

**ACLU**

ANNUAL REPORT  
2022

Abortion Access  
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Anyone  
Any Reason

STOP.  
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BANS.  
ABORTION ACCESS FOR ALL

you are NOT  
QUALIFIED  
BAN a

# DEFEND INGDEM OCRACY



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**ANNUAL REPORT  
2022**



**MESSAGE  
FROM THE  
PRESIDENT**

Throughout 2022, the ACLU's focus on systemic equality helped guide us towards a world where everyone can achieve their highest potential, unhampered by structural and institutional racism.

The fear of what a racially just world would look like, combined with resurgent forces of white supremacy, has led to a wave of attacks across multiple issues, including efforts to dilute Black voting power in our congressional maps and attempts to teach children skewed versions of American history in our classrooms.

Every step of the way, the ACLU has met these challenges with resolve. We have litigated or considered litigation in 17 states to ensure fair maps, and we have taken Florida, New Hampshire, and Oklahoma to court over legislation that censors students' right to learn. Beyond our continuing legal work, we have also engaged activists nationwide by building our grassroots network. It is our collective action that will fuel real progress.

With you at our side, the ACLU has the tools to achieve a better future—and the fortitude to withstand those who would destroy our democracy rather than see equality flourish. We will never stop working for the country we know we can be.

In solidarity,

Deborah N. Archer  
President



**MESSAGE  
FROM THE  
EXECUTIVE  
DIRECTOR**

This year, we experienced severe threats to our democracy. Assaults on our civil liberties have taken a devastating toll on millions of people, many of whom look to the ACLU as our country's stalwart, our safeguard for more than 100 years. In 2022, the ACLU was there again.

Following the Supreme Court's reversal of *Roe v. Wade*, we filed nine lawsuits to halt state abortion bans, and the ACLU supported the successful Reproductive Freedom for All ballot initiative in Michigan, which will amend the state's constitution to explicitly affirm Michiganders' right to reproductive freedom.

Defending the right to abortion is critical at the ballot box, too, which is why the ACLU has been fighting voter suppression efforts in states like Georgia, Pennsylvania, and Texas. Meanwhile, we launched a campaign, "Vote Your Values, Fight for Your Rights," to ensure that voters had the resources they needed to elect politicians whose record on civil liberties truly represents their values.

This community has vision, an incredible track record, and plenty of grit. We are under no illusion that the days ahead will be easy, but we know that we will overcome, just as we always have—together.

For the people,

Anthony D. Romero  
Executive Director



Our most fundamental rights are under assault, and future progress will be determined by what we do right now. The ACLU is all in.

# MAKING GOOD ON OUR NATION'S PROMISE

Our nation is in a reconstructive moment unlike any other in recent history. The grand democratic experiment is being tested, and it will take resilience to keep our country on course. For more than a century, the ACLU has safeguarded this country's basic liberties against a shifting landscape. This period of transition is filled with challenges, but also with opportunities to make our Constitution's promise real for everyone.

Throughout this year, we faced devastating threats to our democracy, including its most fundamental tradition, the right to vote, and the right to exercise bodily autonomy. The attacks we saw will only multiply if governmental bodies continue to subvert the people's will unchecked.

"Our ability to advance our core issues depends on preserving a tamper-free vote," said ACLU Executive Director Anthony Romero. The right to vote allows us to fulfill and protect all of our other rights. Yet voter suppression and gerrymandering continue to surge across the country. After seeing the record-breaking turnout in the 2020 presidential election, where Americans weathered hourslong polling lines, navigated labyrinthine voter ID laws, and braved a pandemic, some politicians have responded by curtailing access to the ballot even further.

**Our ability to advance our core issues depends on preserving a tamper-free vote.**

**—ANTHONY D. ROMERO**  
ACLU Executive Director

In 2022, the ACLU was vigilant in blocking voter suppression laws, challenging discriminatory gerrymandering plans, and widening access to the ballot in several key states like South Carolina, Ohio, and Maryland. And we have the opportunity to empower the more than 1 million people whose votes had been diluted due to gerrymandering. Across the country, we've been pushing to shore up the protections that remain, expanding others, and fighting to right the wrongs that take away our freedoms.

In the wake of the U.S. Supreme Court's shameful decision in *Dobbs v. Jackson Women's Health Organization*—the decision that overturned *Roe v. Wade*—the ACLU jumped into action with a comprehensive, nimble strategy that we and our allies had been

**SINCE 2016,  
THE ACLU'S STAFF  
HAS GROWN BY**

**68%**



preparing for months. Since the Supreme Court's ruling, we have filed nine lawsuits to halt state abortion bans and already secured injunctions in five of them.

In America's classrooms, we challenged a wave of censorship legislation that threatens the First Amendment by whitewashing our country's history and erasing the legacy of discrimination that Black and Brown people, LGBTQ individuals, and women and girls continue to face.

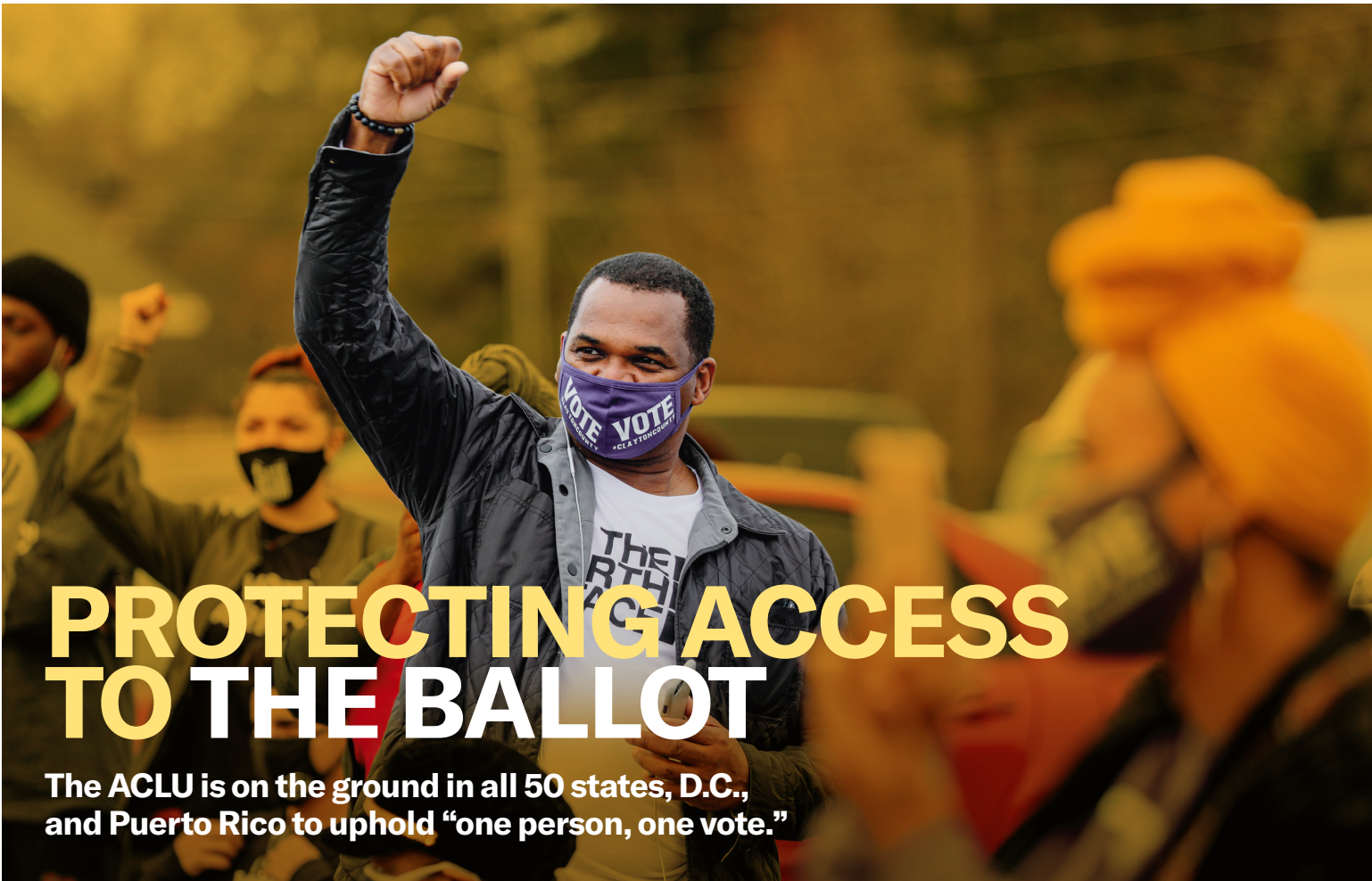
Together, we mobilized inside and outside the courts to help locate and reunite families torn apart at the border—550 families reunited since January 2021.

