT IN THE ALOHA STATE

In another successful joint venture, ACLU-NC staff attorney Tamara Lange and the ACLU of Hawaii sued on behalf of a 17-year-old male-to-female transgender girl, an 18-year-old lesbian and an 18-year-old boy perceived to be gay, challenging “unrestrained harassment, abuse and other maltreatment” by administrators, staff and other youth at the Hawaii Youth Correctional Facility (HYCF). A federal judge ruled that “in light of ongoing abuse and harassment directed at LGBT youth at HYCF, the supervisory defendants’ failure to adopt policies and procedures and to provide training regarding how to ensure the safety of LGBT wards supports a finding of deliberate indifference to plaintiffs’ safety.”

ACLU SUPPORTS BERKELEY’S RIGHT NOT TO SUBSIDIZE SEA SCOUTS

When the city of Berkeley stopped providing free marina space to the Sea Scouts because, as part of Boy Scouts of America, they refused to agree that they would refrain from discriminating on the basis of sexual orientation, the Sea Scouts fought back with the lawsuit, *Evans v. City of Berkeley*. An appeals court concluded that the city did not violate the Sea Scouts’ rights, and the decision has been appealed to the state Supreme Court. The California affiliates jointly filed an amicus brief, arguing that the appellate decision creates the correct balance between the city’s interest in preventing discrimination and a private organization’s right of “expressive association.”

EQUAL RIGHTS FOR SAME-SEX PARENTS

LGBTI parenting rights came into sharper focus as the California Supreme Court ruled that both members of a same-sex couple who plan a family and raise a child together should be considered legal parents after a breakup, with the same rights and responsibilities as heterosexual parents.

MOVING CLOSER TO THE ALTAR OF EQUALITY

In *Woo v. Lockyer*, same-sex couples prevailed in San Francisco Superior Court where they argued that state laws excluding them from marriage impermissibly discriminate based on gender and deny lesbian, gay, and bisexual people a fundamental right. And, in a more subtle victory, a Sacramento Superior Court judge, in *Bowler v. Lockyer*, ruled against anti-gay advocates who claimed the state attorney general did not fairly and accurately represent the purpose and effect of a ballot initiative to amend the state Constitution to exclude same sex-couples.

SUCCESS ON THE DOMESTIC FRONT

California’s three ACLU affiliates joined forces to defend the state’s new domestic partnership law against a challenge from anti-gay groups. In *Knight v. Schwarzenegger*, the plaintiffs contended that a law providing same-sex couples with most of the protections afforded to married heterosexuals conflicts with Proposition 22, a statute passed by the voters which says California only recognizes a marriage between a man and woman. In response, the California Court of Appeals ruled that the domestic partner law does not create “marriage by another name.”

The three affiliates also filed an amicus brief in *Koebke v. Bernardo Heights Country Club*, in which a country club member challenged rules that prevented her partner from playing golf with her year-round and inheriting her membership, forcing her to purchase a separate membership. The California Supreme Court held that state law prohibits businesses from discriminating based on marital status and requires that domestic partners be offered the same family benefits as married couples.

POLICE PRACTICES

At its best, law enforcement protects communities. But unchecked police powers threaten civil liberties and leave citizens vulnerable to racial profiling and other questionable tactics. This is why the ACLU-NC is dedicated to policing the police. While police are entrusted with tremendous powers and responsibilities, they are rightfully expected to follow constitutional due process procedures and to enforce crime-stopping measures fairly and safely. When this fails to happen, the ACLU-NC is there to cry foul. And this is precisely what the affiliate did in response to the following 2005 controversies:



Youth in West Sacramento protests a highly restrictive gang injunction.

A STUNNINGLY FATAL YEAR

As Taser stun guns became the weapon of choice for many police departments seeking a less-lethal alternative to firearms, a dozen men died in northern and central California after being jolted during encounters with police. One Vallejo man was Tased 17 times within three minutes. ACLU-NC Police Practices Policy Director Mark Schlosberg looked into the problem, and found a troubling pattern: In one year alone, he counted 77 post-Taser fatalities around the nation, 15 of which took place in California. There was little if any regulation of Taser stun gun use. Moreover, the manufacturer, Taser International, was using misleading information to promote the weapons to police departments. Plus, no independent testing had been done on how Taser affect people under the influence of drugs. He wrote a comprehensive report based on his findings, which detailed the weapon's safety hazards, Taser International's misleading marketing tactics, and called for stricter controls on Taser use. It drew widespread media attention, and several police departments are now crafting or revising their Taser policies in response to the report.

