

ACLU of Northern California 2009 Annual Report

75 YEARS **We see
justice
through**

ACLU OF NORTHERN CALIFORNIA

2009 ANNUAL REPORT

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2009 ANNUAL REPORT CREDITS: AUTHORS: Laura Saponara and Elaine Elinson **PROJECT MANAGEMENT, DESIGN, AND LAYOUT:** Gigi Pandian

PHOTO CREDITS: Maria Archuleta (p 3 right filmstrip photo) Bob Hsiang Photography (p 1), Vanessa Huang (p 6), Angus MacLane (p 35), Gigi Pandian (p 10), Michael Patric (p 15), Rick Rocamora (p 3 center filmstrip photo), Favianna Rodriguez (poster on page 2) Laura Saponara (p 12), Mitzi Trachtenberg (mural on page 3), Michael Woolsey (p 2, 13, 17, 31, 37)

Dear Friends,

2009 was a roller coaster ride for all of us.

The year began with some highs. President Obama banned our government's use of torture, closed secret CIA prisons around the world, and called for a new era of openness in government.

But we soon realized that our work to restore civil liberties was far from over. The new administration invoked the "state secrets" defense to thwart ACLU lawsuits, just as the Bush administration had done. Congress renewed the Patriot Act, allowing the government to continue spying on our phone calls, e-mails and library records. Reforms of immigration laws and advances for LGBT rights stalled.

And new challenges emerged, or we should say, resurfaced. A growing militant movement began spreading in the United States, stoking racial bias, homophobia and xenophobic impulses. As we write this letter, Arizona's Governor has signed into law an anti-immigrant bill reminiscent of California's Proposition 187, which passed in the recession of the 1990's.

We are daily reminded of a long-standing ACLU call: Eternal vigilance is the price of liberty.

The ACLU argues more cases before the Supreme Court than any individual or organization other than the United States government. Yet the ACLU is much more than a formidable force in the courts. In state legislatures, cities and rural areas around the country and here in California, the ACLU pairs legal expertise with community organizing to spark and sustain change.

This annual report shares our impact in Northern California in 2009. Here are just three of many highlights you can find in these pages:

- ◆ We replaced abstinence-only sex education with comprehensive, medically accurate curricula in key school districts, ensuring instruction that is free of bias and religious ideology;
- ◆ Our advocacy demonstrated to lawmakers that opposition to the death penalty is stronger and more informed than ever — leading to a drop in death sentences in key counties;
- ◆ We won and enforced key settlements in rural and urban school districts to ensure that schools are fairer and more welcoming for Native American, African American and Latino students.
- ◆ We secured significant victories in our work on national security, in cases dealing with extraordinary rendition and discrimination against airline passengers.

We are proud of several new initiatives we have launched this year that show promise for the future. Our Racial Justice Project investigated the extra-judicial factors — such as lack of education, housing, and employment — that result in African American and Latino youth and adults being disproportionately overrepresented in the criminal justice system. In light of the state's continuing budget crisis, we are pressing for sensible criminal justice reforms that reduce costs and increase public safety.

We started a multi-faceted initiative to strengthen our ties to advocates in the Central Valley, knowing that impoverished and isolated communities there are rife with civil liberties violations that have remained unaddressed for too long. We have already taken steps to equip community partners with legal information — whether on the rights of LGBT families or of immigrant farmworkers.

2009 was also a year in which we marked important milestones.

We celebrated the 75th anniversary of the ACLU of Northern California, founded in response to the killing of workers in the San Francisco waterfront strike of July 1934. We also are near completion of our historic Campaign for the Future, which has enabled us to purchase our permanent home at 39 Drumm Street, one block away from the location of the strike that precipitated our founding.

Your belief in the mission of the ACLU is a tremendous source of confidence and pride. And your contribution makes the work of the ACLU possible, not only here but across the country.

We invite you to read the highlights of our work over the past calendar year. And we thank you so much for being a part of the ACLU.

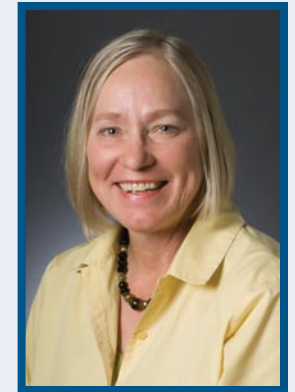
Sincerely,



Abdi Soltani, *Executive Director*



Nancy Pemberton, *Board Chair*

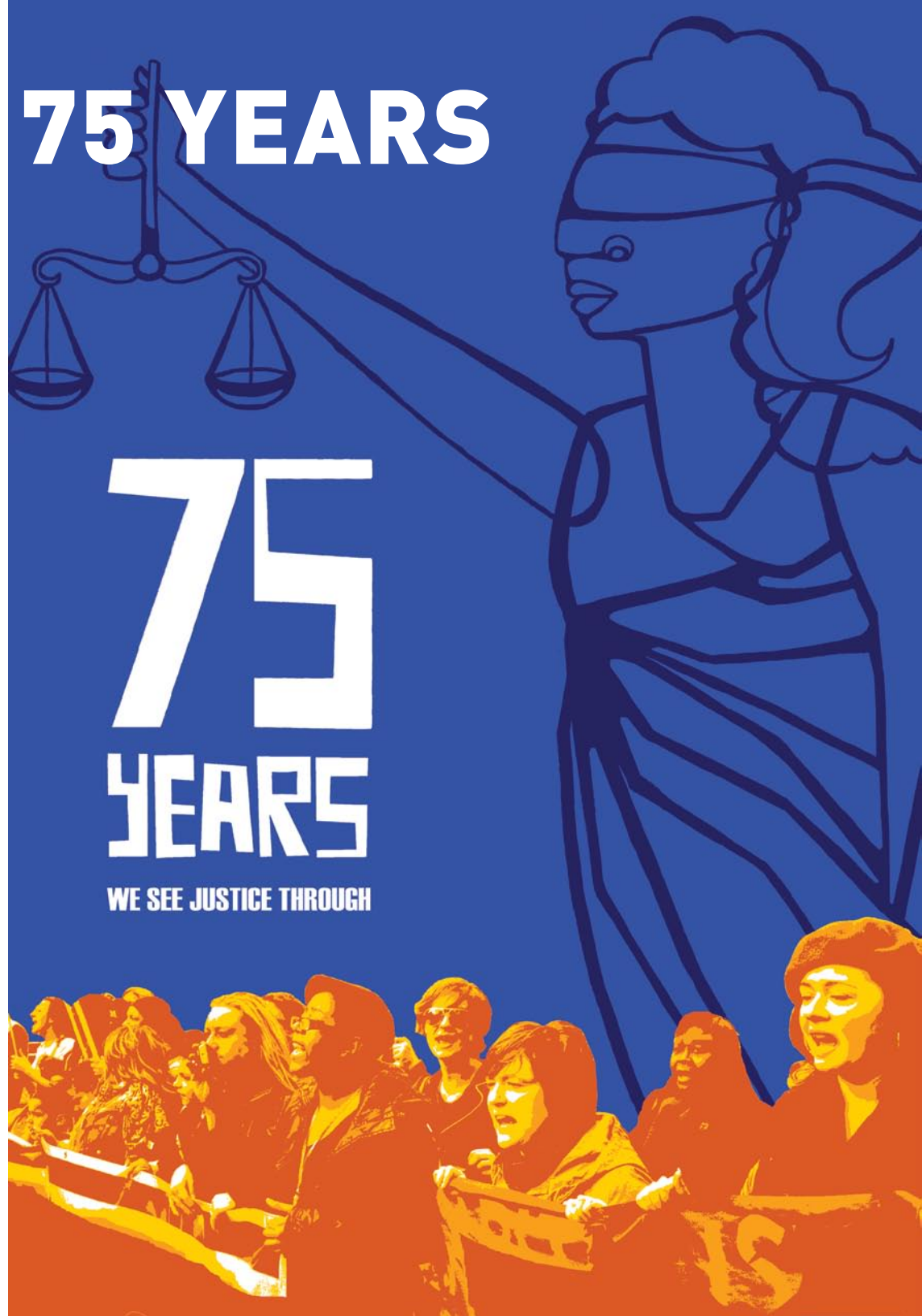


CELEBRATING 75 YEARS



OUR NEW HOME

The ACLU-NC in the new building made possible by the Campaign for the Future. Above: National ACLU Executive Director Anthony Romero (center) with Wayne Jordan and Marlene DeLancie. Left: Dick Grosboll, Quinn Delaney, Nancy Pemberton, with the new office's historic mural behind them.