Voter access in Georgia. Reproductive freedom in Texas. Inclusive education in Idaho. The issues we fight for are all interconnected. To do this work, we must hold true to our unshakeable vision—a vision for a future where everyone has a seat at the table, a world in which everyone is allowed to live with dignity. To do this work, the ACLU community must continue to bring the energy, dedication, and passion that fueled every one of our efforts this year.

With you at our side, we will never stop striving for our collective vision. The future we deserve is always worth the fight. ■



PHOTO BY JOHN RUDOFF/AP



# PROTECTING ACCESS TO THE BALLOT

The ACLU is on the ground in all 50 states, D.C., and Puerto Rico to uphold “one person, one vote.”

The 2020 presidential elections broke records. Nearly 160 million ballots were cast and two-thirds of eligible voters exercised their constitutional right to participate in the democratic process. Now, the 2024 elections are fast approaching, and the right to vote is facing challenges it has never faced before. More than 400 anti-voter bills have been introduced in state legislatures across the country, and many have been successfully enacted.

The right to vote is the cornerstone of our democracy. It has been hard-fought throughout our history to ensure that everyone, regardless of gender, race, and geography, is able to make their voice heard. When the right to vote is denied, the government fails to represent the people it serves.

**THE ACLU RECRUITED,  
TRAINED, AND  
DEPLOYED**

**2,500**

**POLL WORKERS IN  
GEORGIA**

High Black voter turnout is what propelled progressive values to victory in 2020 and, in response, far-right politicians and the Supreme Court have erected more barriers to voting rights that threaten to disenfranchise the most vulnerable of us. Underhanded tactics like voter suppression and racial gerrymandering have imperiled and diluted the true power of our citizens.

Through litigation, advocacy, and the support of our members, the ACLU has been pushing against this assault on voting rights. Thanks to our affiliates in all 50 states, D.C., and Puerto Rico, we were able to deploy legal resources and staffing to the communities that needed it most.

## HERE ARE SOME OF OUR EFFORTS IN KEY STATES:

In **Georgia**, we filed a lawsuit against a set of sweeping voter suppression legislation signed into law by Gov. Brian Kemp. Many have called one particular piece of legislation, Senate Bill 202, reminiscent of Jim Crow in its draconian measures that clearly target the Black electorate. It restricts mail-in voting, introduces new voter ID laws, and even makes it illegal to give food or water to those waiting in hourslong lines to vote. The

## VOTING OUR VALUES, FIGHTING FOR OUR RIGHTS

The ACLU was all in for the **2022 midterms**. The stakes were high: There were 36 seats for governor, 1,100 district attorney offices, and 27 secretary of state offices on the ballot. Elected officials up and down the ballot have a direct impact on key civil liberties and civil rights issues. For example, in many states, the secretary of state is the chief elections officer responsible for the administration of elections and can expand voting

**A Black mother of three from Texas, Crystal Mason** was sentenced to five years in prison for filling out a provisional ballot (that was never counted in the 2016 election) while on supervised release for a federal conviction—despite having no idea the state considered her ineligible to vote. With the ACLU, she is challenging her conviction. “It was to make an example out of me. It was cruel. [They] actually know that I had no intention of doing anything wrong at all,” she said.

15th Amendment guarantees the right to vote shouldn't be “encroached on the basis of race, color, or previous condition of servitude.” Yet this right has been withheld from Black Americans in Georgia and people of color throughout this country since its founding. With our partners, we challenged multiple provisions in these laws as violations of the Voting Rights Act and the First, 14th, and 15th Amendments, and we eagerly await a ruling.

As a result of ACLU litigation, two **Montana** laws that would have undermined access to the ballot for Native Americans in the state were struck down by the court. The first aimed to end same-day registration, even though this is a provision that tribal nations have relied upon to vote since it was implemented in 2006. The second law tried to block the use of paid services to collect ballots. This would have disproportionately impacted those on rural reservations where residential mail delivery is limited and locals rely on ballot collectors to participate in elections.

In **Texas**, the ACLU and our allies challenged a broad anti-voter bill that disproportionately impacts non-English speakers, those with disabilities, and those →

access through various policies. That's why the ACLU launched our “Vote Your Values, Fight for Your Rights” campaign, ensuring our supporters had the information to vote for leaders who truly represent their values and the tools to encourage their friends and family to do the same. Politicians weren't the only ones on the ballot this year—people also voted directly on policy issues through ballot measures. The ACLU supported Michigan's successful Reproductive Freedom for All ballot measure, which will amend the state's constitution to affirm that every Michigan resident has the fundamental right to reproductive freedom.



who must vote by mail. The bill seeks to restrict voting by mail and having any type of assistance in filling out a ballot.

In October, a federal judge dropped voter fraud charges against Hervis Rogers, a Houston man who was arrested in July 2021 on charges of voting while on parole during the March 2020 presidential primary. The ACLU represented Rogers, who was unaware of his ineligibility to vote and waited six hours in line to vote while working two jobs. Rogers is over 60, so a conviction would have unjustly resulted in a life sentence for him.

We triumphed in a federal court ruling in **Wisconsin** that requires the state to temporarily provide free IDs to those who need them in order to satisfy strict voter identification requirements. The ruling also found the state needed to provide better, more widespread education on how to obtain proper identification for voting.

## FIGHTING FOR FAIR MAPS

One of the biggest barriers to the vote is unfair redistricting. That's why the ACLU has challenged the implementation of insidious redistricting plans in multiple states that would have effectively disenfranchised the electorate in those communities and diminished the impact of their vote.

**Alabama** is an ongoing battleground where the U.S. Supreme Court is poised to deal a devastating blow to the Voting Rights Act by allowing the state's congressional map to effectively disenfranchise the Black voters that make up more than a quarter of the electorate. In a pair of federal lawsuits, the ACLU challenged state legislative and congressional maps that weaken Black representation in Alabama.

The stakes are high in Alabama and across the country, but we're continuing to block racist maps in places like Maryland, Ohio, and South Carolina.

In **Maryland**, we stopped a new district map that would have strategically weakened the power of Black voters in the state. In Baltimore County, officials packed most of the county's Black voters into a single majority-Black district despite voters of color making up nearly half the electorate. This would have suppressed the rights of communities of color and given the six majority-white districts a greater advantage.