UNION CITY AGREES TO QUIT RACIAL PROFILING IN GANG CRACKDOWN

Three years after police rounded up dozens of students at James Logan High in Union City as part of a gang crackdown, a settlement was reached last year to stop police from coming on campus and going after students based on gang stereotypes. The New Haven Unified School District and Union City settled a federal lawsuit, *Benitez v. Montoya*, brought by the ACLU-NC on behalf of three James Logan High students who were among the nearly 60 students rounded up in 2002. During the sweep, students were herded into separate classrooms according to their race or ethnicity, interrogated and

photographed for a gang database. In the settlement, the district agreed to destroy all records collected in the sweep, and not to engage in racial profiling, and agreed not to label students as gang members based on race, ethnicity, who their friends are and where they hang out.

WEST SACRAMENTO PARALYZED BY GANG INJUNCTION

The largely Latino neighborhoods of West Sacramento have learned what it means to live in a police state. Last February, the Yolo County district attorney issued a permanent injunction against alleged members of the Broderick Boys street gang. Among other restrictions, the injunction forbids those identified as gang members from associating with one another in public within a three-mile "safety zone" that covers 80 percent of the city and City Hall. It also imposes on its targets a lifetime 10 p.m. curfew. The injunction covers 350 alleged gang members, but only one young man was served, who was in no position to attend the court hearing or to notify others of the injunction. In response, the ACLU filed a motion asking the court to set aside a sweeping injunction on behalf of four plaintiffs. The judge denied the motion, and the ACLU appealed the judge's order. In the meantime, West Sacramento continues to struggle under the injunction's shadow.

"The stealth procedures adopted by the district attorney resulted in the constitutional rights of hundreds of people, and their families, being taken away without any opportunity for their day in court."

ACLU-NC Legal Director Alan Schlosser

“Fifty years after Rosa Parks sparked the Montgomery Bus Boycott, poor people of color in the Bay Area are still fighting for a seat on the bus.”

Sylvia Darensburg, lead plaintiff in *Darensburg v. Metropolitan Transportation Commission*

RACIAL JUSTICE



ENSURING EQUAL ACCESS TO THE BALLOT BOX

With the 2007 deadline for reauthorization of the Voting Rights Act fast approaching, the ACLU-NC joined others in calling on Congress to extend key provisions necessary to ensure fair and accessible elections. Sections up for renewal include those that require some states, including four California counties, to obtain federal approval before making election changes and guarantee language assistance.

And on the Local Voting Rights Front ...

The ACLU-NC's Racial Justice Project (RJP) took up the challenge of felony disenfranchisement. Nearly 5 million U.S. citizens were barred from voting in the November 2004 election due to felony convictions. Two million of them were

STEMMING THE SCHOOL-TO-PRISON PIPELINE

Several studies have demonstrated the disproportionate impact of “zero-tolerance” policies on students of color, contributing to a school-to-prison pipeline. In San Francisco, for example, African-American students were nearly four times more likely to be suspended or expelled than their white counterparts. The RJP has conducted extensive research on this issue, and joined parents and students in Modesto in investigating complaints of unfair discipline and racial bias. Local grassroots organizing and public records act requests from the ACLU-NC led the Modesto school district to establish a “Director of Community Affairs” to gather community input on addressing these problems.

As the ACLU-NC celebrated landmark civil rights anniversaries last year—including the 50th anniversary of *Brown v. Board of Education* and the 40th anniversary of the Voting Rights Act—we continue to face racial discrimination in both subtle and not-so-subtle forms. We see it in the segregation of schools, prison populations and neighborhoods; in redistricting plans and racial profiling. Through an array of multidisciplinary strategies, the ACLU-NC is committed to achieving equal protection under the law and eradicating racial discrimination in all its forms.