THE ACLU-NC OVER THE YEARS



AMERICAN CIVIL LIBERTIES UNION-NEWS



FREE SPEECH
FREE PRESS
FREE ASSEMBLY

"Eternal vigilance is the price of liberty."
SAN FRANCISCO, CALIFORNIA, AUGUST, 1936

FREEDOM OF WORSHIP UPHELD

Superior Judge Peter J. Shields of Sacramento on July 9 handed down an opinion in the Gabrielli flag salute case upholding freedom of worship. The Court held that compulsory flag saluting in California's public schools is unconstitutional when it conflicts with a student's religious beliefs.

Nine-year-old Charlotte Gabrielli, on whose behalf Wayne M. Collins, instituted the suit, belongs to a religious group known as Jehovah's Witnesses. They believe it to be idolatrous to salute any man-made symbol. When Charlotte Gabrielli, abiding by her religious beliefs, refused to salute the flag last October she was instantly dismissed from school. Similar cases have arisen in Lodi, Merced and Modesto, California, as well as in many other states. When Attorney Collins filed a petition for a writ of mandamus, school authorities responded with a demurrer. In other words, granting all the facts as presented in the petition, the Court held, in nevertheless contended that no right had been denied the child. The Court held, in effect, that if the facts were true, a right had been denied—the constitutional right of religious liberty.

AMERICAN CIVIL LIBERTIES UNION-NEWS



FREE SPEECH
FREE PRESS
FREE ASSEMBLY

"Eternal vigilance is the price of liberty."

Vol. II.

SAN FRANCISCO, CALIFORNIA, JUNE, 1937

No. 6

ACADEMIC FREEDOM DENIED

Victor Jewett's Dismissal Affirmed; Court Charges Violation Of Loyalty Oath

The Third District Court of Appeal on April 17 affirmed a Superior Court judgment of Humboldt County, finding Victor E. Jewett guilty of "unprofessional conduct," and dismissing him from his position as a teacher in the Junior High School in the City of Eureka. Jewett's ouster resulted from charges of "radicalism" filed against him in September.

RECOMMEND DISMISSAL OF DEPORTATION PROCEEDINGS AGAINST JOHN PAPPAS

The strange case of John Pappas is virtually ended. Almost a year to the day from his arrest by Immigration authorities for deportation to Greece on charges of becoming a member of an organization advocating the forcible overthrow of the government, to-wit, the Communist Party, the local Immigration authorities have recom-

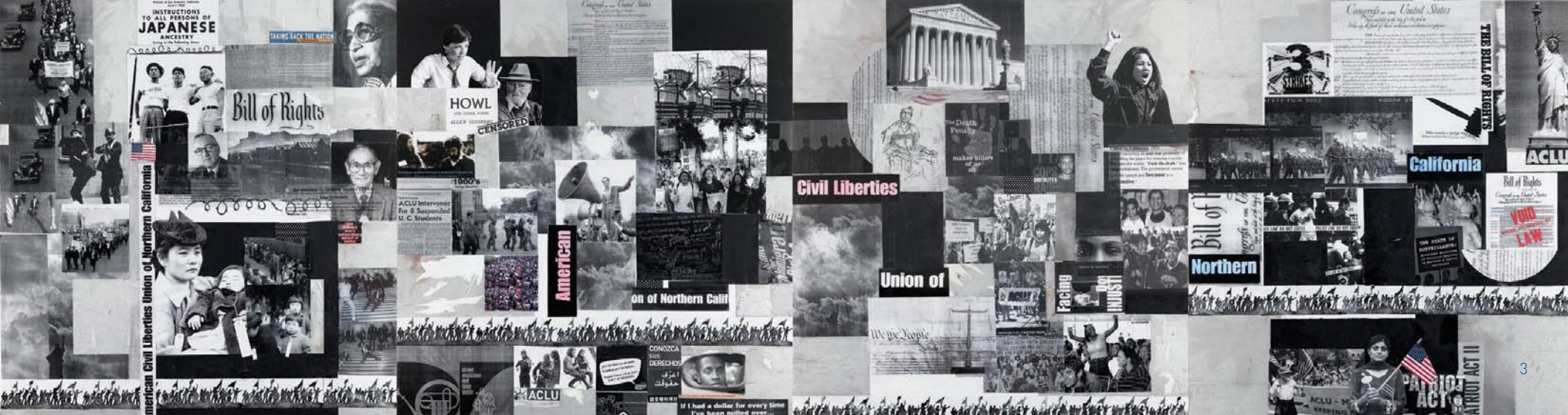
"Eternal vigilance is the price of liberty."
SAN FRANCISCO, CALIFORNIA, NOVEMBER, 1954

Union's Annual Appeal Seeks to Raise Record Budget of \$29,600 for 1955

On October 25, the American Civil Liberties Union of Northern California mailed to its supporters, except those who had contributed during the past two months, letters soliciting contributions toward the Union's \$29,600 budget for the fiscal year beginning November 1, 1954. While the Union's budget is still small, it is the largest in its 20-year history. It is \$1400 more than the last year's budget.

low-up mailings—labor, postage, envelopes.

Also, if supporters send the NOW they help the Union to conduct raising activities, thereby causing interference with its issue.



NATIONAL SECURITY

SAFE AND FREE

The rights of all Americans have been put in jeopardy because of the war on terror: torture, extraordinary rendition, massive surveillance and the invocation of “state secrets” to mask egregious violations of civil liberties. The ACLU has been a powerful and consistent voice in demanding accountability and a return to the rule of law from the United States government. In Northern California, we have played a key role in several high profile national security cases.

Our affiliate works closely with the National Security Project of the national ACLU to challenge abuses of government power that arise in Northern California and have an impact nationally and internationally.

EXTRAORDINARY RENDITION: THE STATE SECRET

Extraordinary rendition — the kidnapping of people for illegal transport to secret prisons in countries known to torture — is one of the most severe human rights abuses of the war on terror. When the ACLU learned that a key player in the CIA’s extraordinary rendition program — Jeppesen DataPlan, a Boeing subsidiary — was based in San Jose, the ACLU filed a lawsuit in federal court on behalf of five torture victims.

Though President Obama issued an executive order banning the use of torture, his administration, like the Bush administration before it, sought to have our case dismissed, arguing that to let it go forward would jeopardize national security.

In April 2009 we won a landmark victory when the Ninth Circuit Court of Appeals ruled that the government can invoke the state secrets privilege only with respect to specific evidence, not to dismiss the entire suit. The victims of rendition may yet have their day in court.

GOVERNMENT SPIES ON YOUR PHONE CALLS

When a whistleblower exposed the collaboration of the giant telecommunications companies with the Bush administration by allowing warrantless surveillance of millions of Californians’ phone calls and e-mails, the ACLU affiliates of California along with the Electronic Frontier Foundation filed several massive lawsuits challenging this illegal spying.