A double victory came out of **Ohio** when we won two lawsuits challenging racially biased gerrymandering for two upcoming races: a congressional district map for this November and another one for state Senate and House maps in September.

Finally, in **South Carolina**, two victories from separate ACLU lawsuits restored the power of the ballot for Black voters in the state. Our litigation provoked the state legislature to reconvene and draw new House and Senate maps, and we also successfully pressured the state to redraw state House district lines in five historically Black counties.

As the 1966 Supreme Court found in the historic case *Harper v. Virginia Board of Elections*, the right to vote is "preservative of all other rights," meaning the right to vote is what keeps all of our political systems intact. In order for democracy to work, participation is critical. But for people to participate, they need to be protected. With the support of the ACLU community, we will continue fighting in the courts and on the ground until every election is free and fair. Our democracy will be hanging in the balance in 2024. ■



PHOTO BY CALEB ADAMS/ACLU

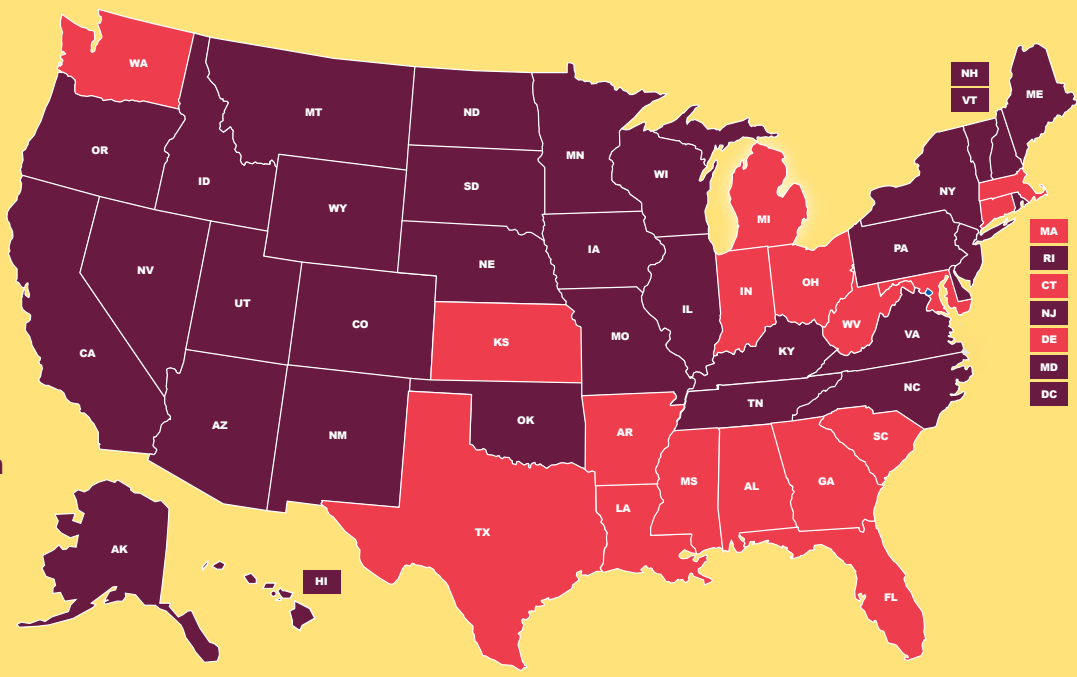




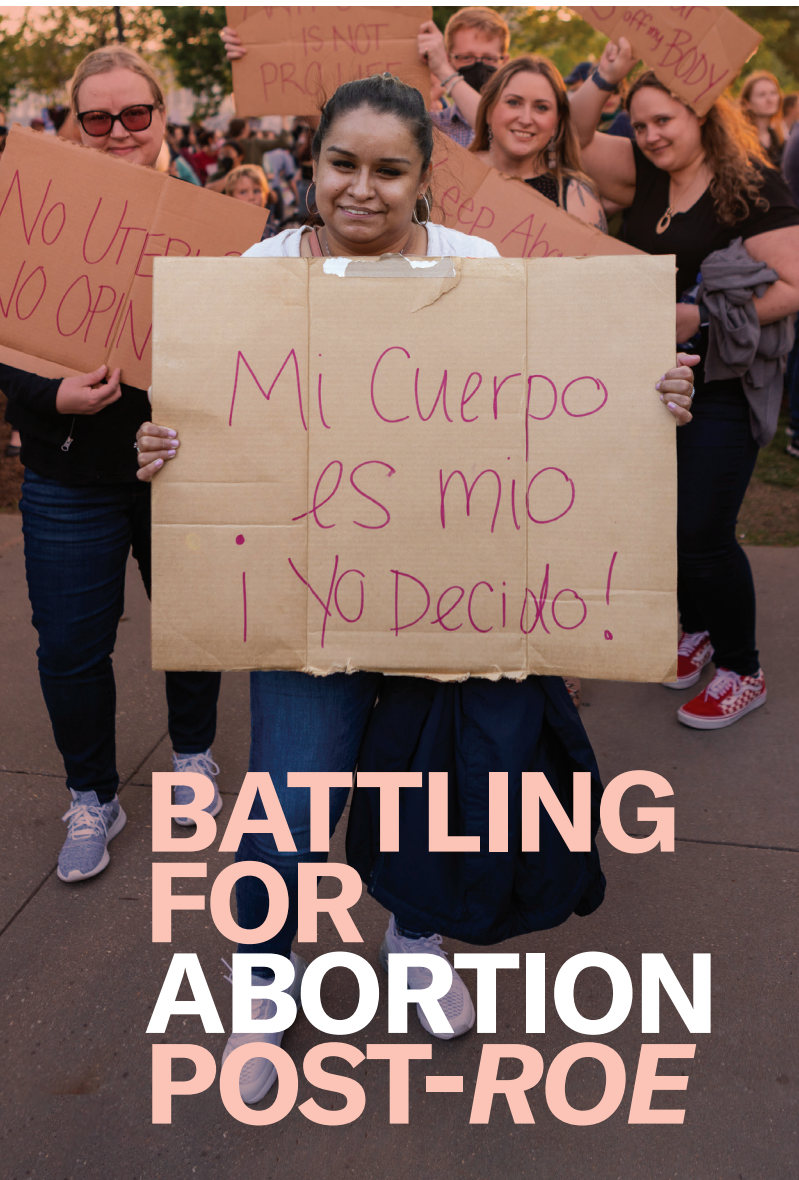
PHOTO BY RICHARD DUCREE

## DEFENDING DEMOCRACY: REDISTRICTING

With the support of our data analytics team, and in collaboration with our affiliates, the ACLU has begun litigating in states where racial or political gerrymandering is present in newly drawn maps. We are litigating or considering litigation in 17 states.



● States in which we are litigating or considering action



# BATTLING FOR ABORTION POST-ROE

PHOTO BY ALLISON SHELLEY/ACLU

**A devastating decision from the Supreme Court put the reproductive rights and health of millions into crisis mode. The ACLU is deploying an aggressive strategy to protect abortion rights.**

THE ACLU HAS FILED

**9** lawsuits

TO HALT ABORTION BANS SINCE ROE WAS OVERTURNED

In June, millions of people across the United States lost the right to decide their futures and control their bodies. Something that had been long-feared finally came to pass. Through a 6–3 decision in *Dobbs v. Jackson Women’s Health Organization*, the U.S. Supreme Court overturned *Roe v. Wade* and revoked the constitutional right to abortion. This upended nearly 50 years of precedent, going against the will of the American people.

