

2020 ANNUAL REPORT



ACLU
Wisconsin



William Sulton,
Board President



Chris Ott,
Executive Director

The ACLU keeps coming back for more — and we hope you will too

Over the last four years, people like you have helped the ACLU to face down dire threats to civil rights and civil liberties from one of the most dangerous administrations in American history. As we move ahead from here and look to the future, we want to thank you for making this work possible.

In conversations such as individual meetings with top donors, or question-and-answer periods after talks throughout Wisconsin, we've seen a common thread: again and again, people have shared that they have never felt so concerned about the future of our country.

They worry about the damage that self-interested politicians have done to our institutions, to faith in voting, and to democracy itself. They fear problems like racial injustices are going from bad to worse. They worry about the potential that historic breakthroughs from the past — such as the right to choose, or marriage equality — might slip away in the near future.

Victories for civil rights and civil liberties don't always stay won. The work to stop threats like this and to keep moving in better directions is hard. It's not easy defending rights and liberties in a hostile and dismissive political climate. It's not always comfortable speaking at rallies or serving as a legal observer to defend the rights

of others to protest, especially during the winter and summer extremes of Wisconsin's weather. It's not convenient to respond to unpredictable new outrages, new threats, or (more hopefully) new opportunities. But, with your help, we keep doing it.

In fact, there's no other organization for this work like the ACLU. We work as a nationwide organization, but also locally in every state. We work in courts, but also in legislatures, city councils, and in the court of public opinion: via both social media and the traditional news media. The ACLU of Wisconsin also has unique youth- and community-organizing programs, and we literally operate in the streets, when we provide legal observers to help protect the free speech rights of others.

Over the last four years, you made the ACLU stronger in response to unprecedented threats. We told President Trump that we would fight back against his attacks on civil rights and civil liberties, and we did.

But not all our problems started in 2016. Now, we'll turn that new strength you have given us to work on repairing the damage, and to address long-standing injustices. We need to move away from mass incarceration. We need police accountability. We need to defend people from

racial and other discrimination. The ACLU works on all of these issues and more, here in Wisconsin, and across the whole country.

Precisely because the last four years have been tough, they give us hope. We hope that the Trump Administration's brazen attacks have shown people that we can never take civil rights and civil liberties for granted. And we hope that seeing so many successes despite such daunting odds — everything from courts saying no to Donald Trump's power-grabs, to the fierce commitment of people who have taken to the streets for justice and who defied a global pandemic to vote in record numbers — shows what we can achieve in the future.

The last four years forced people across our country to take sides. We're so grateful that so many people who care about freedom, justice, and equality turned to the ACLU. And we hope you'll stay with us for more of that work, because that is what this organization does.

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Cover photo by Claudio Martinez



Ensuring Rights for All

Ryeshia Farmer, *Rights For All Campaign Coordinator*

This year, the American Civil Liberties Union of Wisconsin launched the Rights For All (RFA) Campaign to expand the right to vote throughout our state.

As the campaign coordinator, I executed the moving parts of this campaign, which required hiring a team of organizers who would empower Wisconsinites to advocate for wide-scale access to ballot boxes and inform others of the ways that they can make an impact in the electoral process.

The COVID-19 pandemic and all of its collateral consequences, including restricted public access, were obstacles that could not be foreseen. The pandemic changed many of our in-person organizing strategies into digital ones. Utilizing virtual town halls and Zoom training events, we were able to build power in ways that were unsafe to do in-person. We also worked in an ever-changing political climate surrounding elections, navigating frequent rule changes, routine legal battles, and the inherent challenges of engaging non-traditional voters.

After the mass disenfranchisement that occurred in Wisconsin's spring 2020 election, the campaign set out to ensure that all eligible voters could cast their ballots through curbside/drive-up, mail, and in-person voting – methods which were instrumental to safe, fair, and accessible elections throughout the

state. It became clear that these measures needed to be implemented statewide in order to protect democracy in Wisconsin.

We reached out to municipal clerks to learn their plans and needs for educational outreach for voters, coordinated a working group dedicated to mobilizing and educating voters and volunteers, established a volunteer program for citizens concerned about the risk of widespread de facto disenfranchisement in Wisconsin's 72 county jails, and participated in an inaugural election protection program at the Milwaukee County Central Count location.

Our team organized during a time in which Wisconsin saw some of its most egregious racial injustices, including the shooting of unarmed Jacob Blake by Kenosha Police, and the murder and injury of protestors following Blake's shooting.

