

**With liberty
and justice
for all**

ANNUAL REPORT 2013



2013: A Year of History in the Making

PICTURED ON COVER: Members of the ACLU of Maryland staff at Constitution Day 2013 - Policy Associate Toni Holness, Communications Associate Brittany Oliver, and Executive Assistant Arletta Bussiere.

The ACLU of Maryland is your Bill of Rights defender, and we're in it for the long haul. For more than 80 years, the ACLU of Maryland has **championed freedom, equality, and justice**. This year is particularly special – our Executive Director, Susan Goering, celebrates 25 years with the organization. Susan joined the staff in 1986 as our first fulltime Legal Director. She had an immediate impact: Susan and then-ACLU Board Member Claudia Wright drove to the Eastern Shore to visit antiquated jails – one in Talbot County had once held prisoner Frederick Douglass in the early 1800's – and got a federal court to declare the conditions in Dorchester County unconstitutional.

Susan knows such **small victories are crucial, but it is also important to think big**. Upon coming to Maryland, she was immediately struck by the continuing structural legacy of Maryland's Jim Crow history. So, starting in the 1980s under her leadership, the ACLU of Maryland mounted long-running cases aimed at transforming institutional and cultural practices that perpetuate segregation and isolation from the mainstream opportunities most Americans expect.

Susan was the mastermind behind some of Maryland's biggest civil rights cases of the last several decades – including *Bradford v. Board of Education*, whose judicial ruling spurred the Thornton Commission and its state-wide funding formula weighted to help poor children, children needing special education, and children speaking English as a second language. The case laid the foundation for this year's legislation to leverage bonds for an **innovative \$1 billion school facilities plan** in Baltimore.

It was Susan's unique ability to see the structural issues behind social problems that spurred her to bring the landmark lawsuit *Thompson v. HUD*, which has helped thousands of African American families who lived in Baltimore's segregated public housing move to areas of opportunity around the region. The difference in **health and opportunity for children** has been tremendous.

After becoming Executive Director in 1996, Susan grew the ACLU of Maryland from just a few staff members to nearly 20. We have a docket of more than 50 cases, many of which are litigated with pro bono counsel. Some of these have been huge cases, such as the **"Driving While Black"** case against the Maryland State Police; litigation on behalf of same-sex couples seeking **marriage equality**; and high profile public information litigation against the Maryland State Police for **spying on peaceful protestors**.

Susan continues to take to heart the warning given long ago by the ACLU's founder, Roger Baldwin: **"No battle for civil liberties ever stays won."** The ACLU was birthed in 1920 amid deportations, warrantless seizures, and other abuses of power by that era's national security apparatus. Now, we face new abuses in the form of mass spying by the National Security Agency, mass incarceration of communities of color, and rampant attacks on personal privacy and reproductive freedom.

But like Susan, **the ACLU of Maryland is visionary**, unafraid of challenges, eager to draw connections between the struggle for rights of seemingly disparate groups, and dedicated to working in coalition and partnership with allies of any political stripe to advance civil liberties and civil rights.

On behalf of our **14,000 members in Maryland**, thank you for being one of those partners.

With gratitude and pride,

A handwritten signature in dark ink, appearing to read 'Coleman Bazelon', with a stylized, flowing script.

Coleman Bazelon
President
ACLU of Maryland



The First Amendment is the cornerstone of our democracy. It protects the right of individuals to stand up for their beliefs. It safeguards the right of artistic expression. This year, two violinists were at the forefront of the ACLU's successful work to defend free expression. Enidris Siurano-Rodriguez, a 10th grader from Montgomery County, was harassed by teachers for refusing to stand for the Pledge of Allegiance based her objection to U.S. policies in Puerto Rico, her home country. Across the Bay Bridge in Ocean City, William Hassay, Jr, an accomplished violinist who has played in professional orchestras, stood up for the rights of musicians on the Boardwalk, challenging an unconstitutional noise ordinance. We are grateful to these courageous Marylanders for helping us to ensure the First Amendment rights of all of us.

