



# ACLU

Wisconsin

2018-2019 REPORT

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Cover Photo: After the Parkland shooting, these three graduates of the ACLU of Wisconsin's 2017 Summer Justice Institute led a walk-out at Rufus King High School in Spring 2018.

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## LETTER FROM LEADERSHIP

In these dramatic and troubling times, the ACLU has grown stronger than ever. Your support has given us the resources to face challenges across the country, at the border, and here in Wisconsin. You are helping to create hope and a brighter future for democracy, civil rights, and civil liberties.

The ACLU's legal work remains as important as ever. Nationwide, for example, we have led the fight against the separation of immigrant families and the rejection of requests for asylum. And here in Wisconsin, we have achieved dramatic breakthroughs:

- The ACLU's challenge to racially discriminatory Milwaukee policing led to the most extensive commitment to police reform since the 2013 ruling on racial profiling and unconstitutional stops in New York;
- Our lawsuit against the State achieved a settlement designed to bring an end to problems at the infamous Lincoln Hills and Copper Lake youth prisons;
- We sued the State of Wisconsin over the denial of needed health care coverage to transgender state employees, and a jury of Wisconsin citizens found that our clients deserved compensation for this discrimination.

You helped to make these legal victories possible—and at the same time, you have helped us branch out into new ways of achieving important goals outside the courtroom as well.

The United States incarcerates a higher percentage of our people than any other country on earth—and Wisconsin has the terrible distinction of having a prison population that has the worst racial disparities in the country.

To take on this huge, urgent problem, your support has helped us launch our Campaign for Smart Justice: a multi-year effort to cut the prison population by half, and to eliminate racial disparities in Wisconsin's criminal justice system.



Working in tandem with our legal efforts, we put new organizers to work on this problem, and one of the best demonstrations of the potential of this approach came in 2018. The Wisconsin Assembly proposed borrowing \$350 million to build a new prison. The ACLU of Wisconsin decided to fight it. In just a matter of weeks, we led a broad coalition effort to keep the state Senate from voting on it. On difficult political terrain, and in a time of fierce partisanship, we did it.

This work is not easy. But the ACLU's successes in and out of the courtroom show that we can overcome obstacles despite a hostile political climate.

Our base of support has surged since 2016, and more than twice as many people in Wisconsin belong to the ACLU today. This has helped us to grow and make investments to continue work like this regardless of the political landscape, nationally and here in Wisconsin. In 2017, the national ACLU invited the ACLU of Wisconsin to join an intensive program called the Strategic Affiliate Initiative (SAI). SAI is putting the ACLU of Wisconsin through a rigorous process of planning for both expansion and sustainability. This investment multiplies the effectiveness of local gifts.

We make good news in bad times, and we hope you feel great about your support for the ACLU. In one of the most difficult periods our country has faced, we are making progress, and building with a long-range view. Thank you so much for making this work possible, and please let us know if you would ever like to learn more.

Chris Ott  
Executive Director  
ACLU of Wisconsin

Mary Jo McBrearty  
President  
ACLU of Wisconsin

## CRIMINAL JUSTICE REFORM & RACIAL JUSTICE

“As someone that has lived experiences with the criminal justice system in this state, I feel that my path has ultimately placed me in a unique position to help others, and make progress for real reform.”

- Sean Wilson  
Smart Justice Statewide Organizer  
ACLU of Wisconsin



Wisconsin has a terrible distinction: one of the highest incarceration rates for Black males in the nation, in a country with the highest rate of incarceration in the world. To fight this, we have made criminal justice reform in Wisconsin a top priority by launching the Campaign for Smart Justice: a multi-year effort to reduce Wisconsin’s jail and prison populations by half and to eliminate racial disparities in our legal system. Alongside the ACLU’s traditional legal work, we work with community partners from across the political spectrum to push for smart policy solutions, advance the leadership of people directly impacted by Wisconsin’s criminal justice system, and make sure politicians understand the urgency of smart justice reform.