These events prompted opportunities for RFA organizers to "show up" for the communities we advocated for – building relationships, educating voters, and engaging volunteers along the way.

As an organization, we are committed to engaging deeply with the people of Wisconsin to collectively tackle both new and existing issues in our democracy, while always looking to bring more individuals, especially those from marginalized communities, into the work. In 2020, we built a strong, durable, and inclusive voting rights program – one that I am proud of and hope will flourish for years to come.



Targeting Voter Disenfranchisement, One Voter at a Time

By Molly McGrath, *National Political Advocacy Department*

Unfortunately, the 2020 election continued to reveal the impact of voter suppression across Wisconsin – effects exacerbated by the pandemic.

In addition to our voter mobilization and education work, we also provided one-on-one voter assistance when needed, working alongside state and national partners both on the ground at polling locations and in the election protection war room.

For example, Wisconsin's voter ID law continues to disenfranchise voters. In the months before the election, the ACLU obtained an order from a federal judge in the ongoing Frank litigation, requiring the Wisconsin Election Commission to provide public education to voters about the ID law and the ability to obtain an ID to vote, even if the voter does not have all of the required documents to get an ID.

A voter named Shari showed up at her polling location to vote, but didn't have the required ID. She left her polling place surprised and upset that her ballot wouldn't be counted unless she produced an ID that qualified under Wisconsin's strict law. Shari didn't even know what she needed or how to

start the process. It was Election Day and she wasn't sure she could get what she needed on time. A coalition partner referred Shari to the ACLU, where a staffer walked her through the DMV process step-by-step, including which documents to bring with her, and DMV location and hours. The next day, Shari got an ID receipt in the mail, which qualifies under Wisconsin law, but still, she couldn't get to the municipal clerk's office with the ID by 4pm the Friday after the election. Shari did not have Wifi to email a copy of the ID to the clerk, so an ACLU staffer emailed a copy of her ID to the clerk to ensure her provisional ballot was counted.

The lack of awareness of how the ID law works, the inability to produce all requisite documents, and lack of transportation or WiFi demonstrate how this law continues to marginalize voters and how we must continue to make changes. We must continue to fight voter suppression at every level, even if that is voter by voter.

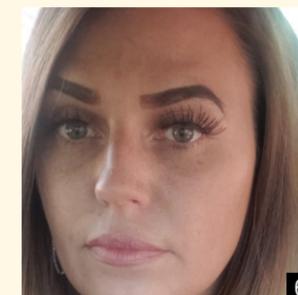
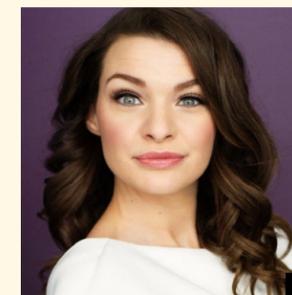
Protecting the Vote: Our Legal Work



Karyn Rotker, Senior Staff Attorney

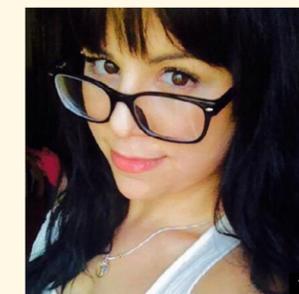
In 2020, the ACLU of Wisconsin was deeply involved in protecting voting rights. Our work included preparing for and participating in a federal court hearing regarding the operation and effectiveness of the state's process for voters without birth certificates to get ID cards, in our long-running voter ID case.

In the spring of 2020, we also filed two friend of the court briefs in federal court, in support of proposed accommodations to deal with the first wave of COVID-19 and its effect on the April election. Our legal department was also a central player in Wisconsin Election Protection, running social media throughout the year to share information and respond to voter questions, and heading up the attorney and observer "War Room" on November 3.



RFA Regional Organizers

- | | |
|--|--|
| 1. Ryeshia Farmer
Rights for All Campaign
Coordinator | 6. Lea Revels
Fox Valley |
| 2. Andrew Alvaro Rasmussen
LaCrosse | 7. Madona Wilber
Menomonee |
| 3. David Carlson
Chippewa Valley | 8. Melissa Wilber
Menomonee |
| 4. Cassandra Erickson
Green Bay | 9. Niki Wilichowski
Racine |
| 5. Rae McWhorter
Racine | 10. Christopher Zahn
Green Bay |



People. Not Prisons: A Glimpse Into Our Smart Justice Program

Sean Wilson, *Smart Justice Campaign Manager*

Since rolling out our Smart Justice Campaign, the ACLU of Wisconsin has become a champion and leading voice for criminal justice reform in our state, working tirelessly to accomplish our ambitious goal of reducing the prison population, and rooting out racism and discrimination in Wisconsin's carceral system.