2

violinists for the

1

st Amendment.



PICTURED: ACLU clients
Enidris Suirano-Rodriguez and
William Hassay, Jr.

Arresting people and locking them away has become America's knee-jerk response to every social problem. Since 1971, the number of people in Maryland's prisons has more than quadrupled. The system has spun out of control, criminalizing large swaths of our population, decimating communities of color in particular by tearing families apart and cutting them off from opportunities for good jobs, housing, and education. In fact, more than 70% of the people in Maryland prisons are Black. Nearly half are there for non-violent offenses. The ACLU of Maryland is working to end racially-biased "stop-and-frisk" policing, to reform our drug laws, and to challenge harsh sentencing for youth.

5%

of the world's population

25%

of the world's prison population.






Photo credit: Charlie Beldon.



Renovated library at Samuel Coleridge-Taylor Elementary School in Baltimore. Photo courtesy of JRS Architects Inc.

A photograph of a modern school library. A young girl with dark hair, wearing a yellow shirt, is standing in the aisle, looking down at a book she is holding. The library features tall, light-colored wooden bookshelves that reach up to the ceiling. Some shelves have orange-colored tops. In the background, there is a purple rectangular light fixture hanging from the ceiling, and a desk with a laptop and a pink chair. The floor is made of light-colored wood.

A new day is dawning for students in Baltimore City. In 2013, the ACLU of Maryland saw the culmination of years of advocacy when the General Assembly overwhelmingly approved the Baltimore City School Construction and Revitalization Act. Under the bill, the State, Baltimore City, and Baltimore City Public Schools will contribute a total of \$60 million in funds annually, leveraging \$1 billion in revenue bonds to implement Phase 1 of the city school system's 10-year facilities plan. This bold and innovative approach was sparked by a report the ACLU released in July 2010, "Buildings for Academic Excellence." The ACLU's report was the first to outline the scope of the problem, the insufficient funding streams, and successful strategies used by other jurisdictions nationwide that used bond funding and quicker construction timelines to achieve quality schools for all their students.

1 billion
for innovative, new, renovated schools,
for 21st Century learning.

Expanding access to
opportunity

1 family at a time.

Greater opportunities and a more positive future. That is the reward for families who have chosen to move to areas of opportunity as part of the successful Baltimore Housing Mobility Program. A product of the ACLU of Maryland's landmark fair housing lawsuit, *Thompson v. HUD*, the program has already connected 2,000 families to homes in safe neighborhoods, with good schools, better jobs, and improved health outcomes. Each family receives housing and financial counseling, as well as support with the move and transition to their new neighborhood and schools. Meanwhile, the ACLU is working to expand affordable housing opportunities in Baltimore County for African Americans, as well as families with children or people with disabilities. The ACLU also is challenging state housing policies the perpetuate segregation and isolation from opportunity.





PICTURED: Nyla, an ACLU client. Photo courtesy of the Poverty & Race Research Action Council.

America says
YES
to
CITIZENSHIP

**TIME IS
NOW**



CITIZENSHIP



Dignity. Respect. Family unity. Due process. For more than 90 years the ACLU has defended the rights of all Americans, whether or not they are born in this country, because the Constitution protects the civil liberties and civil rights of all people. The ACLU of Maryland is actively supporting comprehensive immigration reform, which could be a historic advance for the rights of immigrants and all Americans. If passed, it will put millions of immigrants who contribute every day to the vitality of our country on a road to citizenship. And it could provide much-needed due process reforms that will afford judges greater ability to consider cases on individual merits, as well as reforms to the efficiency and fairness of immigration detention. The ACLU of Maryland is also promoting state measures that would stop local police from wasting resources on enforcing federal immigration laws.

11 million
aspiring citizens forced
to live in the shadows.

A close-up photograph of a red fabric, likely a protest banner, featuring white diagonal stitching and several metal grommets. A white, frayed rope is threaded through the grommets, running diagonally across the frame. The background is a plain, light-colored surface.