But our legal efforts were thwarted when Congress passed the Foreign Intelligence Surveillance Act in 2008, legalizing the warrantless surveillance program and allowing the government to seek dismissal of the lawsuits without having a court determine whether the telecoms violated the law. We are continuing to fight the dismissal of the lawsuits — and stepping up efforts in Congress to expose the damage done to privacy rights by the unwarranted surveillance of millions of innocent people.

THE ACLU-NC IN 1941



Representing a man denied citizenship for reading a Communist newspaper, a previous decade's national security "threat."



Sikh religious musicians who were wrongfully removed from their US Airways flight.

POST 9/11 RACIAL PROFILING

Although federal law prohibits airlines from removing passengers based on their religious or ethnic appearance, the practice has become increasingly common since the launch of the post 9/11 war on terror. Three internationally renowned Sikh musicians were ordered to leave a US Airways flight in Sacramento because other passengers had complained about the Sikhs to the flight crew.

Working with the group UNITED SIKHS, the ACLU-NC won a settlement in November granting monetary damages to the musicians and a requirement that the airlines update its training materials and strongly remind employees about its anti-discrimination policy.

THE RIGHT TO PRIVACY



Lily Haskell had her DNA taken after being arrested at a peace rally, even though no charges were ever filed against her.

PROTECTING EACH GENETIC BLUEPRINT

On January 1, 2009, a new law went into effect in California requiring that DNA be collected from anyone arrested for a felony, regardless of whether that person is charged or convicted.

If the law is allowed to stand, thousands of innocent Californians could be subject to a lifetime of genetic surveillance because a single police officer suspected them of a crime.

The ACLU-NC is challenging the law as a violation of privacy and freedom from unreasonable search and seizure. Also of critical concern is the fact that mandatory collection of DNA from arrestees ignores the presumption of innocence by blurring the line between being suspected of a crime and being convicted.

Several of the plaintiffs in the ACLU-NC's class action lawsuit were arrested at political demonstrations and told that they must provide DNA samples, though they were never charged with a crime. Lily Haskell was at an anti-war rally in San Francisco. Aakash Desai was demonstrating against fee hikes and layoffs at the University of California.

Given heavy police presence in communities of color, and the fact that racial profiling is illegal but common, the law is likely to result in the massive collection of genetic material from African Americans and Latinos in particular.

Though the initial ruling in the case was disappointing, a recent attempt by the government to have the case dismissed failed. The lawsuit continues, as will the ACLU-NC's advocacy for genetic justice in the years to come.

SAYING NO TO SUSPICIONLESS DRUG TESTING OF STUDENTS

Fueled by the courage and commitment of a small group of students and their parents, the ACLU-NC helped bring an end to the drug testing of students as a requirement for participation in school-sponsored activities like marching band and math club. At schools in the Shasta Union High School District, students were pulled from class and required to urinate in a cup while a monitor stood outside the stall listening. Far from being an isolated incident, this case illustrates the national War on Drugs playing out on a local level. The ACLU-NC charged that the policy violated the California Constitution's guarantee of privacy rights of students—and the judge agreed.

CHALLENGING PAT-DOWNS AT 49ERS GAMES

The right to privacy encompasses personal autonomy, including freedom from intrusive acts against one's own body. This principle is at the core of the ACLU-NC's challenge to a San Francisco 49ers policy requiring every man, woman, and child attending a 49ers home game to submit to a pat-down search of their bodies.

In an important victory for the ACLU-NC in 2009, the California Supreme Court overturned prior rulings and unanimously concluded that people who choose to go to an entertainment event do not consent to intrusive security measures simply by purchasing a ticket.

The outcome of the case is likely to signal whether corporations — including banks, telephone companies and insurers — have the power and the prerogative to determine whether and when their customers are entitled to privacy protections.

UPDATING PRIVACY FOR THE DIGITAL ERA

Privacy law regarding electronic communications is stuck in an analog era. Astonishingly, the federal law that is supposed to protect the privacy of electronic communications from inappropriate government or third party demands was passed in 1986, long before the Internet as we know it even existed.

At the national level and in our region, the ACLU is one of only a handful of advocacy organizations calling attention to the fact that web-based companies are collecting vast amounts of information about each of us. Once all of this personal once it is collected, outdated privacy law is failing to keep this personal information safe.



Privacy and Free Speech: It's Good for Business, the ACLU-NC's online primer, is packed with case studies and hands-on tools to help companies avoid privacy and free speech problems that can lead to negative press, costly lawsuits, and loss of customers and business partners.

The hard won privacy protections that are part of American life and law should apply to what we read, watch, share and purchase online. In 2009, the ACLU-NC launched the Demand Your dotRights campaign, designed to fuel the emerging movement to guarantee that individuals, not governments or corporations, can control how and when others gain access to their personal information.

EXPOSING PRIVACY CONCERNS ON FACEBOOK

The social networking site Facebook has over 400 million active users, many of whom use applications like quizzes that are created by outside developers. But most people don't realize that Facebook's default privacy settings allow most of their personal information to be shared with the world via these quizzes, including details about their politics, group affiliations, and photos. Worse yet, even if you don't authorize any apps, you are exposed without knowing it when your friend takes a quiz.

To allow Facebook users to see for themselves, the ACLU-NC launched its own quiz about Facebook quizzes, on Facebook, to raise awareness about this hidden threat. News of the privacy quiz spread like wildfire in the blogosphere and national news media, and soon more than 150,000 people had taken it for themselves, prompting more than 65,000 people to demand better privacy controls so they can choose when and whether applications can access their own personal information. Unfortunately, Facebook has yet to satisfactorily address these issues. But the public exchange between the company and privacy advocates surrounding the quiz has been invaluable in raising awareness of the importance of digital civil liberties.

THE ACLU-NC IN 1968



Lobbying the legislature for the right to privacy from random police wiretapping.

FREEDOM OF SPEECH

CHALLENGING FBI DATA SEIZURES

Federal law and constitutional guarantees safeguard publishers against unreasonable search and seizure of content they intend to print, ensuring that freedom of the press is not jeopardized by overzealous government agents. So when the FBI and the U.C. police raided the offices of two Berkeley-based community organizations that publish information for social and political activists, seizing their computers and copying the data, the ACLU-NC and the Electronic Frontier Foundation filed a lawsuit in federal court.

The raid was not based on any allegations of wrongdoing on the part of either of the organizations — Long Haul and the East Bay Prisoner Support Group — and there were no arrests.

As the case proceeds, it provides the ACLU-NC with the opportunity to draw the court's attention to the heart of the matter: the raid violated the Fourth Amendment and federal protections for the press, and may have resulted from the government seeking to retaliate against the organizations for their political views.

ACTIVISM IS NOT TERRORISM

Until recently, an exam given in the Department of Defense Level 1 Antiterrorism Awareness training course asked, "Which of the following is an example of low-level terrorist activity?" The correct answer was "protests."

The ACLU asked the Pentagon to correct the exam materials, pointing out that the misinterpretation of First Amendment freedoms is particularly disturbing when viewed in the context of a larger, long-term pattern of domestic security initiatives by the government that have attempted to treat activism as terrorism.

In response, the DoD stated publicly that it would remove the question from the test and send an e-mail to each test taker "explaining the distinction between lawful protests and unlawful violent protests."

LIBRARIES: NO PLACE FOR CENSORSHIP

When used to limit Internet reading in public libraries, filtering software impedes the public's access to websites with important information about health care, art, sexuality, politics, and other topics. Along with the ACLU-NC staff, members of the ACLU-NC Santa Clara Valley Chapter and an impressive, newly-formed grassroots group, Books Not Filters, helped secure an important victory against filtering software in San Jose. After many months of lobbying and public testimony, the San Jose City Council voted 7 to 3 against requiring the use of filtering and blocking software on library computers.