Our Smart Justice work in 2020 began in a big way, as we recruited, trained, and led a Lobby Day that brought hundreds to the State Capitol in hopes of making long overdue changes to our criminal justice system.

People from all over the state united to lobby their legislators. We heard impassioned speeches, constructive conversations, and a clear, collective message that the failed era of mass incarceration had gone on long enough, and that Wisconsinites were ready for a new approach.

We insisted that elected officials end the counterproductive practice of crimeless (rules-only) revocations, as impacted people gave powerful testimonies about how their lives had been needlessly upended by a supervision system that holds individuals captive long after they leave prison. We also fought against a package of bills that would create harsher criminal penalties and require building a new prison; and instead pushed for policies allowing for expungement, expanded access to the earned release programs and substance abuse treatment, key elements of a new paradigm that prioritizes restoration and rehabilitation over punishment and dehumanization. We talked about how meaningfully reducing violence and crime in our state requires addressing the root causes of harm, a concept that is incompatible with the current model of excessive incarceration.

Digital Organizing

As the pandemic took root, we shifted our organizing strategy. Crowded events like our Smart Justice Lobby Day were no longer possible, so we pivoted into making digital organizing the fulcrum of our advocacy. In March, we started holding weekly virtual town halls about issues including the impact of COVID on incarcerated people, jail voting and more.



We held space for those closest to the issues, answered the public's questions, and galvanized support for advocacy efforts. We used social media to tell the stories of real people, humanizing individuals too often portrayed as less than human, and flexed our people power to pressure government officials and criminal justice stakeholders to take bold action – county sheriffs, state representatives, the Department of Corrections, police departments, judges, prosecutors, the Evers administration, and more.

COVID-19

Around the country, COVID-19 has spread at unparalleled rates inside jails, prisons and detention centers, facilities often over capacity, unsanitary, inconducive to social distancing and notoriously bad at providing healthcare. We called on state leaders to put measures in place to combat the spread of COVID-19 in correctional facilities, providing recommendations to the Wisconsin Department of Corrections and the 72 county sheriffs who oversee jails on how to best prepare facilities to handle the virus.

We filed a [lawsuit](#) in April in the Wisconsin Supreme Court seeking the release of vulnerable people from prisons and jails, but it was denied weeks later, as the Supreme Court joined governor Evers and the DOC in failing to recognize the urgency of getting vulnerable people out of harm's way. To move the Evers administration to act, we mobilized hundreds of people to call the governor's office and filled up his voicemail. We launched a [petition](#) demanding the governor take immediate action to release vulnerable populations from jails and prisons, an effort necessary to save lives. More than 400 people have signed the petition.

To date, Wisconsin has only reduced its prison population by 12.25 percent – not nearly enough to combat an outbreak of this deadly disease. The ACLU of Wisconsin has continued to explore every path available to safeguard the health of incarcerated people and avert a public health catastrophe.

We are working to end misguided policies like crimeless revocation, and divert funding away from incarceration and into the communities

most harmed by it. We need to offer returning citizens pathways to steady employment, access to education, stable housing, and more. We will fight for solutions that achieve safety and justice by strengthening communities and providing people with the resources they need to live and thrive.



Related Litigation

In April, we filed an action in the Wisconsin Supreme Court seeking the release of a sufficient number of people from Wisconsin's prisons to allow for social distancing, warning that once the coronavirus inevitably made its way into overcrowded prisons there would be no way to stop its spread. The Court denied our petition and the state took insufficient steps to substantially reduce crowding. Today, about a third of prisoners have tested positive and nearly a dozen have died.

We continue to litigate our challenge to the state's parole system as applied to people serving life sentences for crimes they committed as children. The lawsuit seeks to provide parole release for such "juvenile lifers" upon a showing of "maturity and rehabilitation," as required by Supreme Court cases striking down life sentences without parole for juveniles. Although the parole commission continues to apply to juvenile lifers the same purely discretionary standard for release it uses for adults, we successfully advocated for the release of several of our clients in the case because of the threat of COVID-19.