African Americans. Under California law, citizens can vote as long as they are not in prison or on parole. However, an in-depth RJP investigation found widespread confusion about the voting rights of people with felony convictions. Public education and local advocacy efforts are under way to rectify this, including a successful RJP collaboration with Friends Outside and the Santa Cruz ACLU chapter to improve voter outreach in Santa Cruz County jails.

FAILING CALIFORNIA STUDENTS: THE HIGH SCHOOL EXIT EXAM

The state is poised to deny high school diplomas to nearly 100,000 California students, mostly low-income students of color. Many of these children attend sorely neglected schools that do not provide an adequate opportunity to learn. The RJP worked with the statewide “Campaign for Quality Education” to push for legislation to delay the high-stakes consequences of California's High School Exit Exam until school districts adopt multiple assessments, and all children are provided a meaningful opportunity to learn. One bill passed, but was vetoed by the governor.

PUSHING FOR NONDISCRIMINATORY MASS TRANSIT

Over the past two decades, Sylvia Darensburg of East Oakland has found that riding the AC Transit bus has grown more prohibitive, with fares tripling and certain routes reduced or eliminated because of transit funding cuts. By comparison, she noted, Caltrain and BART commuter lines serving predominantly white, more affluent areas received more generous public subsidies. She became lead plaintiff in a federal class action *Darensburg v. Metropolitan Transportation Commission*, which sought an injunction against “any funding decision that has an unjustified disproportionately adverse impact on AC Transit riders of color.” A federal judge dismissed the original complaint, saying the plaintiffs only had standing based on economic or stigmatic injury as a result of discrimination. In an amicus brief, the ACLU-NC argued that injuries other than stigmatic ones are recognized under the Constitution's Equal Protection clause, and the judge revisited her earlier holding and accepted the amended complaint.

The ACLU-NC has battled long and hard against abortion restrictions, fiercely upholding a woman's right to choose. For ACLU-NC staff attorney Margaret Crosby, who has defended reproductive rights for nearly as long as *Roe v. Wade* has been the law of the land, 2005 was yet another year of challenges, with a parental notification initiative on the November ballot and the courts deciding the constitutionality of the federal late-term abortion ban. Meanwhile, President Bush proposed increasing federal funding for abstinence-only sex education, reinforcing his disregard for effective birth control. The year ended, of course, with the nomination of Judge Samuel Alito to the U.S. Supreme Court, throwing the fate of *Roe v. Wade* into further uncertainty.

REPRODUCTIVE RIGHTS

"With a winning coalition and a smart political campaign, we were able to defeat the initiative and defend teenagers' rights to privacy and safety."

ACLU-NC Executive Director Dorothy Ehrlich



A volunteer parades a "No on Prop 73" placard in the campaign to defeat the Parental Notification Initiative.

9TH CIRCUIT SEES "PARTIAL-BIRTH ABORTION ACT" OUR WAY

In one of three court challenges to the first federal law making abortion a crime as early as 12 weeks into the pregnancy, the ACLU-NC submitted an amicus brief on behalf of the California Medical Association. The brief, *Planned Parenthood Federation of America Inc. v. Alberto Gonzales*, sets out medical facts showing that the law intrudes on the ability of doctors to protect the health of pregnant women. The 9th U.S. Circuit Court of Appeals agreed with that position, and struck down the ban.

REALITY-BASED SEX EDUCATION IN THE CENTRAL VALLEY

In an effort to offset the failures of abstinence-only sex education, the ACLU-NC teamed up with Asian Communities for Reproductive Justice and Fresno Barrios Unidos to carry out a comprehensive sex education training program in the Central Valley. With separate tracks for youth and adults, the training covered the history and politics of sex education, the inappropriate use of abstinence-only curricula in many Central Valley communities, and SB 71, the 2004 law co-sponsored by the ACLU, which requires all sex education to be accurate, bias-free, and comprehensive. Participants shared stories about the challenges of implementing comprehensive sexuality education in their communities, and the trainers offered strategies to communities that desperately need comprehensive sexuality education but were not aware of the law requiring it or felt ill-equipped to challenge their local school boards to follow the law. As a result, participants are looking into forming a loose regional network to provide support and information to each other as they work to ensure that their school districts are following the law.