Michael German

"Teaching government employees that dissent on issues of public concern is something to be feared, rather than respected, is a dangerously counterproductive use of scarce security resources, making us less safe and less democratic."

—ACLU National Security Policy Counsel and former FBI Special Agent Michael German

IMMIGRANTS' RIGHTS

EFFECTIVE POLICING AND EQUAL PROTECTION FOR IMMIGRANTS

Despite California law that prohibits the practice, sheriffs and police make arrests for civil immigration violations. Fueled by stereotypes about who "looks like an immigrant," these practices undermine community trust in law enforcement and lead to unfair immigration and criminal consequences for targeted individuals.

One of the most egregious examples of this practice occurred in Sonoma County where deputy sheriffs arrested Latino men suspected of violating civil immigration law, and held them in county jail without a warrant or criminal charge.

Twenty-three year-old Christyan Sonato-Vega and his fiancée were stopped after they had parked outside a bakery. Two deputy sheriffs approached them, saying the car had a crack in the windshield, and proceeded to question Sonato-Vega about his immigration status and whether his tattoos were gang-related. The deputies searched him, without adequate justification, before allowing him to leave. About a week later, Sonato-Vega was arrested at his job on the sole basis of suspected immigration status. He was held in Sonoma County jail for several days without any criminal charges, and without notice of his right to a hearing, to legal representation, or to be considered for release on bond.

On behalf of two detainees and the Committee for Immigrant Rights, the ACLU-NC filed a federal lawsuit to prevent the Sheriff's Department from collaborating with Immigration and Customs Enforcement (ICE) to arrest and detain young Latino men in the county jail merely based on suspicions about their immigration status.

Since the problem is not limited to one county or sheriff's department, the ACLU-NC has launched a new project to investigate police practices that target immigrant communities. Community leaders have reported to the ACLU some of the major problems that immigrants face at the hands of law enforcement. The ACLU-NC also met with law enforcement leaders in selected counties in an effort to understand the day-to-day pressures that shape their policies, and eventually to help them develop best practices.

Through media outreach, community meetings and know-your-rights publications, the project will advocate for change to eliminate racial profiling and other abuses.

"The constitution guarantees that due process and equal protection apply to everyone in this country, not just U.S. citizens. Our clients are paying the price for law enforcement policies that violate fundamental rights by targeting people based on race and holding them in jail without criminal charges."

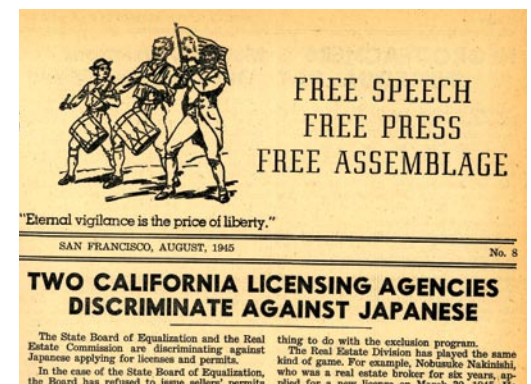
– Julia Harumi Mass, ACLU-NC staff attorney

ENDING "NO MATCH"

In a battle that lasted for several years, the ACLU, in coalition with the National Immigration Law Center and labor groups, succeeded in stopping the Department of Homeland Security (DHS) from forcing employers to fire workers whose social security numbers do not match those in the notoriously error-ridden Social Security Administration database. As co-counsel in AFL-CIO vs. Chertoff, the ACLU helped win an injunction against the rule, then argued forcefully that the rule would put the livelihoods of authorized workers — including U.S. citizens — at risk, and provoke discrimination against workers who look or sound "foreign."

Born during the Bush Administration, the "no match" rule was officially rescinded by Department of Homeland Security Secretary Janet Napolitano in late 2009.

THE ACLU-NC IN 1945



Bringing to light government bias against Japanese Americans.

RACIAL JUSTICE

PROMOTING OPPORTUNITY AND FAIRNESS IN PUBLIC CONTRACTING

Small businesses owned by women and minorities are a vital part of our state's economy, and a fair public contracting system is critical to their success. For many years, the state's central transportation agency, Caltrans, followed a race and gender conscious approach to ensuring fair participation in public works projects through the Disadvantaged Business Enterprise Program (DBE). But the agency temporarily shelved the program after a federal court called into question the viability of a similar program, and the share of contracts awarded women- and minority-owned businesses plummeted — from nearly 11 percent in 2005 to just 2.2 percent in 2009. Caltrans reinstituted the program after addressing the court's concerns and was promptly sued by the Pacific Legal Foundation, who argued that the program was unconstitutional.

The ACLU-NC and other civil rights organizations have stepped in to support minority- and women-owned small business owners who are seeking a fair shot at competing for contracts, including for transportation projects slated to receive millions in stimulus funds. The ACLU-NC argues that, contrary to the claims of the Associated General Contractors of America, Caltrans' framework to ensure fair participation is consistent with equal protection principles, and is in fact mandated by constitutional requirements.

KEEPING THE DREAM ALIVE: RACIAL INTEGRATION OF PUBLIC SCHOOLS

It has been more than 50 years since the Supreme Court ruled in *Brown v. Board of Education* that segregated education is inherently unequal. Yet most California students attend public schools that are more segregated now than they were in 1970.

Complicating matters, school districts have been plagued by the question of how to achieve racial integration without violating Proposition 209, which prohibits assignment of students to particular schools based on race.

But thanks to a major legal victory aided by the ACLU-NC, the Berkeley Unified School District is primed to serve as a model for other districts that want to promote racial diversity.

In 2009, a California appellate court held that school districts may take into account the racial demographics of a neighborhood in which a student lives, among other factors, when assigning that student to a particular school. The California Supreme Court subsequently denied efforts by the Pacific Legal Foundation to continue its lawsuit against BUSD.

As a result of BUSD's efforts over more than a decade, every Berkeley school is racially and socioeconomically diverse, and the Academic Performance Index scores of every school in the district have increased and equalized across schools.

If school districts throughout California and across the nation follow Berkeley's model, more and more students will experience the benefits of welcoming, inclusive and integrated learning environments.



Rally for educational equity at the San Francisco Civic Center.

SCHOOLS FOR ALL

All California school districts have the responsibility to ensure that their schools are free from harassment and discrimination. Yet we have witnessed a troubling trend of schools imposing unduly harsh punishment, particularly for students of color. In 2009, we launched the Schools for All Campaign to ensure welcoming and inclusive schools for all youth.

As part of our campaign, we published and widely distributed a helpful manual for students and parents — Know Your Rights: School Discipline — and presentation materials to help students facing disciplinary proceedings.

We have also successfully supported students who faced harsh and discriminatory discipline at a number of schools.

In response to the ACLU-NC's presentation of evidence of discrimination against Native American students, the Del Norte County School District refined its disciplinary procedures, engaged staff in professional development regarding understanding and responding to cultural differences, and updated school curricula to include Native American history and culture, with a particular emphasis on the Yurok Tribe.

The Antioch Unified School District agreed to a series of steps to prevent discrimination against African American and Latino students in school discipline and to stem the over-involvement of police officers in the handling of student misconduct.

In another school district, we represented a 14-year-old-Palestinian American whose cell phone was confiscated by a campus security guard who told him "We are dealing with terrorist issues." When a search turned up the boy's drawing about Israel and Palestine, the assistant principal lectured him about the Middle East and suspended him. The ACLU-NC succeeded in expunging the student's record and mandating cultural sensitivity training for security personnel.