We Were There: Our Legal Observer Work

Molly Collins, *Advocacy Director*

The ACLU of Wisconsin has worked with groups of volunteers to legal observe demonstrations for at least the past 15 years, but 2020 really required us to level up these efforts.

At the beginning of 2020, we were planning for the Democratic National Convention to come to Milwaukee, creating strategies to observe what we thought at that time would be four days of demonstrations. But with the murder of George Floyd and the collective national reckoning around police violence and white supremacy, demonstrations in Wisconsin (and requests for legal observers) skyrocketed this summer.

And our volunteers have stepped up in the best ways possible. We trained hundreds of people over Zoom this year, and 228 of the newly-trained observers have taken the next step to start observing. We've sent observers to demonstrations in Milwaukee, Wauwatosa, Kenosha, Racine, Appleton, Green Bay, and smaller communities around the state.

When there were days of civil unrest in Kenosha after the shooting of Jacob Blake, our observers were there. When demonstrations increased in Wauwatosa after the District Attorney's decision not to charge Officer Joseph Mensah for killing Alvin Cole, our observers were there. And because we were seeing much of the police aggression happening after dark, we worked to get our observers exempted from the city's curfew. These courageous volunteers (who in their day jobs are teachers, nurses, office workers, baristas, professors, and more) stepped into situations where they did not only have to worry about COVID-19 exposure, but also being tear gassed by law enforcement or shot with rubber bullets. But our legal observers showed up again and again, because they felt like their presence deterred police violence against demonstrators, and that was one way they could contribute in this moment.

The appreciation from the demonstrators – the understanding that our presence helps other people feel safe in this challenging moment – makes this work so worth it.



Protecting the Right to Protest

Police brutality against people of color, and the movement responding to it, occupied headlines and the ACLU's legal work for much of the year. We responded to the mass arrests of people in Milwaukee and Madison protesting the killing of George Floyd and other Black men and women by coordinating lawyers to defend them and providing the lawyers with training on municipal court procedures.

We and our allies successfully urged the Milwaukee City Attorney to dismiss approximately 128 curfew tickets. We also successfully urged the City of Wauwatosa to abandon a "curfew" that only applied to protesters, who had been marching in the city seeking justice for Alvin Cole, Jay Anderson, Jr., and Antonio Gonzalez, three young men of color who had been killed by the same Wauwatosa police officer.

We were also involved in ensuring that protesters were able to express themselves in the streets of Downtown Milwaukee during the Democratic National Convention. And we continue to represent Jarrett English and Benetria McGowan in a case that arose out of the Milwaukee Police Department's crackdown on protesters and mourners in the wake of the 2016 police killing of Sylville Smith, which resulted in the indiscriminate arrests of our two clients.



Youth Education: Generation Z(oom)

Hope Owens-Wilson,
Youth Organizer

“Working with young people this year has been one of the most uniquely difficult and rewarding experiences I have had to date.”



When this year started, we were coming off of a year with record student attendance to our in-person events, and sat on the precipice of even more plans for fun in-person activities for the students we work with. However, as with much of the world, our plans on how to engage with young people had to rapidly shift due to COVID-19.

Along with everyone in the world, we had a front row seat to how fast information about COVID-19 changed. Realizing that this experience would be uniquely confusing and alienating to students who essentially had their social networks ripped out from under them, we took on the task of planning a two-part Zoom event that focused on providing information about the coronavirus from community medical and mental health professionals. High school and college students joined us to learn more about this new era together.

As the pace of coronavirus showed no signs of slowing down, our plans for how to engage young people at our upcoming Summer Justice Institute, a two-week summer camp focused on providing the next generation of community leaders space to grow their skills and network, had to adapt. So, for the first time, the Summer Justice Institute (SJI) was held virtually. During the planning of the SJI, the world watched as several instances of police brutality and racial injustice spawned one of the largest mobilizations of protesters in recent years.

All over the world, people reckoned with what it truly meant to have Black Lives Matter. Recognizing that students would need space to process their thoughts, but also consider their role in this kind of work, SJI 2020 was planned with emphasis on racial identity and how it impacts one’s work in communities.

I had the pleasure, along with former interns and colleagues, to watch as students fearlessly engaged in conversations about their experiences and hopes for the United States in the rest of 2020. Furthermore, due to the new digital format, we had some of our first participants from outside of Milwaukee join us.

