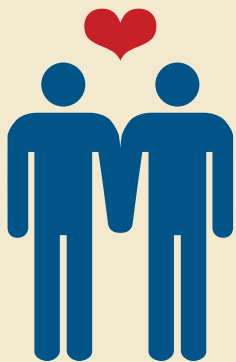


A POWERFUL ADVOCATE for LIBERTY in a TIME of CHANGE



2008 ANNUAL REPORT





The ACLU of Wisconsin Foundation

A POWERFUL ADVOCATE for LIBERTY in a TIME OF CHANGE

IN 2008 AS PART OF THE ELECTION PROTECTION EFFORT across the state, ACLU of Wisconsin Foundation staff and volunteers activated their voting rights passion and expertise. Our legal staff advocated for open elections and the rights of poll watchers when the Government Accountability Board considered greater restrictions. Our outreach and education staff worked hard to teach people across the state about who could vote and who is disfranchised. Volunteers answered Election Protection hotlines, documented activities at the polls and at times had to demand that voters get the assistance they needed to cast their ballot.

Supporters of the ACLU of Wisconsin Foundation took their concerns with them to their polling places knowing that no matter what the outcomes were on Election Day, they were all committed to rebuilding and not retreating. They knew that a powerful advocate for civil liberties and civil rights is needed to not only speak truth to power, but to take the powerful to court. To not only speak truth to people, but continue to build a movement of civil liberties advocates of all ages.

The ACLU of Wisconsin Foundation is the state's most powerful advocate for liberty. Our generous individual and foundation donors know that our work is essential no matter who is elected to office and regardless of the economic health of the nation. It is time to do the work of rebuilding, especially when history teaches us that as the stock market goes down, threats to freedom and human rights go up. From overcrowded prisons, to restrictions of protest rights, to the decrease in community resources for youth, we are a voice for our state's most disfranchised people.

What happens on the first Tuesday in November is only one part of what our Constitution guarantees. The ACLU of Wisconsin thinks about the rest of that document every day of the year. We work to defend basic rights in our own backyard and our supporters are a part of the legal, educational and systemic change that we need.

Thank you for your support.

A handwritten signature in black ink, appearing to read "Chris Ahmuty".

Chris Ahmuty
Executive Director

A handwritten signature in black ink, appearing to read "Erik Guenther".

Erik Guenther
Board President



YOUTH RIGHTS



EMBRACING ACTIVISM and EDUCATION from LAPTOPS to GRASSROOTS

Early in the election season we heard reports about the dissemination of misinformation about student voting rights on college campuses. To get the facts to students our Youth and Program Director, Emilio De Torre, partnered with independent film producer, Sal Gomez, and dozens of volunteers from our ACLU Student Alliances to create four short YouTube videos on voting rights. The clips were forwarded to our Facebook groups, our email lists and the entire Election Protection Coalition which helped to distribute them statewide. They were also displayed on the Shepherd Express website, UW student listservs, UW sites and showcased at the national ACLU Membership Conference in Washington D.C. and the ACLU of WI Activist Conference in Madison in September.

Search for the ACLU of Wisconsin on the YouTube homepage to watch the videos and other clips from our youth program.

Other youth program activities in 2008:

- ▶ Distributed "Freedom FAQs" youth rights factsheets to high school students across the state including the many workshops and conferences we have attended.
- ▶ Trained 20 youth facilitators and educated over 500 high school students through our Other America Tour program where students gather at Cardinal Stritch University to tackle tough issues surrounding oppression, awareness and activism. The tour is promoted to over 20 Milwaukee-area schools to recruit youth facilitators who participate in a free, 80-hour training program. Milwaukee Public Television produced

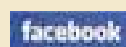


Youth from across Wisconsin met Senator Russ Feingold during the national ACLU membership conference in June 2008.

a 15-minute, dual-language documentary on the Other America Tour which was broadcast statewide several times.