The consequences have been swift and catastrophic. A 10-year-old girl in Ohio was forced to cross state lines to access abortion care after a sexual assault. A woman in Louisiana learned she would need to carry her unviable 13-week fetus to term unless she traveled to another state. The stories are gut-wrenching, and it’s the most vulnerable among us who suffer most greatly: Black and Indigenous women, undocumented people, young people, and those of low income.

In the harrowing months since *Dobbs*, we’ve charged ahead in the most besieged states, teaming up with Planned Parenthood and the Center for Reproductive Rights to divide and conquer. We have deployed litigation teams against anti-abortion laws in the following nine states and, as of this writing, already secured injunctions to stop bans in five of them:

- **Arizona:** The ACLU filed an emergency motion and successfully blocked the state’s personhood law for months; however, a judge let the state’s pre-*Roe* ban go into effect in September.
- **Georgia:** We challenged the state’s six-week abortion ban.
- **Indiana:** We secured an injunction blocking the state’s near-total abortion ban.
- **Kentucky:** We secured an injunction blocking the state’s abortion ban from enforcement for a month, but an appeals court allowed the ban to go back into effect.
- **Michigan:** We celebrated a victory when a judge permanently blocked the state’s 1931 abortion ban. The ACLU also supported Michigan’s successful Reproductive Freedom for All ballot measure, which will amend the state’s constitution to affirm that every Michigan resident has the fundamental right to reproductive freedom.
- **Ohio:** We secured an injunction blocking Ohio’s six-week abortion ban.
- **Texas:** We won a restraining order that temporarily blocked a trigger ban from going into effect, but the ban was later reinstated.

- **Utah:** We secured an injunction that prevented the enforcement of a trigger ban.
- **West Virginia:** We secured an injunction to block enforcement of the state’s abortion ban, but then the state passed a new ban during a special legislative session.

We started the search for a director of our newly created Abortion Criminal Defense Initiative too: a first-of-its-kind program to confront the criminalization of abortion care in the aftermath of the reversal of *Roe*. ACLU litigation has also led to the Food and Drug Administration ending its requirement that the abortion drug mifepristone be dispensed in person. This permanent change will allow hundreds of thousands of people in the United States to access the drug by mail.

But we’re not stopping at work in the courts. Our multi-pronged approach to achieving reproductive freedom also leverages grassroots advocacy, electoral work, and the full-scale mobilization of our 6 million members and supporters. We’re also advising abortion providers and kickstarting public education campaigns so that people understand their rights in a post-*Roe* world.

The ACLU is defending those impacted by the immediate harm of the *Dobbs* ruling, but we’re also playing a long game. Our goal is to enshrine the right to reproductive care beyond the scope of a single court case. We’re

empowering the public with the information they need to vote their values and throw their weight behind politicians that will listen to the people. This moment is a wake-up call to the mounting threats to freedom in our country. And the ACLU community has proven time and time again that we’re ready to answer that call. ■



## THE ACLU ABORTION ACTIVIST SERIES

In the immediate aftermath of the Supreme Court’s overturning of *Roe*, the ACLU launched our Abortion Activist Series—virtual trainings designed to provide activists with concrete steps to fight for abortion, such as how to secure their digital privacy and effectively advocate against new bans. More than 20,000 activists from every state joined the fight by tuning in live, viewing recordings, and taking action. Since July, the ACLU:

- **Added** 12,698 new members to our People Power volunteer network.
- **Organized** more than 800 text volunteers to have conversations with voters in states like Nebraska—where the state legislature was considering a special session to pass legislation restricting abortion access—and patch them through to their state representatives so they could urge them to prevent a special session. Ultimately, the Nebraska state

**One misconception about people who get abortions is that we’re not responsible. They couldn’t be more wrong. I was being responsible in getting my abortion because I knew I could not afford it and wanted to be a good parent for the child I already had. People might also say we’re not thinking about the future, that we don’t know what we want right now. But only you know what you truly want, and nobody else can tell you that.”**

—ANGEL KAI, We Testify storyteller  
Photo by Juan de Dios Figueroa

legislature did not have the support needed to reconvene.

- **Recruited** 580 volunteers to join our “Vote Your Values Volunteer Team” and engage in direct voter contact work, ensuring that voters in priority cities and states had the information they needed to vote their values on abortion rights and other critical issues.



PHOTO BY MOLLY KAPLAN/ACLU

# FIGHTING FOR FREE SPEECH

From teachers and students to protesters and journalists, we're fighting to protect the First Amendment for everyone in this country.

When students step into the classroom, they expect to learn about themselves and the society around them—that includes being educated about the ways race and gender have shaped our country's past and present.

But in a coordinated attack on free speech, states across the country are passing censorship bills that ban conversations about race and gender in public schools. These bills chill students' and educators' First Amendment right to learn and talk about the issues that impact their everyday lives. They further marginalize communities, create an unsafe learning environment, and rob students of their right to receive an inclusive education—free from censorship or discrimination.

More than a dozen states have blocked inclusive education through legislation or other means, and many more bills are being considered. In states like Florida, New Hampshire, and Oklahoma, the ACLU has filed lawsuits against state legislation that bans teachers in public schools from discussing concepts such as “intersectionality” or “systemic racism.”

The backlash against inclusive education is just one of innumerable attacks on free speech that have been gaining steam across the country. In defense of the First Amendment, we are also working relentlessly to protect the right to protest and the right to a free press.

## PROTECTING PROTESTERS

In **D.C.**, we secured a settlement with the Justice Department in response to four lawsuits that the ACLU and other civil rights groups filed after unprovoked federal troops fired tear gas to disperse demonstrators outside the White House, after which former President Trump posed for a photo holding a bible in front of St. John's Episcopal Church. Even as we continue to fight for damages for the protesters and to hold those responsible accountable, we obtained policy changes that protect protesters in our nation's capital from the use of such unnecessary force from federal officials.

In addition, the ACLU secured a preliminary injunction in **Florida** for a law that would have redefined the meaning of the word “riot” and punished protesters with harsh penalties. If arrested under the law, people could be charged with a second-degree felony with up to 15 years in prison. To be clear, violence and property damage at protests is already illegal. New acts like this aim to chill free speech and criminalize peaceful protest. The state appealed the injunction. No ruling has been issued.

## DEFENDING THE PRESS

To protect journalists, we filed a class-action suit in **Minnesota** that would prohibit the state patrol from attacking or arresting reporters. A free press is needed

## TURNING THE PAGE ON BOOK BANS

Books bans may feel like a relic of a less enlightened past, but this practice has re-emerged with a vengeance. Last year, the American Library Association reported more than 700 challenges to various books in school libraries, with primarily authors of color and LGBTQ authors facing bans. *The Bluest Eye* by Toni Morrison, *Lawn Boy* by Jonathan Evison, *Heather Has Two Mommies* by Lesléa Newman, and *All Boys Aren't Blue* by George M. Johnson have all been targeted for exclusion in K-12 schools.

Earlier this year, the ACLU filed a lawsuit on behalf of students, parents, and local NAACP chapters challenging the Wentzville R-IV School District's decision to remove some of the aforementioned books, as well as others discussing race and gender, from its libraries. Students have a First Amendment right to access information in their school libraries. That includes the ability of Black, LGBTQ, and immigrant students to read books reflecting their own experiences and the rights of all students to have access to viewpoints different from their own.

to hold public officials accountable. Members of the media shouldn't be intimidated from witnessing and relaying what they see. But when journalists were covering the public response to the police killings of George Floyd and Daunte Wright in June 2022, Minnesota State Patrol used deliberate and unlawful force—firing hard projectiles and tear gas. Our suit not only secured a permanent injunction against the arrest of journalists by the state patrol, but we also won a settlement of \$825,000 for journalists who were brutalized and injured while doing their jobs.