Wendy Davis stood for

13 hours

to defend the reproductive
freedom of women.

We stand with Wendy Davis & the women of Texas

Millions of us watched – proud, inspired and fired up – into the wee hours of the morning, as Texas Senator Wendy Davis performed an epic 13-hour filibuster to block a bill that would shut down nearly every abortion clinic in the state. Thankfully, Maryland is not Texas, or Kansas, Arkansas or North Dakota. But still the ACLU of Maryland stood up for women's reproductive freedom when a 20-week abortion ban was introduced in the Maryland General Assembly. And we fought back when Maryland legislators submitted a bill to usurp the role of doctors by requiring women seeking abortions to have ultrasounds. The ACLU also stood up for pregnant women and detainees who were shackled during transport, labor and delivery – a cruel, dangerous, and degrading practice that still happens in Maryland.

Image in honor of the pink sneakers Sen Davis wore during her filibuster, courtesy of the national ACLU.

It was designed to be "separate but equal." Yet, African American patients at the segregated Crownsville State Hospital – established in 1911 as the "Hospital for the Negro Insane" – were subjected to questionable procedures and painful and unethical experimentation without their consent. Patients were subjected to conditions considered substandard even by the low standards in the first half of the 1900s. At times, patients were more likely to die in the facility than to be discharged and there are approximately 1,500 unmarked graves are on the property. The ACLU of Maryland and other civil rights groups urged Governor Martin O'Malley to appoint an independent commission to supervise an investigation into the abusive practices at Crownsville.

1,500

unmarked graves
are on the site of
Crownsville State.





Patients were used to clear brush during the building of the Crownsville State Hospital. Photo from state archives.

ACLU client Edie Windsor made history when the U.S. Supreme Court this year struck down section three of the so-called "Defense of Marriage Act" as unconstitutional. Now the federal government cannot discriminate against married lesbian and gay couples for the purposes of determining federal benefits and protections. The decision completed the victory at the Maryland ballot box in November 2012, when voters upheld our state's Civil Marriage Protection Act. The ACLU of Maryland is proud of our legacy of litigation, advocacy and organizing to realize this day, when all gay and lesbian couples and their families in Maryland are treated with the dignity and respect that they deserve.

40 years

That's how long Edie Windsor and Thea Spyer were engaged, before finally being able to marry.



ACLU client Edie Windsor, being congratulated in front of the Supreme Court by national ACLU Executive Director Anthony Romero.