- ▶ Added ACLU Student Alliances (ACLUSAs) at UW-Eau Claire and Nicolet and Riverside High Schools. Students are taking advantage of our online presence on Facebook and Twitter to organize around issues and events.
- ▶ Sent 24 young people from the ACLUSAs and the Other America Tour to Washington D.C. to lobby their elected officials and attend a national ACLU Membership Conference. Two youth members were invited to facilitate a workshop on effective youth organizing and Wisconsin-specific initiatives, putting a national spotlight once again on our youth programming.

FIND THE ACLU OF WISCONSIN ONLINE!





VOTING RIGHTS

IMPROVING ACCESS to the BALLOT BOX

“Our work on voting rights started long before Election Day,” said Karyn Rotker, senior staff attorney. “As in previous years, we were active in fighting the barriers placed between citizens and their ability to freely cast a ballot.”

The ACLU of Wisconsin fought voter intimidation and supported poll watchers:

- ▶ Filed an *amici curiae* brief (along with the national ACLU Voting Rights Project and the Brennan Center for Justice) opposing a lawsuit filed by the Wisconsin Attorney General that might have deprived many registered voters of the right to vote.
- ▶ Helped the Election Protection coalition organize and train volunteer observers in Madison, Milwaukee and on college campuses across the state to watch for and respond to challenges to voting rights.
- ▶ Made an impact on the rights of poll watchers by influencing practical changes to the state elections division rules regarding the restrictions of observation at the polls.

“We worked hard with the state Government Accountability Board’s election division and with municipal elections administrations to get a clear sense of the rules governing the administration and observation of elections and to make polling places as voter friendly as possible,” said legal director Larry Dupuis.



“Constitution Voters” went to the polls to demand change and accountability in government.

The ACLU of Wisconsin educated voters on their rights:

- ▶ Printed 45,000 voting rights brochures in English, Spanish and Hmong with the help of the national ACLU Voting Rights Project.
- ▶ Distributed the brochures to supplement the voter registration and education campaigns of twenty-five different organizations.
- ▶ Worked with the Milwaukee County Labor Council, which paid to have a second printing of 11,000 copies made in the last few weeks of the campaign.

“Compared to prior years, the 2008 elections went smoothly,” said Senior Staff Attorney Karyn Rotker. “While in 2004 the Election Protection Command Center phones rang from 6:30 in the morning until 9:00 at night, in 2008 the calls were not as numerous or extreme. We worked with poll watchers and elections administration staff to solve problems as they were occurring to get challenges fixed.”

STILL LOCKED OUT: FELON ENFRANCHISEMENT and CIVIL RIGHTS

Restoring the right to vote to formerly incarcerated people continues to be an essential part of ensuring that every citizen has the ability to cast a ballot on Election Day. The ACLU of Wisconsin is fighting for voting rights in the Restore the Vote WI coalition because people with felony convictions who live and work in our communities should not be excluded from having a voice in our democracy.

The Restore the Vote WI/Now coalitions boast over 70 member groups who have signed on to either do public education, support legislative efforts or both in 2009. These organizations represent nearly 500,000 Wisconsinites and are raising awareness about felon disenfranchisement among their constituencies.

In addition, through a generous grant to the League of Women Voters of Wisconsin from the Joyce Foundation, we conducted Advancing Voting Rights Seminars in areas of state such as Manitowoc, Rhinelander and Stevens Point. In 2008, the National ACLU Racial Justice project granted \$15,000 to complete a research project on voter opinion and the community impact of this issue.

The Election Protection coalition's summary report serves as a blueprint for future reform and gives praise and criticism where it is due. We are following up on two issues that arose on Election Day, the possible intimidating effect of police at the polls and the inadequate number of bilingual poll workers. The biggest problems were with continued understaffing, previously registered voters not being listed on the voter rolls, and language barriers.