A MODEL CAMPAIGN: DEFEAT OF PROP 73

In yet another insidious attempt to limit access to abortion, big-money anti-abortion advocates backed a special election ballot initiative seeking to amend the California Constitution to require doctors to notify parents before performing an abortion on a minor. The amendment would go so far as to define abortion as "causing the death of the unborn child, a child conceived but not yet born." The ACLU, Planned Parenthood and NARAL mobilized against the measure, unleashing a formidable campaign, largely staffed by volunteers, taking to the streets and educating voters about how mandatory parental notification laws threaten the health and safety of teen-age girls.

ACLU-NC field coordinator Shayna Gelender and Prop 73 campaign coordinator Becca Cramer organized sandwich board demonstrations, mock judicial mazes and phone banks. Meanwhile, staff attorney Margaret Crosby, who had argued the ACLU-NC's successful challenge to California's parental consent law before the California Supreme Court, presented the empirical data on the effect of similar laws to editorial boards and community forums. In the end, nearly four-dozen newspapers took a position against Prop 73. The ACLU-NC also prepared a brochure, "Jane Goes to Court," to illustrate the bureaucratic nightmare the measure would pose for lawyers and judges as teenagers sought judicial waivers allowing abortions without parental involvement. Volunteers were clearly energized.

TECHNOLOGY AND CIVIL LIBERTIES

RFID TRACKING PROGRAM PULLED FROM SUTTER SCHOOL

Last February, in the tiny northern California town of Sutter, students as young as 5 came home wearing bulky ID badges around their necks. Embedded in each badge was a tiny radio frequency microchip (RFID) that tracked students' every movement on campus, sending data on their whereabouts to a computer monitored by police and school administrators. Concerned parents protested the program on privacy and security grounds. When the school responded with a letter threatening disciplinary action against those who did not wear the tags, parents turned to the ACLU-NC. The issue swiftly gathered momentum and drew national media attention, prompting state Sen. Joe Simitian to introduce the Identity Information Protection (Act SB768) which calls for restricting the use of RFID in government-issued documents. The local RFID company, which had hoped to use the Sutter schoolchildren as guinea pigs for their technology, pulled the program from the school.

Government intrusion on privacy was acutely evident in the proliferation of new technology as a tool to spy on Americans, from wiretapping to federal legislation to the use of video cameras as crime stoppers. One memorable victory was the ACLU-NC's involvement in a move to stop a school district in the northern California town of Sutter from using RFID tags to track their students' movements on campus. The ACLU-NC's new San Jose office is now home to Technology and Civil Liberties Policy Director Nicole Ozer as she works on the following issues and more.

councils, and radio and TV interviews, opinion pieces, and testimony in Sacramento, Ozer argued that public video cameras do not prevent or reduce crime, but just move it to a new location, while sacrificing privacy, curtailing freedom of expression, and unfairly targeting people of color and women. The fight against the proliferation of public video cameras continues.

THE BOUNDARIES OF INTERNET FREE SPEECH

In a move to protect Internet speech across international boundaries, the ACLU-NC filed an amicus brief on behalf of Yahoo in the 9th U.S. Circuit Court of Appeals. The case *Yahoo, Inc. v. La Ligue Contre Le Racisme et L'Antisemitisme* argued that the United States has jurisdiction when a foreign entity moves to censor a U.S.-based speaker or constitutionally protected speech aimed at U.S. listeners. The controversy began in 2000 when French anti-racism groups sued Yahoo for displaying Nazi memorabilia for sale, a violation of French law, through its U.S. portal. When a French

BIG BROTHER MOVES TO THE BAY AREA

When politicians in San Francisco, Oakland, and Richmond suggested installing public video cameras as a strategy to combat street crime, the ACLU-NC spoke out forcefully that video cameras were not the solution. High-tech cameras, with their DVD-quality video footage and options for sound, are ready-made for abuse. With the push of a button, the cameras can zoom in close enough to read the title of the book you are carrying, the T-shirt you are wearing, or who you are talking to or kissing goodbye. In letters to city

court ordered Yahoo to stop displaying the material and pay a fine of \$13,000 for each day that it did not comply, Yahoo asked for declaratory relief in federal court in San Jose, which ruled that the United States had jurisdiction over the matter and that any enforcement of the French court's order would violate the First Amendment. The ruling was appealed to the 9th Circuit, which has since dismissed Yahoo's lawsuit in a ruling that skirted the underlying First Amendment issue, but affirmed that U.S. courts have jurisdiction when foreign plaintiffs try to impose censorship on U.S. Web sites.



