

The ACLU of Wisconsin doesn't leave the fate of liberty to chance. Every day, we work to defend and preserve the individual rights and liberties that the Constitution and federal and state laws guarantee the people of Wisconsin.



**Free Speech** Michael Kissick views himself as a proud American. Beginning in 2011, Kissick, a UW-Madison professor, sometimes participated in the Solidarity Sing Along inside the Capitol, singing protest songs over his lunch hour.

But in September 2012, Kissick stopped exercising his free speech rights, for fear of being arrested. The state was cracking down on protesters, enforcing a new permit policy that required groups as small as four to obtain prior permission from the government before "actively promoting any cause" inside the Capitol — a public building that historically has been devoted to debating issues important to the people of Wisconsin.

In February 2013, the ACLU of Wisconsin fought back. We filed a federal lawsuit against the state on Kissick's behalf, claiming that the new permit process violated the First Amendment. After a federal judge issued a favorable preliminary ruling in July, the ACLU settled the case in October. The state dropped the permit requirements, and now individuals no longer must request permission to exercise free speech inside the Capitol.

Racial and Environmental Justice Denying people access to affordable public transit is a social, racial and environmental issue. Many people of color, as well as low-income, elderly and disabled individuals rely on public transit to go about their daily lives.

A recent project to expand the Zoo Interchange, one of Wisconsin's busiest freeway interchanges located west of Milwaukee, would adversely affect these communities. The \$1.7 billion project would add highway lanes but does not include a public transit component, nor does it address adverse effects on air quality.

In August 2012, the ACLU of Wisconsin and Midwest Environmental Advocates sued the state Department of Transportation in federal court, arguing it failed to adequately study the project's social and environmental impacts. This May, a judge sided with the ACLU and issued a very favorable preliminary decision, agreeing that the state's planning had been inadequate. Work on this case continues this fall.





**Equal Education** The ACLU has long fought to end the practice of separating boys and girls in public schools based on discredited "science" rooted in outdated gender stereotypes. That's why in March we urged the federal Department of Education to investigate the Barron Area and Beloit School Districts.

Public records obtained by the ACLU revealed that teachers in these two districts were being trained to teach boys and girls differently. Boys should be able to move around the room during class while girls should sit quietly; boys' lessons should be about sports while girls' should be about sharing feelings; and teachers should address boys assertively but speak softly to girls.

Since the ACLU filed its complaints, the Barron district has discontinued its single-sex program. Currently the federal investigation is pending in Beloit.

**Voucher Schools** The ACLU of Wisconsin has opposed voucher schools since they were introduced in Milwaukee in 1990. Simply put, voucher schools are a raw deal. They lack accountability, they rob money from public schools, and they funnel taxpayer dollars to religious schools, some of which teach creationism. Voucher schools also fail our kids. In a 2011 study, Milwaukee public school students outperformed voucher students in reading and math.

What's more, voucher schools can—and do—discriminate against students with disabilities. While nearly 20 percent of students attending Milwaukee Public Schools have disabilities, voucher schools self-report that kids with disabilities make up a tiny fraction of their student body. Routinely students with disabilities are denied admission to voucher schools, or are pressured to leave after they enroll.

In 2011, the ACLU of Wisconsin filed a complaint with the federal Department of Justice Civil Rights Division, charging that taxpayer-funded Milwaukee voucher schools create programs that segregate children with disabilities. This May, the Department of Justice responded by telling Wisconsin that it must ensure students with disabilities who attend or seek to attend voucher schools "do not encounter discrimination on the basis of their disabilities."

The ACLU of Wisconsin also spent the past year challenging Gov. Scott Walker's voucher expansion plan, calling on lawmakers to reject the proposal, writing op-eds, letters to the editor, and blog posts, organizing phone banking, and meeting with education experts. Although Walker eventually broadened the scope of his expansion plan, the ACLU will continue to fight voucher schools and call on lawmakers to stop privatizing education.