ACLU legal observers distribute bust cards to protesters in Madison. The ACLU of Wisconsin legal observer program trains volunteers to be witnesses to First Amendment protected activity. Legal observers have been dispatched to immigration rights, antiwar, anti-poverty and other demonstrations from Milwaukee to the mass demonstrations at the Republican National Convention in St. Paul in September 2008.





CIVIL LIBERTIES VICTORIES



★ CELEBRATING with RACHEL MADDOW ★



ACLU of Wisconsin President Erik Guenther with Rachel at the dinner.



From left to right, Celebration attendees June Perry, Dr. Joan Prince, Rachel Maddow, Justice and Ray Waters, and Vivian King.



Rachel Maddow with ACLU of Wisconsin board member and presenting sponsor Stacey Herzing.

Before the Bill of Rights Celebration event, Rachel Maddow sat down with the ACLU of Wisconsin to share her thoughts about the future of the civil liberties movement.

Looking forward, what will be important for civil liberties in 2009 and in the future?

"I'm hoping for forward progress rather than having to retrench the civil liberties disasters like we've had to over the past few years. It's going to be an issue of priorities and a matter of getting people's attention.

"I do feel like having big Democratic majorities in both houses of Congress and having a Constitutional law professor as President gives us the best shot we've got. But many Democrats have been very willing in the past to let protecting civil liberties take a back seat. They've been unwilling to make the case for the urgency for making progress in protecting our civil liberties.

"But that's where civics comes in. I don't think it is up to politicians to impart to us the urgency of protecting our civil liberties and the wrongs done to them. That takes us. That takes people outside of politics."

How do you see the recession impacting civil liberties priorities? Is the troubled economy hurting the civil libertarian movement?

"One of the things that happens in big economic downturns is that people turn on each other and become populist in a bad sense. But I think Americans are smart and pretty economically literate and it's very possible that we can go in a progressive direction."

We do a lot of youth programming at the ACLU of Wisconsin to engage and educate young people about their rights and how to deal with inequality. As young people form their opinions about civil rights, do you think they will redefine liberty and economic justice?

"I think that on traditional civil liberties issues, like the 4th Amendment issues that were so contested in the Bush years, what will be different for people forming their opinions in Bush years and aftermath is that they will unfortunately see civil liberties as partisan in a stronger way than for people over 30.

"When before in American history did politicians argue on partisan grounds for the right to torture or to have indefinite detention? How did that become a way to get elected?"

As if there's another 'side' to take on that? A side that was heretofore unthinkable became a partisan advantage. I don't see that as positive.

"But at the same time, people are realizing that civil liberties are something you have to fight for. I never thought in my lifetime we would see Americans disagree that you can't torture people. But that is something that we now know that you can't take for granted. It means that we are having overt discussions on what it means to have a Bill of Rights and demand accountability when it is violated."

You probably didn't think you would be a person on television with your own show when you were in college. Even progressive talk radio was unthinkable 10 years ago. But what do you think about being a spokesperson for civil liberties with a national audience?

"I don't think of representing anybody other than myself, but I do have strong, long-held, passionate beliefs about civil liberties and I enjoy talking about them. To the extent that that is helpful to people who are making it their life's work to promote and protect civil liberties, well huzzah! It's great.

"But sometimes I feel like I don't have much choice. Because of the place where cable news is right now, I get to say what I think about stuff. I get to say what I think the news is, what it means, and what I think about it. And that means saying something about me. I didn't choose to take positions that are radical for cable television. It is probably a radical thing for me to be on cable television."

You take very complicated political issues and make them accessible to a national audience. Do you look up to anyone else doing this work now? Do you have any heroes?

"I've never been a heroes person. I think of myself more as a fan. I am a fan of the ACLU. I'm a fan of the AIDS activist movement. I'm a fan of the great muckraking pioneers of American journalism like Jessica Mitford. I wouldn't want to be anyone's hero. But there is a lot worth promoting and celebrating in our history. We didn't just inherit our rights from 230 years ago: it's the people who have fought for them all this time is the reason why we have our rights now."