"Silicon Valley is at the forefront of technological advancement, and as we advance, we need to make sure civil liberties don't get left behind."

Nicole Ozer, Technology and Civil Liberties Project Director

“Every generation needs a new revolution.” In the spirit of that quote by Thomas Jefferson, the ACLU-NC is empowering young people to defend their freedoms under the Bill of Rights through contemporary expression. Through the Howard A. Friedman First Amendment Education Project, the ACLU-NC offers retreats, youth conferences, a youth activist group and in-depth field trips. High school students can educate themselves and each other on issues ranging from juvenile justice to military recruitment to the war on drugs, and build advocacy and leadership skills. It’s a strategic investment in our future, and our legacy.

ACLU YOUTH

“We have made addiction, poverty, and desperation reasons to lock people away, and by doing so we have torn apart whole communities and left the real issues to destroy more lives. While we continue to ignore real lives and real needs, we pretend to be addressing problems by expanding this system we mistakenly call justice.”

Kiran Savage-Sangwan,
then a senior at Davis High School,
about the Juvenile Justice field trip

BUILDING CRITICAL THINKERS AND LEADERS

Each year, nearly a thousand northern California high school students gather under the banner of the ACLU-NC Youth Rights Conference to compare notes, attend workshops, watch electrifying performances and improve their skills as activists and leaders. Last year’s conference at UC Berkeley’s MLK Student Union, which was largely organized by students, was as inspiring as ever. Students came from Davis, Vallejo, Oakland, San Jose, Antioch, Concord, Elk, Sacramento, Martinez, Union City, Santa Rosa, Hayward, El Cerrito and Albany, among other places. They discussed topics ranging from affirmative action to transgender rights. Performing were slam poets from Youth Speaks, a San Francisco-founded spoken word and creative writing program. Also featured were “Sisterz of the Underground,” a captivating all-female hip-hop collective. “The youth conference was one of the most powerful experiences I’ve been a part of. Looking at the crowd as I spoke, I was truly inspired to see all the people who wanted to make a difference; it was an escape from a somewhat depressing world,” said Riley Evans, then a senior at Davis Senior High.

JUVENILE JUSTICE CLOSE-UP

To truly understand the complexities of an issue or institution, one must observe it in action. And that’s exactly what two dozen northern California high school students got an opportunity to do last year as part of a field trip entitled, “Guilty Until Proven Innocent: A Youth Study of the Influences and Consequences of Juvenile Justice.” The tour was the 10th investigation sponsored by the Friedman Project. Previous topics have been tribal sovereignty, corporate America, and immigration. Within a week, tour members traveled from the Bay Area to southern California and back, along the way meeting people involved in all aspects of the juvenile justice system, from law enforcement, to young offenders to advocates for reform.

A RETREAT TO RAVE ABOUT

Sometimes students and teachers need to meet off campus together to address problems and brainstorm solutions. To provide a safe haven, the Friedman Project offers an annual Student and Teacher Activist Retreat (STAR). Last year’s retreat took place at Westerbeke Ranch in Sonoma, drawing students from San Francisco and the East Bay. Each school came with a different goal in mind: Students from Balboa High School in San Francisco wanted to learn about how to deal with a dress code policy that they believed unfairly targeted students of color. Students from Oceana High School in Pacifica were troubled by homophobic language and planned a creative campaign to challenge discrimination by designing T-shirts with anti-hate messages. Meanwhile, students at Fremont High School in Oakland were looking for ways to build school spirit by bringing back school dances that the administration had banned. “It’s a refreshing chance for students and teachers to break down the youth/adult barriers that the traditional school system creates,” said Melissa Ambrose, a teacher at Oceana High School in Pacifica.



Bay Area high school students investigate juvenile justice at the ACLU-NC’s Friedman summer field trip.