**Voting Rights** Eddie Lee Holloway, Jr. never misses a chance to vote. But thanks to Wisconsin's voter ID law, passed in 2011, Holloway is no longer able to vote in Wisconsin. DMV employees tell Holloway that his birth certificate is an unacceptable form of ID because the name on it reads "Eddie Junior Holloway," due to a decades-old clerical error. It doesn't matter to the DMV that his father's name — "Eddie Lee Holloway"

— is printed on his birth certificate, and that Eddie has a Social Security Card and an expired Illinois photo ID both bearing the name "Eddie L. Holloway Jr." Holloway can't obtain a new photo ID, and therefore can't vote.

Wisconsin's voter ID law is one of the strictest in the country. In 2011 a Wisconsin circuit court judge temporarily blocked the law, but if it goes into effect it would disenfranchise tens of thousands of Wisconsin voters, including nearly 25 percent of eligible Latino voters and about 16 percent of eligible Black voters, who lack the necessary ID to go to the polls.

In 2011 the ACLU of Wisconsin filed a federal lawsuit challenging the voter ID law. The case, Frank v. Walker, charges that the law illegally blocks minorities and veterans from accessing the ballot box. The suit was filed on a behalf of a broad spectrum of plaintiffs, including white, Black and Latino voters, homeless and low-income citizens, veterans and students. In November, the ACLU of Wisconsin went to trial in federal court in Milwaukee. Stay tuned for updates on the case via email, Facebook and Twitter.

**Reproductive Freedom** On the Friday afternoon of the Fourth of July weekend, Gov. Scott Walker quietly signed an outrageous attack on women's health. Bill SB 206, which was introduced and passed in a mere nine days, would have closed half of Wisconsin's abortion clinics, forced women seeking abortions to obtain ultrasounds, and forced doctors to obtain unreasonable and unnecessary hospital admission privileges.

On the Monday following the holiday weekend, the ACLU of Wisconsin and Planned Parenthood filed a lawsuit challenging the latter portion of the law. Doctors who provide abortions often are unable to obtain hospital admitting privileges due to factors such as the hospital's opposition to abortion or a requirement that physicians admit a minimum number of patients to the hospital.

On the very day the abortion law was scheduled to go into effect, federal Judge William M. Conley blocked its enforcement. In early August, Judge Conley blocked the law again, writing, "The admitting privileges requirement is a solution in search of a problem...

Devoid of any documentation of a medical need or purpose in Wisconsin, the Governor nevertheless signed the Act."



Sylvia McFadden

Following the August ruling, the state filed an appeal, which is currently pending. Stay tuned for updates on the case via email, Facebook and Twitter.



**Ethnic and Religious Profiling** Dr. Ahmad Khorrami, a British citizen born in Iran, has been a lawful permanent resident of the United States since 1997. In 2001, Dr. Khorrami worked as a pilot for Skyway Airlines in Milwaukee. When he arrived at Skyway Airlines' office on the afternoon of September 17, 2001, he was met by FBI and Immigration and Naturalization Service agents, who insulted his religion and ethnicity, interrogated him, and detained him unlawfully.

Dr. Khorrami was held in jail for three months without ever being charged. He was questioned, threatened, and physically and psychologically abused. The FBI ultimately released him after admitting it had submitted a false declaration regarding Dr. Khorrami's supposed link to the 9/11 attacks.

In 2007, Dr. Khorrami filed a federal lawsuit, charging that the FBI and INS violated his Fourth Amendment rights to be free from unreasonable seizure and excessive force, his substantive due process right to be free from abusive treatment, and his equal

protection right to be free from ethnic and/or religious profiling. The ACLU of Illinois and a Chicago law firm are representing Dr. Khorrami, while the ACLU of Wisconsin is providing local counsel. A trial is scheduled for January 27, 2014.

Twelve years after 9/11, our nation still faces the challenge of remaining both safe and free. Our government's policies and practices have too often betrayed our values and undermined our security. That's why the ACLU will never stop fighting racial and ethnic profiling, targeted killing, extraordinary rendition, military commissions and indefinite detention, warrantless surveillance and other over-zealous national security efforts.