### **In 2018, we began seeing breakthroughs from this approach**

We won our lawsuit against the infamous Lincoln Hills and Copper Lake youth prisons. The ACLU successfully challenged abusive practices such as solitary confinement and the use of shackling and pepper spray in Wisconsin’s youth prisons. In June 2018, the State of Wisconsin agreed to settle a class action lawsuit, *J.J. v. Litscher*, brought by the ACLU and Juvenile Law Center.

Until we brought our case, Wisconsin was one of the worst states in terms of how it treated kids in its prisons—with just about the most extensive use of solitary confinement. The settlement we won specifies:

- no more punitive solitary confinement by July 2019, and strict limits on other use of solitary confinement;
- phasing out the use of pepper spray;
- strict limits on handcuffing youth and using other restraints, like belly chains, and an end to cuffing youth to objects like tables—the use of these restraints must become the exception, not the rule;
- no strip searches without specific individualized justification;
- all staff in the facilities must receive de-escalation training;
- outside monitoring and inspection, with the ability to interview young people, to ensure that the prisons meet the terms of this agreement.

This settlement agreement addresses practices that violated children’s constitutional rights, including their rights to substantive due process, as guaranteed by the Fourteenth Amendment to the U.S. Constitution, and their right to be free from cruel and unusual punishment, as guaranteed by the Eighth Amendment to the U.S. Constitution.

## **We won our lawsuit challenging Milwaukee Police Department stops and frisks**

In 2017, we sued, and in 2018, the Milwaukee Police Department settled in a landmark case that will overhaul how police conduct and report stops and frisks in Milwaukee. In a banner day for police reform, the City of Milwaukee agreed to end practices amounting to a decade-long stop-and-frisk program that resulted in hundreds of thousands of baseless stops as well as racial and ethnic profiling of Black and Latino people citywide. The agreement provides a roadmap for how the Milwaukee Police Department and Fire and Police Commission must reform, to protect the constitutional rights of the people they serve.

**“The Milwaukee Police Department—like every other police force in the country—must protect and serve everyone regardless of race and ethnicity.”**

**- Larry Dupuis, Legal Director  
ACLU of Wisconsin**

The agreement requires improved training and supervision of officers, the collection and release to the public of data on stops and frisks to permit further analysis, and an external monitor to ensure police compliance.

This settlement is the biggest breakthrough for police accountability in Milwaukee’s history—but we didn’t stop with the legal victory. We launched the Justice Tour: a series of events to explain the settlement and to let members of the community know what they should expect from police.



Photo credit; Joe Brusky

**“WE WANT EVERYONE TO KNOW WHAT OUR SETTLEMENT WITH MILWAUKEE POLICE MEANS, AND WE ALSO HOPE THIS LANDMARK AGREEMENT SENDS A MESSAGE TO OTHER CITIES ABOUT THE NEED TO ADVANCE FAIRNESS AND EQUAL TREATMENT IN POLICING.”**

**- Chris Ott  
Executive Director  
ACLU of Wisconsin**



Wisconsin has 23,377 people in prison.

**We stopped the State Assembly’s plan to build a new \$350 million prison**

ACLU supporters and allies from over 50 other organizations rallied to stop the Assembly’s proposal in the State Senate, to build a new prison in Wisconsin. We brought more than 150 people to the State Capitol to meet with every State Senator or with members of their staff. We provided our volunteers with talking points, as well as material to share via social media.

Of the many fights we could choose, we picked this one because we know that our state locks up too many people for too long. It costs too much, it hurts communities and families, and it doesn’t make us safer. Wisconsin needs our Smart Justice approach, and we’ll continue to fight for this all year long and beyond.

**We welcomed an Equal Justice Works Fellow, Emma Shakeshaft**

Emma works to combat legal procedures that criminalize poverty and perpetuate racial inequality. Her specific project challenges modern-day debtors’ prisons in Wisconsin by urging courts to pursue more rational and equitable approaches to criminal justice debt. The project aims to implement constitutional court procedures and legal advocacy through coalition-building, attorney training, pro-bono opportunities, community outreach, data evaluation, and impact litigation.