MEMBERSHIP AND VOLUNTEERS

From the Oregon border, through the Central Valley, and down the coast to Monterey, the ACLU of Northern California is thriving, with more than 50,000 members, 16 regional chapters, four campus-based chapters and two developing chapters. Paradoxically, post 9/11 McCarthyist policies have contributed enormously to the boost in card-carrying ACLU members. Here in northern California, ACLU-NC members are involved in everything from online advocacy and lobbying to organizing outreach events through their local chapter. Activities include community forums, film screenings, educational workshops and protests. Our members play an integral role as citizen advocates sending out the affiliate's message and carrying out its work on a grassroots level.

"When Kathy and I graduated from law school, we wanted to save the world, but we didn't know how," she said. "The ACLU has given us skills, but even more, the ACLU has given us hope."

Monterey chapter veteran Michelle "Mickey" Welsh, winner of the Lola Hanzel Courageous Advocacy Award

From left to right:

Monterey chapter veteran Michelle "Mickey" Welsh received the Lola Hanzel Courageous Advocacy Award.

Natalie Wormeli accepts the Dick Criley Outstanding Chapter Award for the Yolo County ACLU.

Actor Sean Penn presents Sister Helen Prejean with the Chief Justice Earl Warren Civil Liberties Award at the ACLU-NC's 2005 Bill of Rights Day.

A POIGNANT BILL OF RIGHTS DAY

Each year, the ACLU-NC celebrates the enlightened constitutional principles that drive the organization's mission, and honors those who defend them. Some years, the news shapes the event, and that was certainly the case with the 2005 Bill of Rights Day. It fell on the eve of Stanley Tookie Williams' execution, adding a powerful human dimension to the affiliate's campaign to end capital punishment. More than 700 ACLU-NC supporters, members and staff gathered at the San Francisco Marriott to pay tribute to Sister Helen Prejean, author of "Dead Man Walking" and recipient of the Chief Justice Earl Warren Civil Liberties Award. Presenting the award was actor Sean Penn, whose late father Leo Penn was blacklisted during the McCarthy era for refusing to expose Hollywood Communists. Presentations included performances by slam poets from the San Francisco-founded Youth Speaks and a slide show on the Howard A. Friedman Project's summer youth investigation of juvenile justice.

OUTSTANDING VOLUNTEER

Monterey Chapter veteran Michelle "Mickey" Welsh received the Lola Hanzel Courageous Advocacy Award for more than two decades of outstanding service to the ACLU-NC. In her acceptance speech at the Bill of Rights Day reception, Welsh recalled what she and her longtime partner, Kathy Stone, learned from the ACLU.

AND THE CHAPTER OF THE YEAR AWARD GOES TO...

The Yolo County chapter is constantly in motion, building coalitions, tabling at events and getting in the news for all the right reasons. So it was fitting for the chapter, which represents Davis, Woodland and Winters, among other towns, to win the Dick Criley Outstanding Chapter Award for its creative outreach efforts. Last year, as part of the affiliate's efforts to reform the USA Patriot Act and get voters to oppose Proposition 73, the chapter organized trainings, phone banks, published op-eds and spoke out at events. They also successfully lobbied Congressman Mike Thompson to vote against reauthorization of the Patriot Act.

ACLU-NC CHAPTER ROSTER 2005

B.A.R.K. (Berkeley, Albany, Richmond, Kensington) + Plus Marin County Mendocino County Mid Peninsula	Monterey County Mt. Diablo (Contra Costa County) North Peninsula (San Mateo County)	Paul Robeson (Oakland) Redwood (Humboldt County) San Francisco San Joaquin County	Santa Clara Valley Chapter (Mid & Southern Santa Clara County) Santa Clara University Law School	Santa Cruz County Sonoma County Stanislaus County Yolo County UC Berkeley UC Davis	ORGANIZING CHAPTERS Sacramento County Chico and the North Valley
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2005 VOLUNTEERS

Maria Banuelos Laura Benne Andrea Casalett Keila Carrasco Keo Chea Judy Ellman	Claudia Escobar Judy Grether Rene Juarez Vivian Lash Jewel Love Daniel Luna	Josh Perfetto Rubi Quihos Miriam Shapira Molly Stolmack Jeanna Steele Lloyd Vu Matt Walters	COMPLAINT COUNSELOR VOLUNTEERS Jane Cutler Homa Davary Dan Halpern	Joseph Itiel Carol Johnson Cal Kurzman Joyce Lewbin Richard Muir Ian Newman Pauline Sherman	Aiste Siaurtyte Shirley Sidd Cynthia Vincent Debra Weinburg <i>In memory of</i> Ricka Young
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2005 INTERNS