The Voting Rights Act of

1965

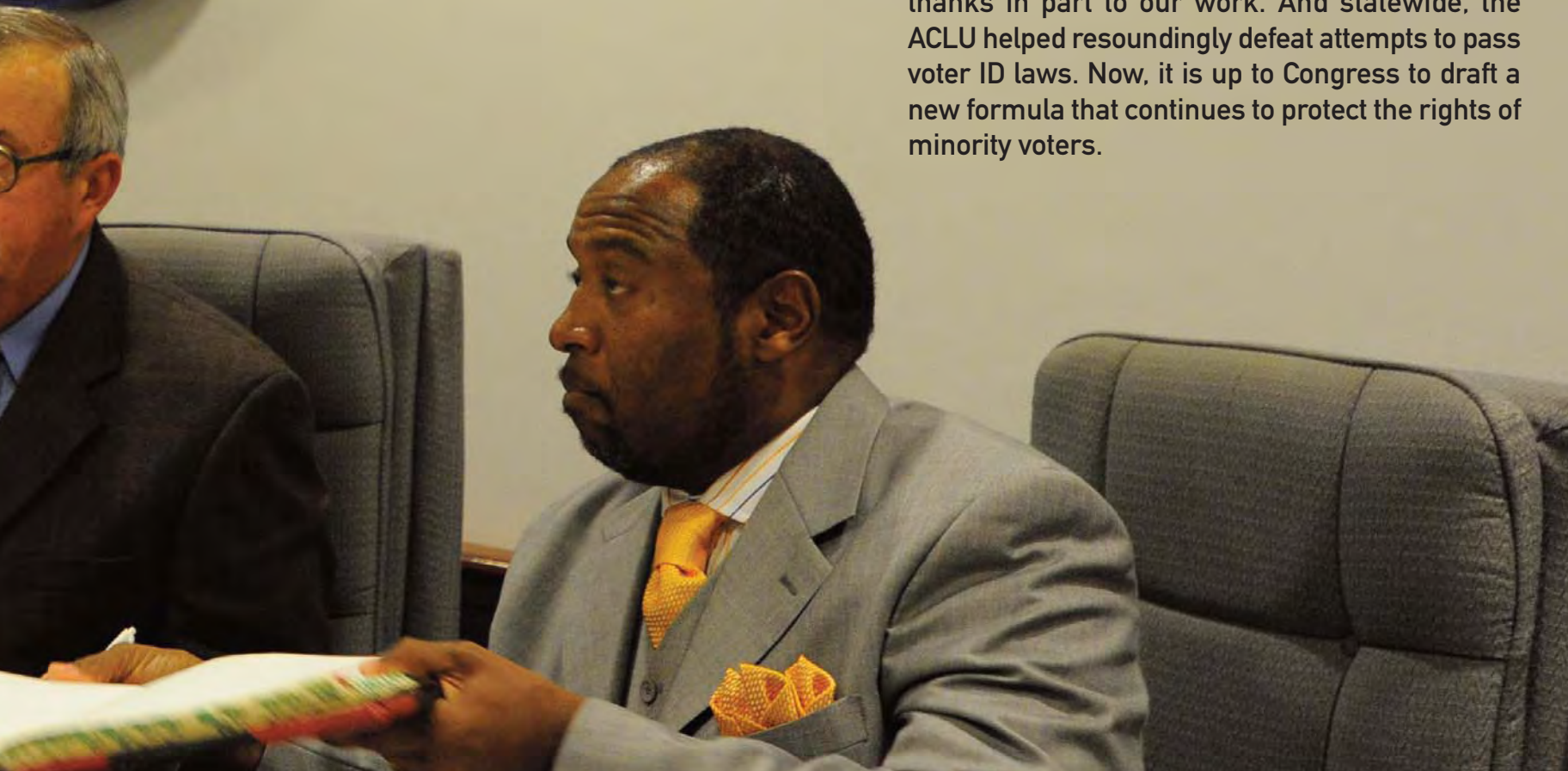
is still needed in 2013.



PICTURED: Rev. Craig Mathies (far right) participates in a Somerset County Council meeting. Photo from *The Baltimore Sun*, used with permission.



Democracy is the foundation of our freedoms in America, yet this year the Supreme Court struck down a key section of the Voting Rights Act of 1965, which dictates that certain jurisdictions need federal approval before changing their voting laws. Those jurisdictions, mostly in the South, have a legacy of initiatives undermining the right of minorities to vote. And since the Court ruling, many of those jurisdictions have sought to enact voter ID laws that would put unnecessary and unconstitutional limits on who can access the ballot, primarily affecting the poor, elderly, and people of color. Yet, the ACLU is heartened by continued progress in Maryland, where Rev. Craig Mathies was the first-ever elected African American to the Somerset County Commission, thanks in part to our work. And statewide, the ACLU helped resoundingly defeat attempts to pass voter ID laws. Now, it is up to Congress to draft a new formula that continues to protect the rights of minority voters.