In **Oregon**, the ACLU pursued a similar course, filing several lawsuits on behalf of journalists and protesters who were injured or detained by Portland law enforcement while documenting anti-police brutality protests. They were attacked with batons, pepper spray, and flash bangs with one legal observer from the ACLU of Oregon being hit by shrapnel from a rubber bullet that police shot at her despite wearing a clearly marked “legal observer” vest. These cases are still ongoing, but in a separate ACLU victory, a court ruled that the Portland police live-streaming protesters' personal information violated state law.

Central to the ACLU's tenets is ensuring the First Amendment's guarantees apply to all, not just to those with whom we agree. We've held steady to this core belief, which led to our recent rebuke of the FBI for

When **Anthony Crawford** was in junior high school, he was kicked out of his AP History class one February after he asked the teacher when they would learn about Black History Month. Two decades later, he proudly educates ninth graders at a high school in Oklahoma City about the very issues his teachers failed to teach him. In addition to being a passionate educator, Crawford is also a plaintiff in a landmark ACLU lawsuit challenging a classroom censorship bill passed in Oklahoma.

Photo by AJ Steagall/ACLU



methods it used to investigate conservative media organization Project Veritas, including allegations of secretly accessing the group's emails.

“In our view, the First Amendment protects everyone, whether you are on the left, the right, or somewhere in between,” said ACLU Legal Director David Cole. “For a century, the ACLU has not only defended that right on behalf of others, but has exercised the right in all that we do.” ■

# ADVANCING TRANSGENDER JUSTICE

The ACLU is combating the latest wave of harmful legislation seeking to restrict or ban gender-affirming health care for trans youth and adults.



PHOTO BY SYDNEY RASCH/ACLU

“In future cases, we should reconsider all of this Court’s substantive due process precedents, including *Griswold*, *Lawrence*, and *Obergefell* . . . we have a duty to ‘correct the error’ established in those precedents.”

Those chilling words of Justice Clarence Thomas in the wake of the *Roe v. Wade* overturn ignited fears that the clock will roll back on federally protected rights for LGBTQ people as well, including marriage equality and workplace protections.

But the opinion from Justice Thomas was only the latest salvo in the war against the LGBTQ community that has already been raging, with anti-LGBTQ extremists taking aim at the most vulnerable of the community: transgender youth.

They’re working at a dizzying pace. More than 300 anti-trans and anti-LGBTQ bills have been proposed in state legislatures just this year, and more than 20 new anti-trans bills have become law over the past three years.

A key battleground is **Texas**, where Gov. Greg Abbott issued a directive that the Texas Department of Family and Protective Services consider the provision of gender-affirming care to trans youth to be a form of child abuse. Without warning, the state began investigating families who were following their doctor’s orders for their children, showing up at families’ homes for aggressive questioning or pulling these children out of their

classrooms in front of their teachers and peers. To block this unconscionable attack, the ACLU worked around the clock for months with the ACLU of Texas, Lambda Legal, and local organizers. Through legal actions, we have secured temporary injunctions on behalf of our clients, which includes members of PFLAG, a national LGBTQ organization with 17 chapters in Texas.

Abbott’s directive is wildly unpopular, with a Texas district judge calling it “beyond the scope of his authority and unconstitutional” and child welfare investigators in Texas resigning, stating they cannot “morally continue” in their roles. The Texas law flies in the face of overwhelming medical opinion about the positive impact gender-affirming health care has on young people’s mental health and overall well-being. It ignores that gender-affirming health care is often life-saving care, and that many young people who are not trans access this same gender-affirming health care without restriction.

But this is far from the only attack on trans youth and adults.

In states across the country, the ACLU has been pushing back against laws and policies that discriminate against trans people:

We went to trial in **Arkansas** to defend our lower court win blocking the state’s ban on gender-affirming care for trans youth. We’re fighting to ensure that the law, which

passed last year, never goes into effect. We favorably settled our lawsuit with the **Georgia** Department of Community Health over its categorical exclusion of coverage for gender-affirming surgery in the state of Georgia's Medicaid program.

In **Iowa**, our client Jesse Vroegh worked for the Iowa Department of Corrections, which denied him gender-affirming health care and access to the men's restroom because he is trans. The Iowa Supreme Court affirmed a jury verdict that found the state discriminated against him based on his gender identity.

Two trans individuals in **Montana** challenged a state law making it more difficult to update the gender marker on a Montana birth certificate and requiring surgery as a prerequisite. A state trial court issued a preliminary injunction, barring the state from enforcing the new law, as well as barring the state's ensuing attempts to introduce a new state rule prohibiting almost all changes to the sex listed on a Montana birth certificate.

And we successfully challenged a **Tennessee** law that tried to force businesses to post discriminatory language if they allow trans customers to use their restrooms.

It's no mistake that extremist lawmakers are zeroing in on trans people. These attacks are the backlash to the hard-fought wins that the LGBTQ community has achieved. The ACLU will never stop defending the rights of LGBTQ people to be fully themselves. ■

## TRANS PEOPLE BELONG

**To secure full equality for trans people, both in the court of law and in the court of public opinion, the ACLU is balancing a mix of defensive and affirmative work to:**

- **Protect** access to gender-affirming health care.
- **Battle** discrimination against trans people in athletics in states including Idaho, Tennessee, and West Virginia.
- **Continue** to challenge "bathroom bans" that block trans people from using restrooms that align with their gender identity, such as our lawsuit to block a bathroom ban in Oklahoma schools.
- **Defeat** laws that would make it harder for trans people to get accurate state IDs, including our successful challenge in West Virginia to a state policy requiring that people get state court orders to update birth certificate gender markers, despite the fact that state courts are not authorized to issue such orders.
- **Continue** our public education efforts to change hearts and minds by elevating the positive stories of trans youth and adults through multiple platforms.
- **Build** off and expand *Bostock v. Clayton County*, which held that gay and transgender employees should be protected from discrimination, to apply protections to Title IX or the Affordable Care Act.

At his high school outside Nashville, **Henry Seaton** was refused access to bathrooms that corresponded with his gender identity. He got involved in efforts to protect trans students and, after graduating, spent a year as an LGBTQ organizer at the ACLU of Tennessee. Four years later, with a degree from the University of Denver, he's returned to the affiliate to serve as their first-ever trans justice advocate. "I'm trying to change the narrative of transness in Tennessee from a negative one to a positive one," he said. Photo by Houston Cofield/ACLU

# ROOTING OUT GENDER-BASED DISCRIMINATION

**Women, particularly women of color, continue to face policies that make it harder for them to live, work, and thrive. The ACLU is holding the line on our gender justice work.**

When our Women’s Rights Project was co-founded by late Supreme Court Justice Ruth Bader Ginsberg in 1972, women lived in a radically different America. They couldn’t get credit cards without a husband. They didn’t have legal protection against getting fired for pregnancy. And they couldn’t sue an employer for sexual harassment. In landmark cases like *UAW v. Johnson Controls* and *Reed v. Reed*, the ACLU Women’s Rights Project was at the forefront of litigating for women’s equal footing in society.

Women’s rights are linked to the broader fight for gender, reproductive, and racial justice and play an integral part in achieving equality for all. We’ve remained at the forefront of this work to ensure policies serve everyone.