Sheila Cochran, left, was named William Gorham Rice Civil Libertarian of the Year award at the ACLU of Wisconsin's 2008 Bill of Rights Celebration.

ACTIVISTS HONORED at BILL of RIGHTS CELEBRATION

The ACLU of Wisconsin presented several awards to community activists who demonstrated an extraordinary commitment to civil liberties.

SHEILA COCHRAN from the Milwaukee Area Labor Council AFL-CIO received the William Gorham Rice Civil Libertarian of the Year award for her leadership and dedication to labor organizing, coalition building, and election protection.

SALVADOR GOMEZ received the Jack and Lucy Rosenberg Youth Civil Libertarian of the Year for his continued commitment to ACLU of Wisconsin educational and activist programs.

DIANNE GREENLEY, long-term board member and disability rights legal advocate, was honored with the Eunice Z. Edgar Lifetime Achievement award. Dianne served on the ACLU of Wisconsin board for twenty-five years.

The Bill of Rights Celebration is an annual event which recognizes leadership in the protection and advancement of civil rights and liberties in Wisconsin. Special thanks go to our event's very generous sponsors: Stacey Herzing, Mark Thomsen, Chris Abele, Legacy Bank, and Joseph Pabst and Ray Vahey.



RACHEL MADDOW on the anti-gay marriage amendment in the Wisconsin state Constitution and LGBT rights:

“In the long term, the arc of the universe bends toward justice, right? We’re getting better. You can tell that in part by the vociferousness and intellectual bankruptcy on the other side. They do still win and find some potency, but ultimately they are losing. The short run is bad just because when these bans go into effect, they have a material impact on real people and that is demoralizing. In the short run you can only try to give people the best second-class citizenship you can imagine.

“Ultimately you hope that people can come out and if you can undo that amendment in court or in legislation, people will have everything but the right to marry. It should seem so patently ridiculous that they don’t have it. You just have to shine up the second class citizenship in the meantime.”



FREE SPEECH

DEFENDING the RIGHTS of ARTISTS

In November 2008, the ACLU of Wisconsin filed a lawsuit on behalf of the Milwaukee Gay Arts Center. The MGAC was planning on performing the off-Broadway show “Naked Boys Singing,” a musical comedy review that celebrates both gay culture and naked anatomy. Even though it is contextually very different from pornographic dance shows, the MGAC’s theater license to perform the show was not granted.

“A victory would establish that you cannot have prior restraint on an expressive activity of a theater company,” said Larry Dupuis, legal director. “The city cannot use its bureaucracy and theater licensing rules to prevent a gay-themed play from being performed.” The U.S. Supreme Court has established that theater licenses can be regulated, but only with clarity, consistency and prompt decision-making. When Milwaukee did not grant the theater a license, the stalling was tantamount to censorship.

The ACLU of Wisconsin Foundation dedicates legal resources to fighting censorship because it is uniquely poised to work through the courts and through community education for free speech rights.



PRISONERS’ RIGHTS

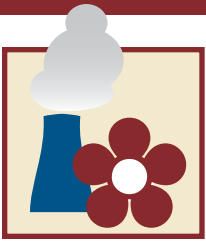
APPEALING for HUMANE TREATMENT in INCARCERATION

With continued disparities in race and economic status in our criminal justice system, the ACLU of Wisconsin works to hold prisons and jails accountable for basic human rights.

“Constitutional guarantees cannot end at the courtroom door,” said Legal Director Larry Dupuis. “We work to make sure that prisons maintain humane health care and living conditions.”

The Taycheedah Women’s Prison is an extreme example of denying minimum standards of health care. The breakdown of the understaffed, underfunded and dangerously dysfunctional health care system in our prisons contributes to enormous and unnecessary human suffering. The ACLU of Wisconsin Foundation’s legal department is working through the courts to demand that basic health care is provided by professionals and that treatment for mental illness is available.