We are expanding our advocacy efforts to Fresno where local organizations have identified bias and discrimination in school discipline. Through the Public Records Act, we requested information on school discipline and school-based arrests from the Fresno Unified School District and the Fresno Police Department and will partner with civil rights organizations to challenge gender and racial bias in disciplinary practices.

DISPROPORTIONATE MINORITY CONFINEMENT

The disproportionate number of people of color behind bars in California is tragic and longstanding. In California 73 percent of the adult prison inmates are people of color and 87 percent of juveniles in state run facilities are people of color.

The war on drugs has exacerbated the racial disparities, with African Americans representing 59 percent of drug convictions, despite the fact that they are only 13 percent of drug users and 38 percent of drug arrests.

In conjunction with the W. Hayward Burns Institute, the ACLU-NC Racial Justice Project is investigating the extra-judicial factors — such as lack of education, housing, and employment — that result in African American and Latino youth and adults, men and women, being disproportionately overrepresented in the criminal and juvenile justice systems. The Project has undertaken extensive research in six counties, including interviews with people caught in the corrections system, that revealed some consistent, and difficult trends, for example:

- ◆ Students who were suspended from school were likely to be arrested prior to age 20;
- ◆ Those who reported a lack of educational opportunities were typically those who were arrested at a younger age, yet 68% of respondents did not perceive a connection between their educational experience and their involvement in the criminal justice system.
- ◆ Sixty-seven percent of respondents reported low job opportunities, and those who said they were unable to find a job are much more likely to report turning to crime to supplement their income.

The Project will develop model policies, working with community groups, law enforcement, and service and advocacy organizations in at least one of the counties, to reverse this catastrophic trend.



Fighting against racial discrimination in a lynching-like murder.

ENDING THE DEATH PENALTY

ONE STRUGGLE, MANY VOICES

The struggle to end the death penalty has lasted for decades. Why does the ACLU persevere? Because the risk of putting innocent people to death is substantial. Because the system does not meet the needs of victims, and because the death penalty wastes billions of taxpayer dollars, without making us safer.

In 2009, the California budget crisis provided a unique opportunity to focus public attention on one area of the ACLU-NC's research expertise: documentation of the true cost of California's death penalty. The price tag?

Replacing the death penalty with life imprisonment without the possibility of parole would save taxpayers \$1 billion over the next five years.

The ACLU-NC worked tirelessly to increase media attention on the problems with the death penalty. We enlisted powerful, poignant spokespersons, including a former judge, police chief, and prison warden, current and former district attorneys, and family members who have lost a loved one to murder. Their voices achieved a dramatic uptick in coverage, both national and local.

The ACLU-NC is spearheading a strategy that focuses on key counties in California, in order to reduce the number of death sentences in those counties and educate the public about the negative impact of the death penalty on local communities.

In addition, the ACLU-NC helped generate an outpouring of public comments from more than 12,000 individuals who object to the new execution plan released this year by the California Department of Corrections and Rehabilitation (CDCR).

The ACLU's tenacity has been strengthened by recent successes across the nation. For example, New Mexico became the 15th state in the country to end the death penalty in April, replacing it with permanent imprisonment.

ADVANCING BROADER SENTENCING REFORMS

To bring attention to the costs of the death penalty and advocate for a more effective criminal justice system, the ACLU-NC formed a strong alliance of grassroots and policy organizations. These include the Ella Baker Center for Human Rights, Drug Policy Alliance, and Families to Amend California's Three Strikes, among others. With the ACLU-NC, these groups joined together with public education, media and lobbying efforts that helped ensure that the Legislature enacted sweeping reform to the parole and probation systems, reforms to reduce the number of non-violent offenders sent to prison and increase the range of alternative, non-prison sanctions available. The ACLU-NC continues to lobby for a series of smart criminal justice reforms that would save the state \$12 billion while increasing public safety and protecting the social safety net.

"There is little justice surrounding the death penalty. It is always delayed and delayed and delayed, condemning the victims' family to twist in a sort of penalty purgatory. And there certainly is no justice for the taxpayers, who are paying the multimillion dollar expense every condemned person represents."

—The Stockton Record, Editorial



Anti-death penalty protestors in Sacramento.

LGBT EQUALITY

Since the 1950s, the ACLU-NC has paved the way for full equality for lesbian, gay, bisexual and transgender Californians through an unwavering pursuit of fundamental civil rights – from defending gay organizations against police raids in the 1960s, to passing the country’s very first domestic partnership ordinance in the 1970s, to protecting people with AIDS from draconian discrimination in the 1980s. Public opinion has moved closer and closer to LGBT equality, yet bias remains strong and deeply rooted.

MOVING MARRIAGE EQUALITY FORWARD

In May, the civil rights of gay and lesbian Californians suffered a major setback when the California Supreme Court upheld Proposition 8, the ballot measure that eliminated the right of same sex couples to marry.

But results of that defeat have been bittersweet. The loss in Proposition 8 galvanized action. Since November 2008, many more states legalized marriage for same sex couples, bringing the total to five plus the District of Columbia.

In early 2009, the ACLU argued in *Strauss v. Horton* that by depriving a single minority group of a fundamental right, Proposition 8 violates the equality guarantee in our state constitution. The case presented the question of whether an initiative could be used to take away fundamental rights.

A lesbian couple’s experience at a Fresno hospital underscored the importance of the quest for marriage equality. When Kristin Orbin was rushed to the emergency room with an epileptic seizure, her partner was barred from visiting her or even letting the doctors know about her medical history. This discriminatory treatment led to Orbin having an adverse reaction to the prescribed medication. After receiving a demand letter from the ACLU, the hospital agreed to make policy changes and conduct training to ensure that the rights of LGBT patients and family members are respected.

CHALLENGING ANTI-GAY HARASSMENT — FROM TEACHERS

For Rochelle Hamilton, starting high school was the beginning of relentless harassment from her teachers and school staff because she’s openly gay. One teacher told her, “You’re going to hell. This is a sin.” Another said, “What’s wrong with you? What are you, a man or a woman?” After months of asking the school and the district to intervene and receiving no response, Rochelle and her mom reached out to the ACLU for help. Together, we took on the school district—and won.

The ACLU-NC reached a settlement with the Vallejo Unified School District to combat anti-gay harassment and discrimination at all the district’s schools. The district is now required to hold mandatory training sessions for teachers, staff and students about how to identify anti-gay harassment and discrimination, why it’s harmful, and how to prevent it.

The ACLU has won similar settlements in other California school districts, and, increasingly, throughout the country. As a result, school leaders who are committed to eliminating anti-gay bias and bullying have many good models to guide their progress. In many instances, the ACLU is able to persuade schools to change their practices without resorting to litigation.



Rochelle Hamilton, who stood up for her rights at school, at the Pride march in San Francisco.

REPRODUCTIVE RIGHTS

The vision of our reproductive justice work is that all Californians have the information and health care they need to make decisions about childbearing and family. The ACLU-NC has helped to create legal protection for comprehensive sex education, contraception and abortion in the state Constitution and statutes. The ACLU-NC works daily to make these rights a reality, but many laws are under assault. In 2009, the affiliate worked to broaden the base of support for reproductive justice by outreach to new partners from the faith community and by organizing in local communities.

The ACLU-NC conducted a Religious Freedom and Reproductive Justice Project to engage religious leaders to join us in efforts to protect and expand reproductive freedom, reaching out to a diverse group of faith leaders throughout Northern and Central California. The ACLU-NC convened a Religious Freedom and Reproductive Justice conference in Sacramento. Working with these new allies in the future, we will address issues of concern in their communities and joining together to secure reproductive justice in California.

The ACLU-NC's advocacy on behalf of comprehensive, medically accurate sex education also presents an opportunity to broaden support for reproductive justice. Today, thanks to a groundbreaking 2003 California law sponsored by the ACLU-NC, all sex education taught in California public schools must be medically accurate, age appropriate, bias free, and comprehensive, including lessons about sexually transmitted infections and contraception, as well as delaying sexual activity. The law has become the model for other states and for federal legislation.