## **WE ACHIEVED MAJOR WINS THIS YEAR:**

- President Biden signed the newest reauthorization of the Violence Against Women Act in the spring, and the ACLU contributed significantly to the drafting of this document.
- We settled *Hodgkins v. Frontier Airlines*, defending the rights of women flight attendants who claimed discrimination from their employer for being pregnant or lactating.
- In our lawsuit against McDonald’s, the ACLU secured a \$1.5 million settlement on behalf of women workers in Michigan who experienced sexual harassment.
- We successfully challenged unfair dress codes at a North Carolina public school. In *Peltier v. Charter Day School*, we argued that requiring girls to wear skirts and prohibiting them from wearing shorts or pants was gender discrimination.



Maribel Hoyos is a client in one of the 25 harassment complaints the ACLU and partners have filed against McDonald’s. Photo by Kholood Eid

Gender-based discrimination impacts women of color most, which is why the ACLU litigates for policies that address the unequal burden that they and their families suffer, including housing injustice around the country. We’re collaborating with the Department of Housing and Urban Development to restore a 2013 regulation to end housing discrimination, and we have also banded with the NAACP to sue South Carolina for tech-streamlined access to public eviction data so that they can better assist those impacted by the housing crisis—disproportionately women and people of color.

We’re working to create a future where all people—cisgender, transgender, non-binary—have the same chances to flourish. “Gender justice is about ensuring that everyone has an opportunity to structure their lives and thrive,” said Ria Tabacco Mar, director of the ACLU Women’s Rights Project, “regardless of gender and unlimited by gender stereotypes.” ■



# KEEPING IMMIGRANT FAMILIES TOGETHER

The ACLU is keeping up the pressure to dismantle dangerous policies that keep immigrant families apart and urging the Biden administration to rebuild a battered asylum system.



President Biden inherited an immigration system in tatters when his administration took office. The treatment of immigrants in the United States was already unjust, but four years of the Trump administration greatly widened the cracks in our asylum system.

Early wins such as ending the Muslim ban had immigrant advocates hopeful Biden would reverse all the harmful policies introduced under his predecessor, but that hope has dimmed as many of the discriminatory policies from the past years remain in effect. That's why the ACLU has continued to hold this administration's feet to the fire with litigation and advocacy work.

We've continued to lead efforts to reunite separated families. The ACLU and our partners are working with the Department of Homeland Security (DHS) to identify separated family members and facilitate reunions. To date, over 90 percent of parents originally found to have been deported without their kids have been located. The federal government is deploying a formal process for family reunification in the United States and, so far, approximately 550 families have been reunited through this process.

In March, DHS Secretary Alejandro Mayorkas rescinded the Trump administration's fast-tracked deportation process,

**SINCE JANUARY 2021,  
THE ACLU HAS HELPED  
REUNITE MORE THAN**

**550  
families**

**SEPARATED AT  
THE BORDER**

which aimed to expand deportations to undocumented immigrants in any part of the United States, not just those at the border. These expedited deportations would have violated immigrants' right to due process. The ACLU challenged the expansion and, as a result of our efforts, it never took effect.

We successfully continued our fight to end Title 42, or "CDC ban," which effectively stripped asylum seekers of their due process rights under the guise of promoting public health. In a huge victory, a federal court struck down Title 42 in November. The ACLU and our partners first sued the Trump administration over Title 42 in 2020 and returned to court in 2021 after reaching an impasse with the Biden administration over the policy's termination. Previously, we prevented the government from applying Title 42 to expel immigrant families who would face persecution or torture in their home countries—and earlier helped ensure the Biden administration did not apply Title 42 to unaccompanied youth.

To further protect immigrants' rights, the ACLU was friend of the court in the Supreme Court win against "Remain in Mexico," a policy that trapped U.S. asylum-seekers in Mexico in dangerous conditions as they waited for court dates. We continue to monitor the Biden administration to ensure that it ends the program fully and responsibly.

As the immigration landscape continues to change and grow more complex, the ACLU will keep protecting immigrants' rights and advocating for those seeking a safer future for themselves and their families in the United States. ■

# REFORMING THE CRIMINAL LEGAL SYSTEM

The ACLU is pushing for the fair treatment of those who are incarcerated and litigating to end the bail policies that have ruined countless lives.



Celia Banos shows a photo of her son, Jhean, who, despite having schizophrenia, was detained at the LA County Jail booking facility and handcuffed to a bench for nearly 100 hours straight. The ACLU sought an emergency court order to stop the booking facility from holding people in horrific, inhumane conditions. Photo by Tara Pixley

The United States incarcerates its own people more than any other country. It holds 25 percent of the world's incarcerated people—despite only holding 5 percent of the world's population. Prisons and jails are overflowing with nonviolent offenders, people with addiction, the elderly, and those who cannot afford bail.

An unjust system that is deeply rooted in white supremacy, America's criminal legal system disproportionately targets Black and Brown communities, over-policing them, over-surveilling them, and over-incarcerating them. Prison reform is one of the most salient human rights pursuits of our time, and the ACLU has remained at the forefront of this fight, deploying strategic litigation and fierce advocacy to fight for the fair treatment of those who are incarcerated in every state.

The ACLU won a major victory in **Arizona** with *Jensen v. Shinn*, in which a district judge found that the state's department of corrections violated the rights of the incarcerated by subjecting them to inhumane conditions. The prison used solitary confinement on those with mental illnesses and on children, and the evidence revealed that those incarcerated at the prison suffered preventable injuries and deaths. The judge described the medical and mental health care system in the prison as "plainly grossly inadequate" and will order remedial action as appropriate.

In **Tennessee**, a judge approved an agreement between the ACLU and the Shelby County sheriff to change jail conditions in order to better protect detained people from COVID-19. The jail agreed to monitor and report COVID-19 cases, improve indoor ventilation, and provide personal protection equipment for those detained. This is in addition to expediting compassionate release from jail to those who are most medically vulnerable to serious injury or death from COVID-19.

AT THE HEIGHT  
OF COVID-19,  
THE ACLU FILED

77 legal  
actions

TO REDUCE PRISON  
AND JAIL POPULATIONS

In a similar case in **Florida**, our litigation resulted in the court issuing an order to reform jail conditions that saw a lack of compliance with COVID-19 testing and prevention. This settlement also seeks to increase access to COVID-19 vaccines in the county jail and widen education on the benefits of vaccination.

The ACLU and our affiliate in **Kansas** settled a court case that alleged Montgomery County prosecutors were withholding "diversion" options from people arrested for a crime. Diversion is a time-tested policy where defendants with a good record sign an agreement to

stay away from legal trouble for a certain period of time or enter counseling in exchange for a dismissal of the charges. It's a preferred alternative to harsh and disproportionate sentences that upend people's lives, rip them away from their families, and disrupt their jobs. In addition to being better for the defendant, it's also better for the local government, as it saves taxpayer money and reduces prison populations. But prosecutors in Kansas would illegally disregard this common-sense option, not informing defendants about it. Instead, they would choose to maximize sentences, sometimes for misdemeanor crimes. This suit aims to hold Kansas prosecutors accountable.

After three years of persistence, in **Michigan**, the ACLU settled a lawsuit on behalf of seven Black Detroiters to reform the city of Detroit's bail system. In a historic move, a district court in Detroit moved to greatly reduce the use of cash bail. Under the new system, people would not be detained unless a judge decided they were a danger to others or a flight risk. Cash bail is simply punishment for being poor, as the ability to pay bail determines one's freedom. It also disproportionately impacted Black residents in Detroit, a city in which nearly 75 percent of those incarcerated are Black. Under the settlement, Detroiters won't be jailed for an inability to pay bail, and it creates a model for how courts around the country can reform their own bail systems. ■

## A GROUNDBREAKING WIN FOR BAIL REFORM

Shelby County, Tennessee, is creating a new bail process that will make the county's system one of the fairest in the nation. The new system includes creation of a new bail hearing courtroom, individualized bail hearings with counsel no later than three days after a person's arrest, examination of a person's financial circumstances prior to any decision, court reminders, and imposition of secured money bail only as a last resort. The system also allows judges to continue to make individualized decisions in every case before them, after hearing from both the government and the accused person's defense counsel.