As the school year loomed, and uncertainty about how school would look in the fall was a constant concern. Ultimately, Milwaukee Public Schools, the school district my work largely serves, decided to return to school almost entirely virtual. As a result, much of the youth programming for the fall has followed this pattern. Fortunately, this has provided a unique opportunity for our Student Alliances, student groups at select schools that focus on civic engagement and art, to meet regularly without the worry of transportation. However, that does not mean digital meetings came without difficulty. Multiple students shared they felt overwhelmed with the amount of school work they had to juggle on top of still continuing to work in-person jobs. Some students echoed the sentiments of folks across the globe, experiencing Zoom fatigue and a desire to return to in-person activities.

Still, even with these struggles, the young people I work with have been steadfast in their dedication to fight for the rights of all. Some organized protests over the summer and have continued their activism by organizing letter-writing campaigns; others worked hard this election by phone banking and becoming poll workers.

We are capping off 2020 with a Youth Symposium, meant to unite all of the students I have worked with throughout 2020 to provide a space for them to talk about how uniquely difficult, rage-inducing, and hopeful 2020 was, and how 2021 can be better for it.



Racial Bullying in Public Schools

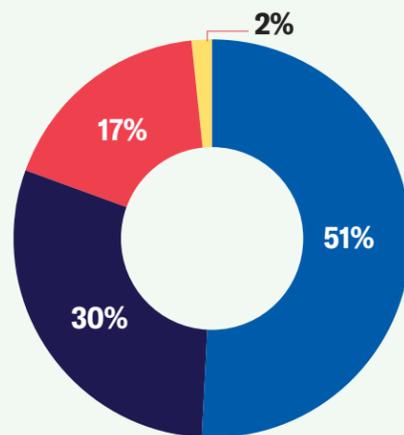
The Trump administration’s racially divisive rhetoric has emboldened racist organizations, encouraged racist violence and normalized racist behavior, including racist bullying in public schools. Wisconsin’s pupil nondiscrimination law and similar federal laws require schools to take effective actions to eliminate racially hostile school environments. With the addition of a new Equal Justice Works Fellow, Elisabeth Lambert, to our legal team, we have been able to represent more students subjected to racial harassment, filing administrative complaints against three districts in just the past few months.

Financial Summary

“Despite deep dysfunction in our politics, colossal failures of leadership at various levels of government, grave racial and social injustices, and a global pandemic that has resulted in incalculable loss, our supporters never gave up, refusing to relinquish hope for a better tomorrow. And even amid all the darkness of 2020, the persistence of ACLU supporters and Americans across the country provided us with the inspiration to keep believing that we can in fact build an America we all want to live in.”

Maxine Webb, Development Director

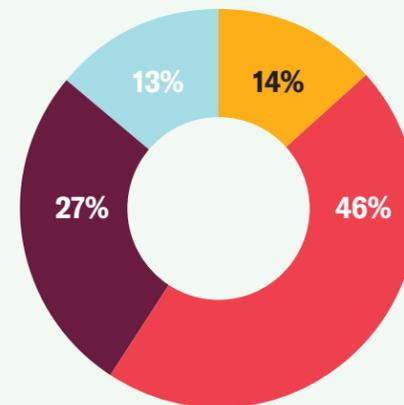
Audited Combined Financials for the Year Ending March 31, 2020



Support & Revenue

- Grants & Contributions: \$1,368,207
- Membership Income: \$799,507
- Awarded & Donated Legal Fees: \$471,154
- Other Revenue: \$41,374

Total Support & Revenue: \$2,680,242

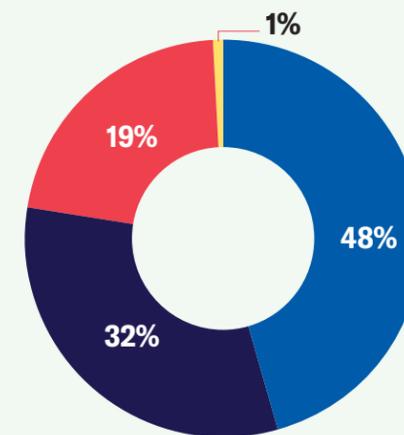


Expenses

- Program Services**
- Public Policy: \$220,188
 - Litigation & Education: \$749,357
- Supporting Activities**
- Management & General: \$441,438
 - Fundraising: \$222,972