However, abstinence-only-until-marriage education, which was fueled by over \$1 billion in federal funds during the Bush Administration, remains in some California schools, because the state lacks adequate oversight and enforcement. Thus, students are exposed to misinformation, gender bias and homophobia, and are denied essential reproductive health information. Through both administrative advocacy at the state level and efforts to implement the law at the local level, the ACLU-NC works to replace these abstinence-only curricula with the medically accurate information that young people need and deserve. Over the past year, the ACLU-NC worked extensively throughout Northern California, including in Fremont and Sonoma County, organizing parents

and community members to advocate on behalf of improved sex education in their school districts. In Fremont, the ACLU-NC's work resulted in the district's replacement of a federally funded abstinence-only provider with a comprehensive curriculum, and the parents there remain active and engaged, ensuring that the change will be sustainable.

At the national level, the ACLU has played an important role in efforts to guarantee that reproductive health care is covered by health reform, and that failed abstinence-only sex education is replaced by investments in adolescent health. This affiliate helped to mobilize the support of Californians in these efforts. There have been some great successes—removing two-thirds of the abstinence-only funding and defeating the most draconian restrictions on abortion coverage in health reform—but there is much work to do. The ACLU-NC will continue these important efforts with our allies.



Filing lawsuits to make reproductive freedom a reality.

POLICE PRACTICES

CALLING FOR ACCOUNTABILITY IN FRESNO

In Fresno, a television newscast aired a disturbing video of a Fresno police officer repeatedly punching a homeless man in the head while he was lying face down on the ground. The footage shocked and angered viewers, and soon the video spread widely online.

When the ACLU-NC requested the names of the officers involved, the city refused to release the information within the deadlines mandated by the California Public Records Act.

When there was no information forthcoming more than three months after the beating, the ACLU-NC filed a lawsuit demanding the release of the police records. The City must not be allowed to suppress vital information as a stalling tactic so that public outrage over the incident will blow over. Those who enforce our laws cannot hide from accountability.

THE LONG ROAD TO SUNSHINE REFORMS IN SAN JOSE

It is a rare occurrence when the ACLU walks out of a public hearing — but sometimes that is the only justifiable response to public officials' stonewalling on civil liberties. That's just what happened in San Jose last spring when the city refused to disclose its records on possible police misconduct.

When the *San Jose Mercury News* revealed that police were disproportionately arresting Latinos for crimes that are heavily reliant on an officer's discretion, there was a great public outcry. Though Latinos comprise just 32% of the city's population, they were 56% of those arrested for public intoxication, 57% for resisting arrest and 70% for disturbing the peace.

The anger over the possible racial profiling and seemingly arbitrary and punitive nature of the arrests prompted the city to convene a special task force on "public intoxication."

When the ACLU-NC filed a Public Records Act request to obtain the original police reports of arrests, the city repeatedly denied the request and eventually responded by releasing just 4% of the records. In reviewing even those records, task force members concluded that probable cause for arrest was inadequate in half the cases.

Frustrated by the city's lack of responsiveness, task force representatives from the ACLU-NC, the NAACP, La Raza Lawyers Association and others walked out of the proceedings and declined to participate further until the city demonstrated it was willing to work with community members in good faith.

When the Mayor proposed a watered down policy change on access to police records, the ACLU-NC and our allies put forward a comprehensive proposal to open more police records to the public. It was a long shot proposal that no one thought had a chance. But through tenacious lobbying, the comprehensive measure got 5 votes, just one short of passage, signifying growing momentum for accountability.

Although the sunshine measure did not pass, the continuing public scrutiny has had an effect. Arrests for drunk in public are down and a new Independent Police Auditor has been appointed. The ACLU-NC and our partners will continue to press for changes to police practices and policies in San Jose.



Police in San Jose

HOWARD A. FRIEDMAN FIRST AMENDMENT EDUCATION PROJECT

YOUTH ACTIVIST COMMITTEE

Every other Sunday afternoon, two dozen high school students from Davis, San Jose, Vallejo, Oakland and beyond gather at the ACLU-NC office for the Youth Activist Committee (YAC). One sixteen-year-old from Salinas regularly boarded a 4 a.m. train to be at the meetings. These committed, energetic teens have a lot of work to do. They examine civil liberties issues that directly affect their generation from military recruitment to sexism, violence and the school-to-prison pipeline. And they spread the word. Throughout the year, members of the YAC speak at schools throughout Northern California to educate their peers about key civil liberties issues and encourage them to get involved.

ANNUAL YOUTH RIGHTS CONFERENCE

This year, as the state government slashed spending for schools and stripped hard-won resources from schools in the poorest communities, the Youth Activist Committee addressed the issue head on — bringing 500 young people together for a conference entitled, “Is Education a Right or a Privilege? Exploring Educational Equity and Racial Justice in Our Communities.”

YAC members took on every step of organizing the conference — from planning the agenda, building alliances with other organizations, and leading workshops on No Child Left Behind, zero tolerance programs, and legislation about LGBTQ rights. The conference became a forum to educate and inspire other high school students about civil liberties, and to hone valuable leadership skills.

SUMMER INVESTIGATIVE JOURNEY: LGBTQ RESISTANCE

“We spend our whole lives hearing about amazing people who fought and risked their lives for social justice. To be part of a greater movement is something I’ve always aspired to do, and last summer’s trip investigating LGBTQ histories of resistance allowed me to do just that.”

This is how Ilham Awad, a 2009 graduate from Washington High School in Fremont, described the annual Friedman Project summer exploration *Fierce and Fabulous! A Youth Investigation into LGBTQ Histories of Resistance*. Twenty high school students traveled around northern California visiting advocacy groups, services and model programs for a week learning first-hand about LGBTQ daily struggles with health care, aging, homelessness and hostility in families, schools and workplaces. They also met with activists who confront these issues daily, and who, according to Awad, “inspired me to continue fighting for justice.”



Students who participated in the 2009 summer trip on LGBTQ Histories of Resistance.

IN HER OWN WORDS: COLLEGE STUDENT ACTIVIST MARIA KRAUTER FROM THE U.C. BERKELEY ACLU CLUB

I definitely consider myself an activist. When we have an issue that we take a stance on, I love being out there and trying to inform people about it. Really, anyone who believes something and does anything, whether it's just talk to your friend to convince them, is an activist.

In November 2008, with the election year, we worked heavily with the ACLU of Northern California again and our campus coalition to vote down 4 and 8, Proposition 4 and 8. Students and community members were calling people to tell them to vote no. And I think that the ACLU was a huge part of that. Being on campus was exciting during that time because it was very exciting to see everyone coming together to really come out in support of an issue. Unfortunately, Prop 8 passed, but I think that overall activists and people who had never done activism before came together and tried to defeat something they felt strongly about. I think that's something to be proud of.

There will always be people who don't agree that anyone should be able to marry the person that they love. And there will always be people who don't agree with a woman's right to choose. But you can't let that stand in the way of the greater picture.



ORGANIZING & COMMUNITY ENGAGEMENT

Knocking on the doors of legislators at the state Capitol, training chapter activists, and building partnerships with other organizations — our Organizing and Community Engagement staff provide the infrastructure for grassroots activism on issues ranging from the death penalty to reproductive rights to police abuse. As we forge strategic alliances to promote common causes, we also strengthen and diversify the membership of the ACLU-NC.

We also honored (and celebrated our joint 75th birthday with) one of our oldest allies — the International Longshore and Warehouse Union — at our annual Bill of Rights Day Celebration.