“In Milwaukee County, we learned that there were over 16,000 cases of arrestees being held — sometimes 12 to a cell — without showers or beds. People had to



ENVIRONMENTAL JUSTICE

HOLDING GOVERNMENT ACCOUNTABLE for INJUSTICE in TRANSPORTATION and PLANNING POLICY

In working for environmental justice, we know that decisions made by government should take environmental impact into account. But environmental impact affects more than water and soil: people, particularly in low-income neighborhoods, often disproportionately experience the health and economic effects of pollution, poor water quality and sprawl.

In 2008 we challenged decisions regarding the expansion of the I-94 highway (over developing inner-city transportation options), the racially and geographically imbalanced staffing decisions of the Southeastern Wisconsin Regional Planning Commission, and the lack of a socioeconomic analysis of decisions made over water access and Waukesha's sprawl.

"The ACLU's voice in the demands for economic justice help a broad base of fair housing, anti-racism and environment groups working for change," said Senior Staff Attorney Karyn Rotker. "Underserved communities should have a fair share of infrastructure and development resources."

"You can't put a price tag on human suffering," says Legal Director Larry Dupuis. "But you can work through the courts to address the fact that our government cannot treat people as less than human beings. Even in jail."

sleep on the floor next to toilets, with insufficient security staff and potentially dangerous criminals" said Dupuis. "The jail clearly needed reform."

The Milwaukee County jail had made improvements after the ACLU of Wisconsin lawsuit in 2004. The lawsuit began the process of deterring human rights violations. The work continues to attempt to get damages for people who suffered inhumane treatment.



RACHEL MADDOW on prisoners' rights:

"I went to the ACLU National Prison Project after being an AIDS activist for a long time. I wasn't a lawyer and the ACLU had already sued to try to change the policies. I got involved with the ACLU with the idea that we needed to use the threat of suing states again to build a political campaign to change bad policies about people with AIDS in prisons. Having lawyers lurking can help, but only in addition to a policy campaign to make change.

"I found AIDS activism and prison reform work to be related yet different worlds. In the same way, working on prison conditions and dealing with the growing size of prisons and the sentencing issues are related. The sentencing issues are what make the difference. When Wisconsin goes from having around 7,000 people in prison in 1991 to around 22,600 today, addressing conditions through litigation and advocacy options become so quantitatively overwhelming that it becomes impossible to deal with qualitatively. You feel like you are working around the edges.

"You have to deal with conditions. But until we start making fewer people go to prison in the first place it's never going to be a difference."

FINANCIAL REPORT

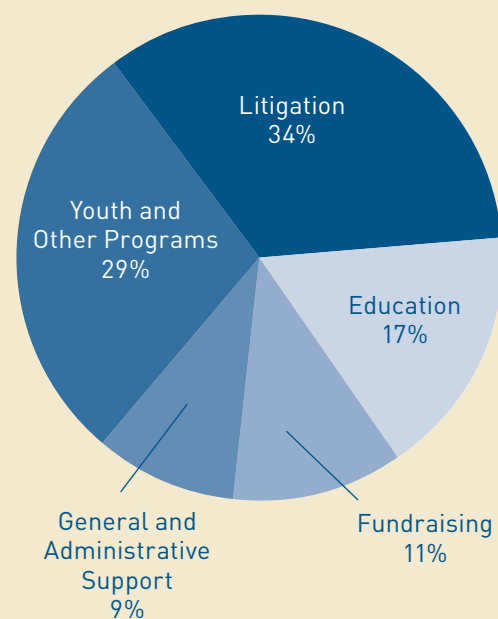
American Civil Liberties Union of Wisconsin Foundation, Inc.