#### **ACLU OF WISCONSIN AND ACLU OF WISCONSIN FOUNDATION**

Combined Audited Statement of Activities For the Year Ending March 31, 2013 **Unrestricted Net Assets** 





SUPPORT AND REVENUE	Membership dues Contributions Event income (net) Legal Fees Other revenue	\$183,161 183,271 20,583 243,836 6,164
	Total unrestricted support and revenue	644,615
EXPENSES	Program services Administration Development	669,915 230,138 193,244
	Total expenses	1,093,297
	Net assets released from restrictions Change in unrestricted net assets	(535,364) 86,682
TEMPORARILY RESTRICTED NET ASSETS	Contributions Investment return Net assets released from restrictions Change in temp. restr. net assets Change in net assets	31,305 2,899 (535,364) (501,160) (414,478)
	Net assets (beginning of year)  Net assets—end of year	1,249,346 <b>\$ 834,868</b>
	REVENUE	EXPENSE

#### REVENUE

Legal Fees & Other 39% 61%



61%



# 2013 Bill of Rights Awards

### William Gorham Rice Civil Libertarian of the

Year: David Cecsarini and Next Act Theatre, for insisting that the show must go on in the face of censorship. When Phantom Cicada Theatre was forced out of its venue. The Bible: The Complete Word of God (Abridged) was moved to Next Act where the musical played to sold-out audiences.

Eunice Z. Edgar Lifetime Achievement: Barbara J. Miner, for her tireless fight in support of public schools. She is the author of the recently released book *Lessons from* the Heartland: A Turbulent Half-Century of Public Education in an Iconic American City (New York: New Press, 2013).

Jack and Lucy Rosenberg Youth Civil Libertarian of the Year: Michael Freytes, a senior at Alliance High School, for his dedication as a community organizer and leader of the Public Art Student Alliance.

### 2013 Board of Directors and Trustees

Athan Theoharis, President - Fox Point Jonathan David Marshall, Vice President – Kenosha William H. Lynch, Secretary-Treasurer - Milwaukee Jeralyn Wendelberger, National Board Rep. - Shorewood Martin Alvarado - Madison Jeanette Arellano, Student Rep. - Madison Emily Bell - St. Francis Tricia Bushnell - Madison William T. Crowley - Milwaukee Elliott Garb - Oshkosh James Hall, Jr. – Milwaukee Roberta Hill - Barneveld Jay Kronenwetter - Wausau Mildred Larson - Eau Claire Benjamin Marquez - Madison Mary Jo McBrearty - Kohler

Pamela McGillivray - Madison

Jeff Pugh, Student Rep. – Madison Gretchen Revie – Appleton

Nilesh Patel - Middleton

## 2013 Affiliate Staff

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# How will you choose to support the ACLU of Wisconsin?

Membership Strengthen our lobbying efforts and grassroots activity by becoming a member of the ACLU of Wisconsin! Paying annual dues of \$35 or more entitles you to a membership in the state and national ACLU.

Tax-deductible donations. Your gift to the ACLU of Wisconsin Foundation is tax deductible to the extent allowed by law and supports litigation and civil rights education in Wisconsin and across the country. The ACLU receives no government funding and does not charge its clients for legal representation. Our work depends entirely on private donations and legal fees earned from successful cases.

## Community Shares of Wisconsin and Community Shares of Greater Milwaukee

These organizations raise funds for nonprofits through workplace giving campaigns in both private businesses as well as the public sector through the Combined Campaign. When you designate a gift to the ACLU of Wisconsin Foundation we receive 100% of your contribution. Please ask your employer about this easy way to donate to charities who work for systemic change and who share your commitment to make a better world.

Beguests and planned gifts Naming the ACLU as a beneficiary of your will, life insurance policy or retirement fund is a simple and effective way to support the future of civil liberties.

For more information on any of these ways to support the ACLU of Wisconsin, call the **Donor Relations Office at (414) 272-4032, ext. 228**, or check our website, **www.aclu-wi.org**.



The ACLU of Wisconsin was the community partner for Skylight Music Theatre's production of Avenue Q in October 2012. Jim Farrell and Paul Fairchild with a felt friend.



ACLU offices are opened in April for the Historic Third Ward's Gallery Night.





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### **Annual Membership Meeting**

Saturday, December 14, 2013 3-5 PM KASANA 241 N. Broadway, Milwaukee

Save the Date:
Bill of Rights Celebration

Wednesday, March 12, 2014 Broadway Theatre Center, Milwaukee

BECAUSE FREEDOM CAN'T PROTECT ITSELF.