Our annual conference and lobby day drew 100 people to Sacramento to hone their organizing skills and educate legislators. Through both long-standing and newly-forged alliances with other social justice organizations, the ACLU-NC recruited many new activists to the event. After a day of intensive workshops on current ACLU issues ranging from online privacy to

marriage equality, activists called on legislators to support sentencing and parole reform, privacy for drivers licenses, and to eradicate the loyalty oath.

The ACLU-NC's 18 chapters span northern California and we now have five campus clubs. The chapters serve as the eyes and ears of civil liberties in their local communities — engaging their neighbors and tackling thorny issues before police commissions, city councils and school boards. For example, the Chico Chapter provided Know Your Rights trainings and information at an immigrants' rights event that drew 1,000 people. The Greater Fresno Chapter board members met with the office of Congressman Jim Costa to urge him to not require restrictions on abortion in healthcare reform legislation. Though we can spread the word quickly through online strategies, we know there's no substitute for grassroots organizing — door- to-door, face-to-face, community by community.

Volunteers

Thank you to our 2009 volunteers!

CIVIL LIBERTIES COUNSELORS

Sue Barton
Barbara Briggs
Homa Davary
Alice Fialkin
Linda Geballe
Dan Halpern
Sarah Krupp
Cal Kurzman
Miriam Maguran
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Adele Sylar
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of Law
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University of California, Davis,
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Cooperating Attorneys and Law Firms

We thank the following firms and individuals who donated services during 2009. Your hard work and commitment are deeply appreciated by all the ACLU Community.

VOLUNTEER ATTORNEYS

Josh Garber
Tamar Gubins
Ajay Kundaria
Robert Lynch
Hari O'Connell
David Saunders

*Special thanks to Howard Rice
Nemerovski Canady Falk & Rabkin,
Goodwin Procter, and Latham &
Watkins for donating full-time
volunteer attorneys during 2009.*

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Law Offices of Amitai Schwartz
Taylor & Co.

Interns We thank the students who served as interns in 2009.

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Amy Endo
Vincent Enriquez
Noga Firstenberg
Rosha Jones
Kara Kapp
Caroline Lents
Tara Macomber
Sumit Mallick
Josephine Mason
Rebecca Nichols
Jacob Richards

Palomar Sanchez
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Craig Smith
Aurora Steinle
Kelly Tenn
Lilian Wang
Shane Witnov

SAN JOSE OFFICE INTERNS

Joshua Beilke
Molly Carter
Elisabeth Copper
Michael Fisher
Megan Incorvaia
Mehvesh Mallick
Farrah Zarea

FRIEDMAN PROJECT INTERNS FOR THE 2009 SUMMER TRIP

Cassandra Chase
Cally Wong

◆ HIGHLIGHTS ◆

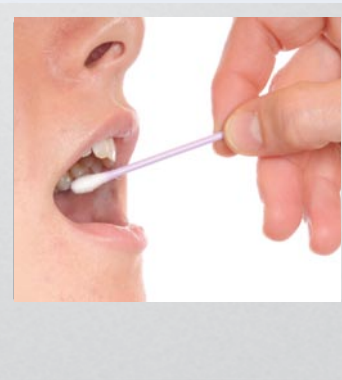
NO SECRETS ALLOWED

The ACLU-NC won a landmark victory when the Ninth Circuit Court of Appeals ruled in April that the government cannot dismiss an entire suit by invoking the state secrets privilege. Five torture victims await their day in court.



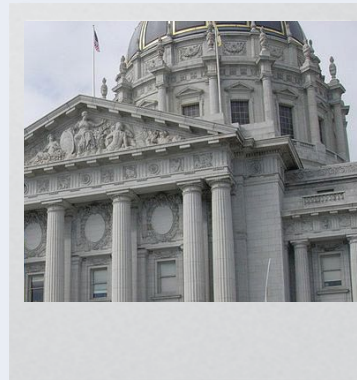
GENETIC JUSTICE

As of January 1, 2009, DNA can be collected in California from anyone arrested for a felony, regardless of whether that person is charged or convicted. The ACLU-NC is challenging the law as a violation of privacy and freedom from unreasonable search and seizure.



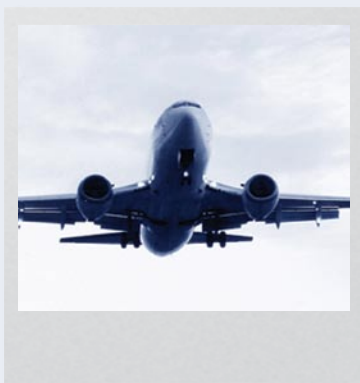
PRE-GAME PATDOWNS

The ACLU-NC cried "privacy foul" when the San Francisco 49ers required every man, woman, and child attending 49ers home games to submit to a pat-down search of their bodies. The California Supreme Court unanimously agreed.



FLYING WHILE SIKH

The ACLU-NC, working in partnership with the group United Sikhs, won a settlement in November granting monetary damages to three internationally renowned Sikh musicians. The musicians had been ordered to leave a US Airways flight in Sacramento because other passengers had complained about them to the flight crew.



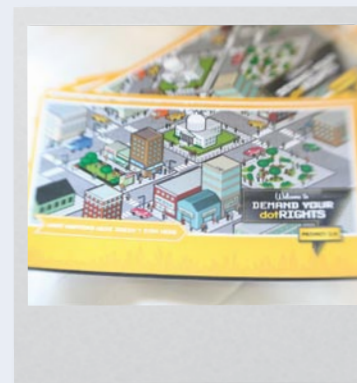
STUDENT DRUG TESTING

Thanks to courageous students, parents and the ACLU-NC, students at Shasta Union High School District who want to join the school marching band and math club will no longer be pulled from class and required to urinate in a cup while a monitor listens outside the bathroom stall.



PRIVACY RIGHTS IN THE DIGITAL ERA

Federal law to protect the privacy of electronic communications has not been updated since 1986! The ACLU-NC launched the Demand Your dotRights campaign to guarantee that individuals, not governments or corporations, control how and when others gain access to their personal information.



◆ ACLU-NC 2009 ◆

UN-CENSORING LIBRARIES

Along with the ACLU-NC, members of the ACLU-NC Santa Clara Valley Chapter and the grassroots group, Books Not Filters, secured an important victory against filtering software. San Jose library filters blocked the free exchange of ideas on health care, art, sexuality, politics, and other topics.



RACIAL INTEGRATION IN SCHOOLS

Thanks to a major legal victory aided by the ACLU-NC, the Berkeley Unified School District is primed to serve as a model for other districts that want to promote welcoming, inclusive and integrated learning environments.



LGBT EQUALITY IN HOSPITALS

Discriminatory treatment and an adverse reaction to medication marked Kristin Orbin's emergency trip to a Fresno hospital. After receiving a demand letter from the ACLU, the hospital agreed to make policy changes to ensure that the rights of LGBT patients and family members are respected.



IMMIGRANT RIGHTS

On behalf of two detainees and the Committee for Immigrant Rights, the ACLU-NC filed a federal lawsuit to prevent the Sonoma Sheriff's Department from collaborating with Immigration and Customs Enforcement (ICE) to arrest and detain young Latino men merely based on suspicions about their immigration status.



ENDING THE DEATH PENALTY

The death penalty policy project at the ACLU-NC objected to the new execution plan released this year by the California Department of Corrections and Rehabilitation (CDCR). We were joined in public comment by 12,000 Californians.



REAL SEX ED

In Fremont, the ACLU-NC's advocacy for comprehensive sex education resulted in the district's replacement of a federally funded abstinence-only provider with a comprehensive curriculum that includes health-saving information for teens.