BALANCE SHEET MARCH 31, 2008

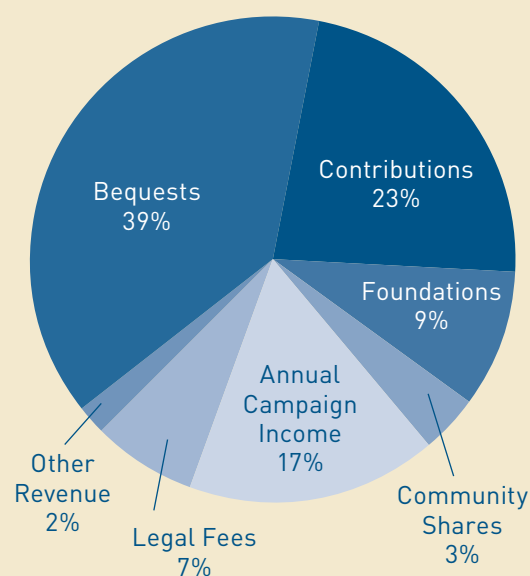
(with Summarized Totals for March 31, 2007)

ASSETS	2008	2007
CURRENT ASSETS		
Cash	\$ 36,361	\$ 68,185
Accounts Receivable	592,813	111,224
Prepaid Expenses	993	3,684
Pledges Receivable — Current Portion	100,000	50,000
Total Current Assets	\$ 730,167	\$ 223,093
FIXED ASSETS		
Furniture and Equipment	\$ 52,407	\$ 45,749
Less: Accumulated Depreciation	(39,689)	(35,781)
Total Fixed Assets	\$ 12,718	\$ 9,968
LONG-TERM ASSETS		
Pledge Receivable	\$ 248,327	\$ 240,701
Less: Current Portion	(100,000)	(50,000)
Total Long-Term Assets	\$ 148,327	\$ 190,701
OTHER ASSETS		
Investments	\$ 27,588	\$ 8,465
Total Other Assets	\$ 27,588	\$ 8,465
TOTAL ASSETS	\$ 918,800	\$ 442,227
 LIABILITIES and NET ASSETS		
CURRENT LIABILITIES		
Accounts Payable	\$ 25,265	\$ 17,209
Accrued Payroll Liabilities	14,021	14,308
Deferred Revenue	—	940
Payable to National American Civil Liberties Union Foundation, Inc.	312,500	—
Total Liabilities	\$ 351,786	\$ 32,457
OTHER LIABILITIES		
Due to American Civil Liberties Union of Wisconsin, Inc	\$ 286,276	\$ 160,633
Total Other Liabilities	\$ 286,276	\$ 160,633
Total Liabilities	\$ 638,062	\$ 193,090
NET ASSETS		
Unrestricted		
Operating	\$ 826	\$ 12,811
Board Designated	23,712	3,338
Total Unrestricted	\$ 24,538	\$ 16,149
Temporarily Restricted	256,200	232,988
Total Net Assets	\$ 280,738	\$ 249,137
TOTAL LIABILITIES and NET ASSETS	\$ 918,800	\$ 442,227

EXPENSES



INCOME





WAYS to SUPPORT THE ACLU of WISCONSIN FOUNDATION

- ▶ Make a multi-year pledge that can be paid in monthly, quarterly or annual installments
- ▶ Make a gift of appreciated securities or establish a planned gift
- ▶ Make a cash donation in any amount
- ▶ Become a sponsor of a major event such as the Bill of Rights Celebration
- ▶ Ask your workplace about giving through Community Shares of Wisconsin or Community Shares of Greater Milwaukee through your payroll contribution. Visit www.MilwaukeeShares.org or www.CommunityShares.com.



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MILWAUKEE
207 EAST BUFFALO STREET
SUITE 325
MILWAUKEE, WI 53202-5774
414.272.4032

MADISON
122 STATE STREET
SUITE 201
MADISON, WI 53703-2500
608.469.5540

liberty@aclu-wi.org www.aclu-wi.org

The ACLU of Wisconsin Foundation is a non-profit non-partisan civil liberties and civil rights organization working to protect the rights of Wisconsinites.