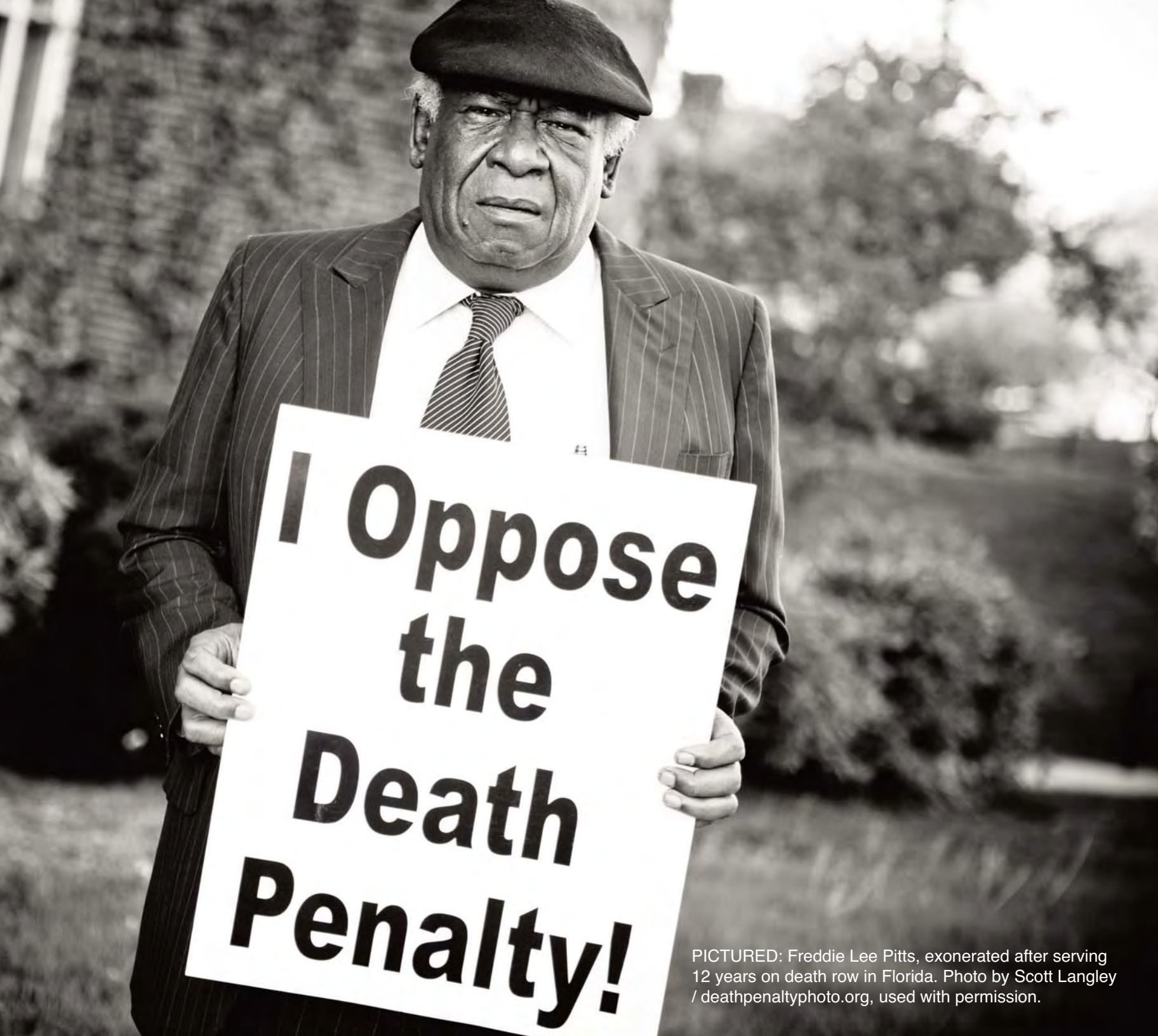


For decades, the ACLU of Maryland has sought to end the use of the death penalty. In 1994, we mounted an unsuccessful legal challenge to stave off the execution of Marylander John Thanos, the first in the state after the Supreme Court's reinstatement of the death penalty in 1977. The ACLU joined coalition partners to help pass historic legislation to repeal the death penalty, which was signed by Governor Martin O'Malley. Maryland became the 18th state on an influential and growing list of states that have abandoned this barbaric, antiquated, and irreversible punishment. Now the ACLU is advocating for modification of the death sentences of the remaining five men on death row.