MANY THANKS TO OUR DONORS FOR STANDING WITH US

Dear Friends,

2010 marks a very important moment for the ACLU of Northern California: we are completing the largest fundraising campaign in history for civil liberties. Five years ago, we launched Take a Stand for Freedom: The ACLU Campaign for the Future, with the goal of raising \$25 million above and beyond the annual fund toward a National goal of \$135 million. To date we have raised almost \$23 million in Northern California through gifts large and small, an unparalleled achievement.

Thanks to your support of The Campaign and of our ongoing work, we are well on our way to ensuring a strong ACLU of Northern California for generations to come.

The success of The ACLU Campaign for the Future has allowed us to purchase our permanent home, at 39 Drumm Street in San Francisco. As we become mortgage-free, the ACLU-NC will be able to devote \$600,000 in additional funding each year to our legal, legislative, organizing and public education work.

Your support in this monumental effort is the key source of our strength — the unshakeable foundation that ensures our perseverance and our progress in California.

And because of a unique national program — the Strategic Affiliate Initiative (SAI) — the contribution you make to the ACLU-NC plays a critical role in building a strong ACLU throughout the country. A portion of every gift made here is invested in places where violations of fundamental rights are rampant, resources are scarce, and the potential for national impact is significant.

Our shared investments in these regions have led to rapid and dynamic growth of ACLU affiliates tackling critical problems. Here are a few examples:

ACLU of Arizona is

- ◆ strengthening oversight of the state's immigration detention system, where thousands of immigrants each year are swallowed up and often rendered invisible within an arcane bureaucracy;
- ◆ opposing the expansion of private prison systems.

ACLU of Michigan is:

- ◆ litigating the failure to provide adequate legal counsel to low-income criminal defendants, in a state with the highest unemployment rate in the nation;
- ◆ educating policymakers about the consequences of "zero tolerance" laws in schools, and initiating reforms to change harsh discipline practices.

ACLU of Tennessee is:

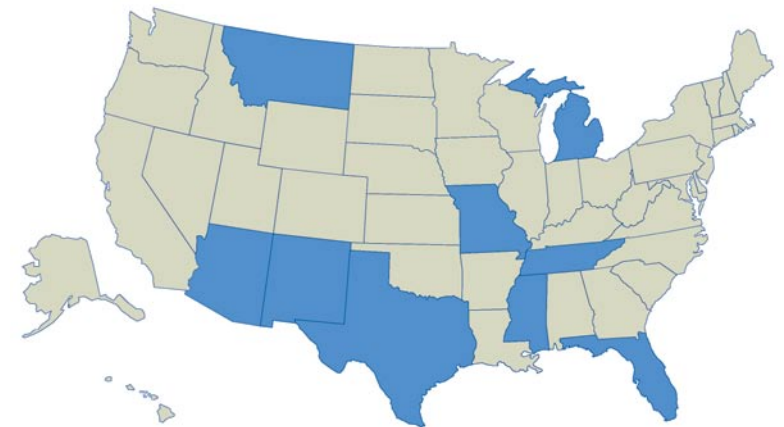
- ◆ opposing a state constitutional amendment that would remove the right to abortion;
- ◆ working to end bans on adoption and foster care by LGBT individuals and families.

Strategic Affiliate Initiative funds are also fueling ACLU affiliates in Florida, Texas, Mississippi, New Mexico, Montana and Missouri.

These are difficult times. But this is not the first time that the ACLU has advanced its work during times of economic adversity. During the Depression of the 1930s, the ACLU broadened its definition of civil liberties beyond issues of freedom of speech, press and assembly to include fights against repression and intolerance based on race and religion.

The successes of The Campaign For the Future and the Strategic Affiliate Initiative have given us the strength to push forward with our civil liberties agenda during this challenging time. We owe this strength and resilience to you, our closest and most dedicated supporters.

Thank you, as always, for your commitment to a society where freedom, fairness, and justice are real for everyone, and for standing with us,



Cheri Bryant
Director of Development

DEVELOPMENT & 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.

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. Gifts may be made via mail or online at www.aclunc.org.

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.

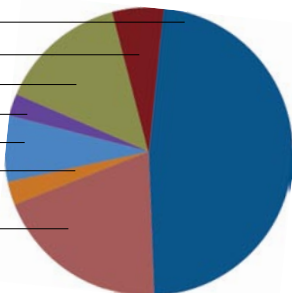
For more information on ways to support the ACLU, contact Director of Development Cheri Bryant (415) 621-2493.

ACLU FOUNDATION OF NORTHERN CALIFORNIA

Operating Income and Expenses 2008-09

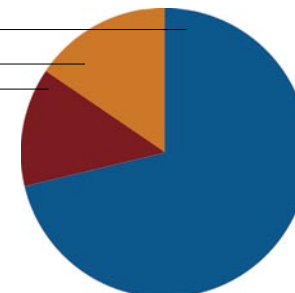
SUPPORT AND REVENUE:

Individual Contributions:	\$ 8,514,048
Restricted Foundation Grants:	\$ 969,000
Bequest Contributions:	\$ 2,515,690
Court Awarded Attorney Fees:	\$ 470,000
In-Kind Legal Contributions:	\$ 1,319,913
Other Income:	\$ 443,324
Investment Income/(Loss):	(\$ 1,547,386)
Transfer from Reserves:	\$ 3,595,441
Restricted to capital campaign:	(\$ 2,683,701)
National ACLU share:*	(\$ 5,799,113)
Total:	\$ 7,797,216



EXPENSES:

Program Services:	\$5,556,810
Fundraising:	\$1,206,471**
Management and General:	\$1,033,935
Total:	\$7,797,216



**Fundraising expenses include capital campaign.

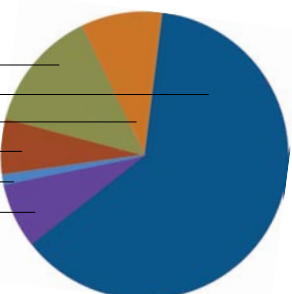
*Indicates sharing with National ACLU of contributions and bequests.

ACLU OF NORTHERN CALIFORNIA

Operating Income and Expenses 2008-09

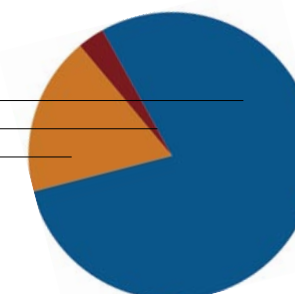
SUPPORT AND REVENUE:

Public Contributions:	\$ 505,220
Membership dues:	\$ 2,063,485
Bequests:	\$ 477,178
Reimbursement for Legis. Ofc:	\$ 197,805
Investment Income and Other:	\$ 32,354
Grant from ACLU Foundation:	\$ 294,900
National ACLU share*	(\$1,618,916)
Transfer to Reserves:	(\$ 375,185)
Total:	\$1,576,841



EXPENSES:

Program Services:	\$1,246,103
Fundraising:	\$ 47,800
Management and General:	\$ 282,938
Total:	\$1,576,841



*Indicates sharing with National ACLU of contributions and dues.

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Above: Staff of the Sacramento
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the ACLU-NC's main office.



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General Counsel
Stephen Bomse

earth, the separate and distinct interests
impel them to the separation. — That among these are Life, Liberty and the pursuit of Happiness.
to, that among these are Life, Liberty and the pursuit of Happiness becomes destruct-
governed, — That whenever any Form of Government becomes destruc-
tion on such principles and organizing its powers in accord-
long established should not be changed for light
right themselves by abolishing the forms to
them under absolute Despotism; it is the
of these Colonies; and has
eated injuries and

D. D. S.

insure domestic Tranquility, provide for the common defence and our Posterity, do ordain and establish this Constitution.

[illegible]

75 Years *We See* *Justice Through*



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