The reforms were pursued after the ACLU and our partners issued a letter and initiated negotiations with numerous Shelby County judicial and government officials demanding the county stop bail practices that violate the constitutional and statutory rights of people arrested there. "With these changes, Shelby County has the opportunity to be a national leader for pretrial justice," said **Andrea Woods, staff attorney with the ACLU Criminal Law Reform Project**. "These much-needed improvements are a testament to the power of local officials, advocates and community members working together to solve a problem."



For more than two decades, **Cristina Iglesias** has been denied medically necessary care because she is transgender. With the ACLU, she filed a lawsuit against the Bureau of Prisons and, in May, reached a landmark settlement, under which she will be the first person to receive gender-affirming surgery while in federal custody. "I am fighting to make sure that transgender people in prison get the care we urgently need, just as other trans people have done before me," she said.

Photo by Daniel Oliveras/ACLU



# EMPOWERED BY YOUR SUPPORT

PHOTO BY JAMES MATTHEW DANIEL/ACLU



**Whether it's furthering equality in the South, reforming our criminal legal system, or reuniting families torn apart by cruel government policies, the ACLU is working for communities in courts, legislatures, and streets across the country.**

**Our donors and supporters fuel this fight to protect and advance the rights of our country's most marginalized groups so that "We the People" truly means all of us.**

**THANK YOU.**

# CHANGE THE SOUTH, CHANGE THE NATION



PHOTO BY MIKE LEDFORD/COLLEGE OF CHARLESTON

## Linda Ketner has been breaking barriers for decades. She brings her fighting spirit to the ACLU's battle for democracy.

Linda Ketner is happy to talk about her longtime support of the ACLU, but don't call her a philanthropist. She prefers to be called a donor-activist—with an emphasis on the activism.

Linda's awakening to activism started early, when her beloved maternal grandmother provided a guiding philosophy that has stuck with her: "When you see something wrong going on, just figure out what needs doing and get at it.' I'll put those words on my tombstone," she says with a laugh.

In Linda's nearly 40 years as a resident of South Carolina, she has been a leading advocate on LGBTQ rights, housing security, and racial justice, among other issues. In 1998, she co-founded and served as president of the Alliance for Full Acceptance, a nonprofit dedicated to advocacy for and education about LGBTQ people. In 2008, she became the first openly gay candidate for the House of Representatives in South Carolina when she ran as a Democrat in the state's 1st Congressional District. She almost won with more than 48 percent of the vote, narrowly losing to a four-term incumbent in a district that had been Republican for the previous 34 years.

Recalling that run gets her talking about gerrymandering, as well as a recent slew of state bills attacking reproductive freedom, LGBTQ rights, and racial justice. "Democracy is on fire," she says bluntly. "The ACLU is central to maintaining the Constitutional rights we have—I mean that quite literally. I'm doubling my investment this year because I think this election may determine whether we remain a constitutional democracy. The ACLU is the dream team, for me and for anyone who takes the American Constitution seriously."

**The ACLU is the dream team, for me and for anyone who takes the American Constitution seriously.**

**—LINDA KETNER**  
ACLU Supporter

Ketner cares deeply about the ACLU's Southern Collective, a \$25 million organizational investment in 12 ACLU affiliates on the front lines of civil liberties battles. She views these Southern states, including South Carolina, as essential to holding the line. "Change the South and you change the nation," she says, echoing a rallying cry of the Civil Rights era.

With her partner of 22 years, Beth, and their beloved English retriever-poodle mixes Louie and Rosie, Linda maintains her fighting spirit. In September, she welcomed the ACLU of South Carolina's new leader, Jace Woodrum, the ACLU's first transgender executive director in the nation. Jace and his staff "are everything I want in the ACLU," Linda says. ■



# REASON FOR HOPE

**Margie Tuckson grew up learning skewed history in Alabama. She won't let it happen to today's students.**

Looking at present-day efforts by states to suppress discussions about America's racist history, Margie Tuckson is reminded of *Know Alabama*, an elementary school textbook she was required to learn from as a student in 1960s Mobile, Alabama. The textbook, in use until the 1970s, provided a skewed history of Alabama that depicted slaves as happy and carefree and celebrated KKK members as heroes.

In an echo of that not so far-gone state propaganda, this year Margie's adopted home state of Georgia enacted a law to limit discussions of "divisive topics" such as race and gender identity in K-12 classrooms. Since 2021, 10 states have passed classroom censorship laws, and in 2022, 26 new states introduced similar bills.

Paradoxically, the growing debate around students' right to learn free from censorship and discrimination gives Margie reason for hope, not despair. "We've been here before," says the daughter of civil rights activists, whose sister was one of two Black students to integrate the University of Alabama. "But if we have enough of an educated mass prepared to fight, we're going to come out of this again. We're not a perfect nation, never have been. It's an evolution."

The ACLU is another reason she's not giving up hope. When it comes to the right to learn, reproductive rights, and voting rights—all of which are under attack—"the ACLU is the point guard. It's the work the ACLU does in front of and behind the scenes that helps America live up to what it is supposed to be."

Today, as a corporate executive and health care entrepreneur with three adult children and two grandchildren, Margie also finds hope in the next generation. "If you really believe in the work, you should see it continues long after you're gone," she says of counseling friends. As the decisionmaker on her family's charitable giving, the ACLU is at the top of her list.

"When you have organizations like the ACLU out there with the legal voices, the support structure, they can extend your value, extend the work, create change on a larger scale," she says. "By dedicating a line item in your will, you're saying, 'I want that work to continue.' Because the struggle is never over." ■

**If you really believe in the work,  
you should see it continues  
long after you're gone.**

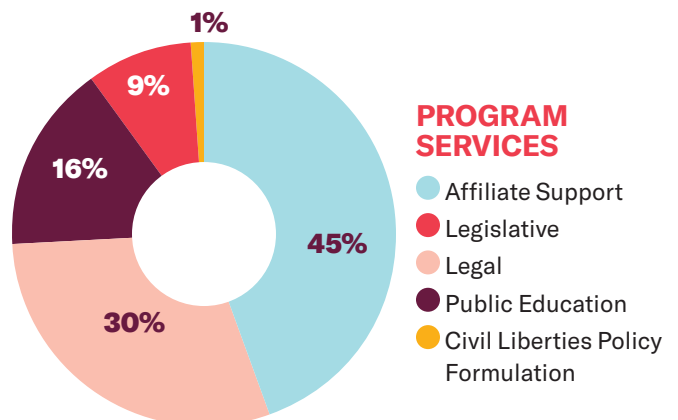
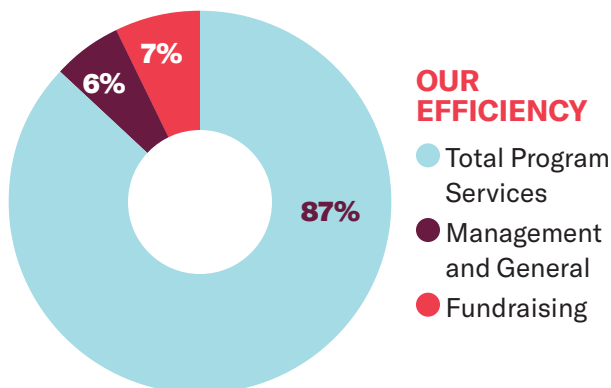
**—MARGIE TUCKSON**  
ACLU Supporter

# FINANCIAL SUMMARY

The ACLU is composed of two organizations: the American Civil Liberties Union (the 501(c)(4) arm), whose focus is legislative work at the federal and state levels, and the ACLU Foundation (the 501(c)(3) arm), whose focus is litigation and public education. Following is the financial summary for the American Civil Liberties Union, the ACLU Foundation, and consolidated entities (page 22), as well as the ACLU Foundation and subsidiary (page 23), for the years ending March 31, 2022, and March 31, 2021. The accounts and activities of ACLU affiliates are not included in these financial statements.