LEGAL INTERNS David L. Annicchiarico Anne Arkush Mike Burstein Sukti Dhital Taryn Eckstein Glorah Keshavarz Matthew Liebman Nayantara Mehta Ann Rubinstein Marina Smerling Joseph Trigilio Sonja Zavala	OFFICE INTERNS Carmen Aviles Sharada Balachandran-Orihuela Rebecca Baron-Rees Zach Blume Martha Braithwaite Michia Broch Charlotte Brooks Keo Chea Marika Cifor Julia Daniels Niki Dutta Andrea Epps	Ikkah Espinosa Amanda Gelender Kristen Jones Catherine Mercedes Judge Hiraa Khan Amy Kurren Donald Lathbury Tiffany Morales Mona Motwani Angie Perone Angeli-Ann Punzalan Gina Rivera Julian Sharp	Kirsten Stoddard Amy Stulman Ari Sugar Lloyd Vu Sheena Wadhawan	2005 OUTREACH TEAM INTERNS Dylan Alter Mike Chan Rachel Conrad Vijay Das Ikkah Espinosa Alisson Giron Jeanne Goshe Ashley Johndro Michele Patton Meredith Pressfield Laura Rosbrow Jen Salerno	Cindy San Pedro del Rosario Julian Sharp Emily Sheffield Daniel Vajdic Charline Yim
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We thank the following firms and individuals who donated services during 2005.
Your hard work and commitment are deeply appreciated by all the ACLU community.

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DEVELOPMENT AND FINANCIAL REPORT

Substantial financial resources are essential to pursue the wide-ranging legal and educational activities of the ACLU of Northern California. The ACLU receives no government funding and never charges its clients for legal representation. Its existence depends entirely upon private donations, foundation grants, court-awarded legal fees from successful cases, bequests, and membership dues from individuals who are dedicated to preserving the fundamental liberties written in the Constitution and its Bill of Rights.

The ACLU and the ACLU Foundation are separately incorporated nonprofit organizations operating in Northern California. The ACLU Foundation conducts litigation and public education programs in support of civil liberties. The Foundation is a 501(c)3 tax-deductible organization, and contributions to it are deductible to the extent allowed by law. The ACLU conducts membership outreach and organizing, legislative advocacy and lobbying. It is supported primarily by membership dues. It is a 501(c)4 organization, which is tax-exempt, but donations to it are not tax-deductible.

The majority of funding for the ACLU and ACLU Foundation comes from individuals like you.

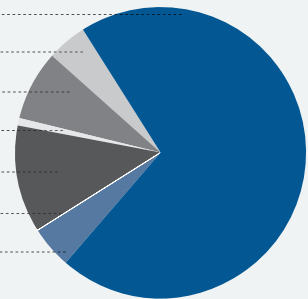
One of the remarkable aspects of the ACLU is the way that we raise financial support—through the energetic and dedicated work of committed Board members and dozens of volunteers who contact ACLU members and supporters. They are the engine that drives and makes possible all that the ACLU is able to accomplish.

The Development Committee of the Board of Directors oversees all aspects of ACLU fundraising efforts. The work of the Development Committee is supported by the development department staff: Director of Development Cheri Bryant, with Danielle Deutsch, Sandy Holmes, Denise Mock, Robert Nakatani, Cori Stell, Jeff Vessels, Michael Woolsey and Stan Yogi.

ACLU FOUNDATION OF NORTHERN CALIFORNIA OPERATING INCOME AND EXPENSES 2004–05

SUPPORT AND REVENUE:

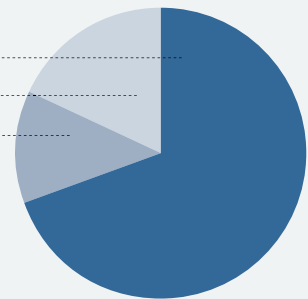
Individual Contributions:	\$5,910,753
Restricted Foundation Grants:	\$ 369,650
Bequest Contributions:	\$ 636,809
Court Awarded Attorney Fees:	\$ 83,336
In-Kind Legal Contributions:	\$ 994,322
Other Income:	\$ 8,439
Investment Income/(Loss):	\$ 388,295
Transfer to Reserves:	(\$ 722,337)
National ACLU share:*	(\$2,999,242)
Total:	\$4,670,025



*Indicates sharing with National ACLU of contributions and bequests.