Total Expenses: \$1,633,955

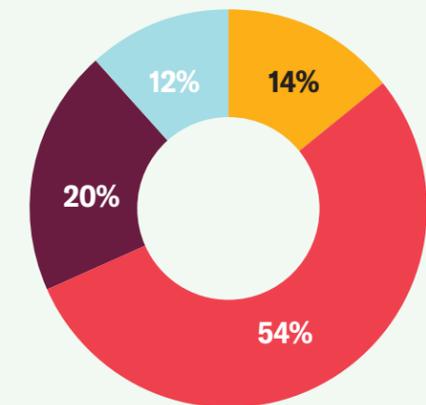
Audited Combined Financials for the Year Ending March 31, 2019



Support & Revenue

- Grants & Contributions: \$1,237,601
- Membership Income: \$827,781
- Awarded & Donated Legal Fees: \$498,877
- Other Revenue: \$21,327

Total Support & Revenue: \$2,585,586



Expenses

- Program Services**
- Public Policy: \$187,539
 - Litigation & Education: \$712,261
- Supporting Activities**
- Management & General: \$260,311
 - Fundraising: \$151,863

Total Expenses: \$1,311,974



New Staff Feature: Emma Shakeshaft

Dr. Emma Shakeshaft completed a two-year Equal Justice Works fellowship and joined the ACLU of Wisconsin as a staff attorney.

Emma's fellowship project challenged modern-day debtors' prisons throughout Wisconsin by urging courts to pursue more rational and equitable approaches to criminal justice debt in municipal courts with a specific focus on racial disparities.

State and local courts throughout Wisconsin have attempted to increase funding by using aggressive tactics to collect unpaid forfeitures, fines, and fees for low level municipal violations in order to fund state, county, and municipal operations. Courts have gone so far as to order the arrest and jailing of people who fall behind on their payments, without affording hearings to determine an individual's ability to pay or offering any alternatives.

As with many areas of the legal system, those who are impacted the most by these unconstitutional practices are under-resourced and under-served people of color. Monetary sanctions have become a prominent way in which racial and class inequalities have been reproduced and reinforced.

Coronavirus and the movement for racial justice and Black lives has demonstrated the importance of this work. The creation and enforcement of curfew tickets in response to protests throughout Wisconsin is further exacerbated by the pandemic, which already disproportionately impacts communities of color.

Through data collection, coalition-building, public education, community outreach, attorney pro-bono recruitment and training, legal advocacy, and direct representation, Emma, the ACLU-WI, and coalition partners successfully:

- Recruited approximately 60 pro-bono attorneys to help represent protesters in municipal court and developed a municipal court CLE training.
- Advocated for the blanket dismissal of curfew tickets in Milwaukee resulting in the dismissal of 128 municipal tickets and removal of over \$88,000 of legal debt.
- Directly represented clients in municipal court, resulting in releases from jail, dismissed tickets, and reduction of forfeitures.
- Created a municipal court know your rights video along with a know your rights pocket guide.
- Helped to distribute over 10,000 pocket guides.
- Provided city council testimony to end excessive sanctions for truancy.
- Joined an amicus brief urging the 7th Circuit to consider an individual's limited financial circumstances when determining whether an economic sanction is unconstitutionally excessive.

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Tomás Clasen, Esq.
Community Engagement Manager

Molly Collins
Advocacy Director

Melissa Ludin
Smart Justice Regional Organizer

Hope Owens-Wilson
Youth Organizer

James Stein
Data and Organizing Specialist

Sean Wilson
Smart Justice Campaign Manager

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Larry Dupuis
Legal Director

Elisabeth Lambert
Equal Justice Works Fellow

Tim Muth
Volunteer Staff Attorney

Karyn Rotker
Senior Staff Attorney

Emma Shakeshaft
Staff Attorney

Development

Maxine Webb
Development Director

Kali Wright
Development Coordinator

How to Get Involved

Donate: 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.

Workplace Giving: Many companies provide employees a variety of ways to donate to their favorite organizations, even offering convenient options like payroll deduction. This is a perfect way to make a larger contribution and pay for it in small, more feasible installments.

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.

Become a member: 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.

Volunteer: There are many ways you can take action as a volunteer! Visit aclu-wi.org/get-involved to learn more.

Please contact our Development Department for more information at liberty@aclu-wi.org or 414-272-4032 x218

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