## AMERICAN CIVIL LIBERTIES UNION, ACLU FOUNDATION & CONSOLIDATED ENTITIES

	FY2022	FY2021
<b>Support &amp; Revenue</b>		
Grants & Contributions	\$336,763,925	\$360,554,164
Donated Legal Services	25,253,603	23,748,513
Bequests	35,615,712	34,757,327
Other Revenue	4,169,619	2,804,415
<b>TOTAL SUPPORT &amp; REVENUE</b>	<b>401,802,859</b>	<b>421,864,419</b>
<b>Expenses</b>		
Program Services:		
Legislative	26,945,082	32,287,881
Legal	94,420,621	106,572,587
Public Education	48,827,173	42,872,015
Civil Liberties Policy Formulation	2,215,579	2,106,276
Affiliate Support	139,376,863	125,757,470
<b>Total Program Services</b>	<b>311,785,318</b>	<b>309,596,229</b>
Supporting Services:		
Management & General	19,817,046	19,304,924
Fundraising	26,426,854	23,227,125
<b>Total Supporting Services</b>	<b>46,243,900</b>	<b>42,532,049</b>
<b>TOTAL EXPENSES</b>	<b>358,029,218</b>	<b>352,128,278</b>
Change in Net Assets Before Other Changes	43,773,641	69,736,141
<b>Other Changes in Net Assets</b>		
Net Legal Expenses Awarded	2,459,308	3,046,610
Net Investment Income, Gains & Losses	22,212,180	152,387,431
Changes in Value of Split-Interest Agreements	(212,381)	1,564,290
Recognition of Affiliates' Share of Pension Liability	(3,055,979)	(15,146,480)
Other Components of Post-Retirement Benefit Cost	11,328,693	24,829,935
<b>TOTAL OTHER CHANGES IN NET ASSETS</b>	<b>32,731,821</b>	<b>166,681,786</b>
Change in Net Assets	76,505,462	236,417,927
<b>Net Assets</b>		
Beginning	748,309,702	511,891,775
Ending	\$824,815,164	\$748,309,702





# ACLU FOUNDATION & SUBSIDIARY

	FY2022	FY2021
<b>Support &amp; Revenue</b>		
Grants & Contributions	\$185,930,814	\$206,425,797
Donated Legal Services	25,253,603	23,748,513
Bequests	27,751,385	20,942,555
Other Revenue	3,159,702	2,287,214
<b>TOTAL SUPPORT &amp; REVENUE</b>	<b>242,095,504</b>	<b>253,404,079</b>

## Expenses

Program Services:		
Legislative	2,887,869	3,159,555
Legal	88,583,414	102,084,322
Public Education	14,144,639	13,834,514
Civil Liberties Policy Formulation	1,148,131	900,781
Affiliate Support	62,408,477	48,781,087
<b>Total Program Services</b>	<b>169,172,530</b>	<b>168,760,259</b>
Supporting Services:		
Management & General	10,568,293	9,904,484
Fundraising	15,790,315	18,166,328
<b>Total Supporting Services</b>	<b>26,358,608</b>	<b>28,070,812</b>
<b>TOTAL EXPENSES</b>	<b>195,531,138</b>	<b>196,831,071</b>
Change in Net Assets Before Other Changes	46,564,366	56,573,008

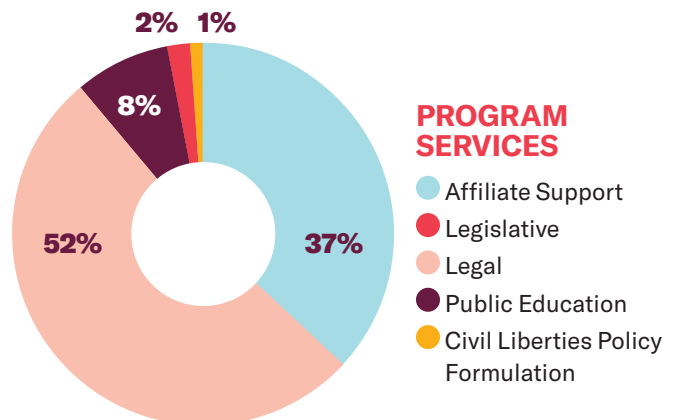
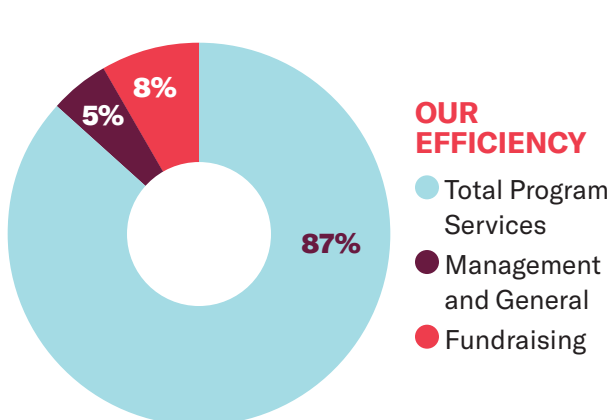
## Other Changes in Net Assets

Net Legal Expenses Awarded	2,459,308	3,046,610
Net Investment Income, Gains & Losses	19,657,132	128,414,039
Changes in Value of		
Split-Interest Agreements	(212,381)	1,564,290
Other Components of Post-Retirement Benefit Cost		
	3,481,510	7,687,766
<b>TOTAL OTHER CHANGES IN NET ASSETS</b>	<b>25,385,569</b>	<b>140,712,705</b>
Change in Net Assets	\$71,949,935	\$197,285,713

## Net Assets

Beginning	586,814,101	389,528,388
Ending	\$658,764,036	\$586,814,101

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



# HOW YOU CAN HELP

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

**Join us as we continue to fight for the principles of equality, justice, liberty, and democracy.**

## HOW TO MAKE A GIFT

You can defend and advance civil liberties by donating to either the American Civil Liberties Union (ACLU) or the ACLU Foundation. Gifts to the ACLU support our legislative work at the federal and local level and are not tax deductible. Gifts to the Foundation are tax deductible and support our litigation, communications, and public education efforts.

Learn more at [aclu.org/donate](https://aclu.org/donate).

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

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

To make a gift of stock: Please visit [aclu.org/gifts-stock](https://aclu.org/gifts-stock)

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

## GET INVOLVED

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

## JOIN THE CONVERSATION



ANS  
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THERE IS  
NOTHING MORE  
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OF RACE,  
CLASS, AND

DON'T  
ROLL BACK  
OUR RIGHTS  
PROTECT LGBTQ WORKER



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**FREEDOM OF SPEECH IMMIGRANTS' RIGHTS  
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VOTING RIGHTS RIGHT TO PRIVACY  
WOMEN'S RIGHTS RELIGIOUS LIBERTY  
CRIMINAL LAW REFORM LGBTQ EQUALITY  
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