EXPENSES:

Program Services:	\$3,252,084
Fundraising:	\$ 832,476
Management and General:	\$ 585,465
Total:	\$4,670,025



FUNDRAISING CAMPAIGNS AND VOLUNTEERS

Individual contributions to the ACLU Foundation provide the resources necessary for a vigorous defense of liberty and justice. Founded in the firm belief that one-on-one conversations are the most efficient and friendly ways to raise funds, our fundraising activities allow us to maintain strong ties with our members and remain informed about their civil liberties concerns.

SHARING

All gifts and membership dues are shared between the national ACLU Foundation and the ACLU Foundation of Northern California. A portion of the national ACLU's share is allocated to help smaller affiliate offices around the country that otherwise would be unable to address the serious civil liberties needs in their states.

WAYS OF GIVING

You can help support the work of the ACLU or ACLU Foundation in any of these ways:

Cash or credit cards: The organization is pleased to accept your donation, or your monthly, quarterly or annual pledge via cash, check or credit card (Visa or Mastercard) at any time.

United Way Donor Option Gifts: You may choose to designate the ACLU Foundation through your workplace giving campaign.

Gifts of Stock or Securities: Making a gift of appreciated stock, securities or mutual fund shares can be very advantageous from a tax point of view. Call the Development Department for information for the easiest ways to transfer stock ownership.

Insurance and Retirement Accounts: You may designate the ACLU or ACLU Foundation as beneficiary of your life insurance policy, IRA plan or pension.

Bequests: In your will or revocable living trust, you may designate the ACLU or ACLU Foundation as beneficiary of part or all of your estate. For estate planning information, contact our Director of Planned Giving, Stan Yogi.

Gift Annuities: You may use cash or securities to make a gift to the ACLU Foundation and receive fixed annual payments (a portion of which can be tax-exempt) for life and a substantial tax deduction.

Charitable Trusts: You can establish a charitable trust which benefits the ACLU Foundation while providing tax advantages and a variety of financial planning options for you and your family.

Liberty Fund Pooled Income gifts: You can invest a gift of \$5,000 or more in cash or securities in the ACLU Foundation's pooled income fund, producing annual income payments for you as well as a future gift for our civil liberties work. If you contribute long-term appreciated securities you will avoid all capital gains taxes.

Special Opportunity: If you designate the ACLU Foundation as a beneficiary in your will or living trust, or if you establish a charitable remainder trust, gift annuity or pooled income fund gift before December 31, 2006, a generous ACLU supporter will provide a current cash gift to the organization to match a percentage of your gift or bequest intention. For information about this Legacy Challenge or about estate planning, contact our Director of Planned Giving, Stan Yogi, at (415) 621-2493.

For more information on ways to support the ACLU, contact Director of Development Cheri Bryant (415) 621-2493.

ACLU OF NORTHERN CALIFORNIA OPERATING INCOME AND EXPENSES 2004-05

SUPPORT AND REVENUE:

Membership dues:	\$1,485,185
Reimbursement for Legis. Ofc:	\$ 171,795
Grant from ACLU Foundation:	\$ 174,000
Public Contributions:	\$ 596,616
Investment Income and Other:	\$ 11,760
Bequests:	\$ 877,682
National ACLU share*	(\$1,594,750)
Transfer to Reserves:	(\$ 203,052)
Total:	\$1,519,236

*Indicates sharing with National ACLU of contributions and dues.

EXPENSES:

Program Services:	\$1,158,479
Fundraising:	\$ 65,002
Management and General:	\$ 295,755
Total:	\$1,519,236

Source: Audited Financial Statements for the year ending March 31, 2005, by Pohl, McNabola, Berg & Co. Complete copies available by writing: ACLU, 39 Drumm Street, San Francisco, CA 94111.



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ANNUAL REPORT 2005

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Design:
Chen Design Associates

Printing:
Cenveo



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