Only 5

men still sit on
death row in
Maryland.




A black and white photograph of an older African American man, Freddie Lee Pitts, wearing a dark flat cap, a pinstriped suit jacket, a white shirt, and a striped tie. He is holding a large white sign with both hands. The sign has the text "I Oppose the Death Penalty!" written in large, bold, black letters. The background is a blurred outdoor setting with trees and a building.

**I Oppose
the
Death
Penalty!**

PICTURED: Freddie Lee Pitts, exonerated after serving 12 years on death row in Florida. Photo by Scott Langley / deathpenaltyphoto.org, used with permission.





NSA surveillance, warrantless wiretapping, cell phone tracking, online privacy, and automatic license plate readers. The ACLU is on the vanguard of protecting the First Amendment freedoms of expression, association, and inquiry. We also work to expand the right to privacy and the control that individuals have over their personal information. For instance, the ACLU revealed that with automatic license plate readers, Maryland police can track drivers' locations over time, whether or not their plates are associated with any serious crimes. The pace of these technologies is quick and the need for checks on government data collection and retention powers is great. Our civil liberties must be enhanced rather than compromised by new advances.

29 million

Maryland license plate scans
by police, but only

47 hits for actual crimes.

2012-2013 General Operating Budget

ACLU OF MARYLAND FOUNDATION SUPPORT & REVENUE

Contributions	\$363,800
Restricted Foundation Grants	\$1,190,602
Bequests	\$16,062
Court Awarded Attorney Fees	\$719,034
In-Kind Legal Contributions	\$1,460,712
Investment Income and Other	\$85,183
Transfer from Reserves	(\$350,008)
Total	\$3,485,385

EXPENSES

Program Services	\$3,016,262
Fundraising	\$222,756
Management and General	\$246,367
Total	\$3,485,385

ACLU OF MARYLAND SUPPORT & REVENUE

Membership	\$255,673
Contributions	\$1,814
Restricted Grants	\$163,250
Bequests	\$13,048
Investment Income and Other	\$144,611
Transfer to Reserves	(\$383,933)
Total	\$194,463

EXPENSES

Program Services	\$156,012
Fundraising	\$17,145
Management and General	\$21,306
Total	\$194,463

Make a Gift

A contribution to the ACLU of Maryland is a powerful action. It ensures the defense of justice, liberty, and the freedoms guaranteed by THE BILL OF RIGHTS. You support it. We defend it.

The ACLU of Maryland comprises two organizations:

■ Gifts to the **American Civil Liberties Union of Maryland** qualify for ACLU membership and for support of our legislative work, including the lobbying of the Maryland State Legislature and of Congress. These gifts are not tax deductible. To make an online membership donation, please go to: aclu-md.org and click, "BECOME A MEMBER."

■ Gifts to the **American Civil Liberties Union of Maryland Foundation** support our litigation, public education, and non-legislative advocacy programs. These gifts are tax deductible. To make an online Foundation donation please go to: aclu-md.org and click, DONATE NOW.

To donate via mail, please make your check payable to American Civil Liberties Union of Maryland or American Civil Liberties Union of Maryland Foundation and send to:

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Leave a Lasting Legacy

Join a special group of ACLU of Maryland supporters who have included the ACLU in their estate plans, thus ensuring the future of our work. For more information contact Susan L. Morseth (information below).

For information about additional giving opportunities, please contact Susan L. Morseth, Director of Philanthropy, at 410-889-8550 x126, 240-472-6976, morseth@aclu-md.org.

DeSilver Society Members

The ACLU of Maryland is grateful for the foresight of its DeSilver Legacy Society members. Their future bequests or life income gifts will help ensure that the ACLU will continue to serve as the nation's frontline defender of the Bill of Rights through the years to come.

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