For more information about Emma and her work, visit our website at [aclu-wi.org/emmashakeshaft](http://aclu-wi.org/emmashakeshaft).

“ I have a personal commitment to practice law in areas that center underrepresented communities, specifically within the areas of civil rights, racial justice, and criminal justice reform. ”

- Emma Shakeshaft  
Equal Justice Works Fellow





## VOTING

The ACLU's work continues against Wisconsin's Voter ID law—one of the most restrictive in the country. In particular, Wisconsin's Voter ID law has suppressed the vote in Black neighborhoods in Milwaukee, where fewer people have the specific forms of ID that this confusing, unconstitutional law requires. Alongside our ongoing legal challenge to Voter ID, we undertook two major new efforts for the 2018 elections to help people overcome the obstacles placed in their way by Voter ID.

First, attorney and voting rights advocate Molly McGrath created a network of more than 100 volunteers to respond to requests for help by phone and email. Then, we launched an

advertising campaign, featuring local residents. The ads appeared on billboards, bus ads, digital advertising, and in newspapers. Additionally, to let voters know that they could get help, thousands of door-hangers were delivered by volunteer canvassers to people in communities most impacted by the law.

During the lead-up to the 2018 midterm elections, 575 people called our voter-assistance hotline, with questions about Voter ID, registration/residency, early voting, transportation to polls, and absentee ballots. This project directly helped people overcome obstacles in order to exercise their constitutional right to vote.

## VOTER STORIES

*A blind woman using a wheelchair had no ID and hadn't voted in a long time but wanted to vote. Volunteers took her to the DMV to get an ID and then took her to early voting. She voted in 2018.*

*Another woman in a wheelchair had no ride to the polls. The last time she voted was 6 years ago, and therefore she needed to re-register. Volunteers drove that afternoon to help her. She voted in 2018.*

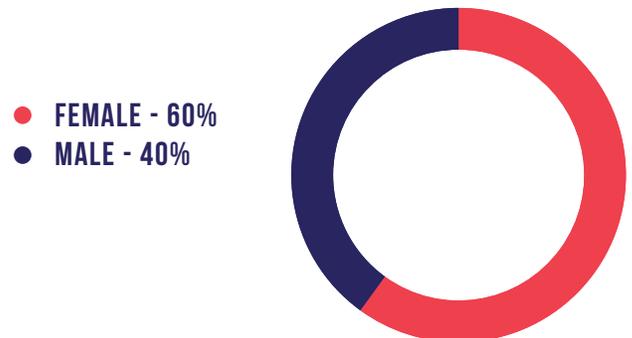
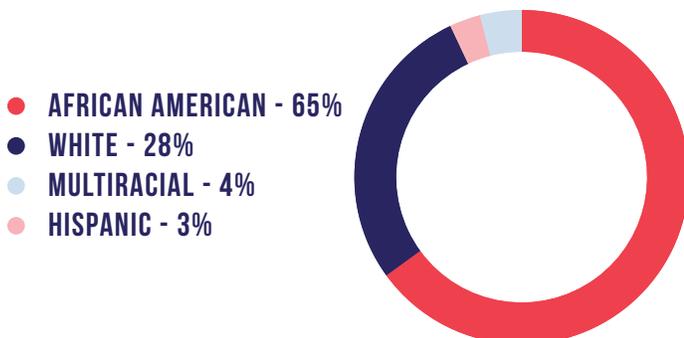
*A Milwaukee man was wondering where he could register and vote early. We gave him a library location close to him in Milwaukee and let him*

*know that in order to vote early he needed to do so immediately, as the deadline was the next day. Noting that his Wisconsin ID was valid and had his current address, he was all set. He voted in 2018.*

*A man with a prior felony conviction, but who was no longer under supervision, called to see if he could vote. We assured him that if he was no longer under supervision, had a valid Wisconsin ID and documentation providing his current address that he could register and vote. He voted in 2018.*



## 2018 -ASSISTANCE HOTLINE USERS





## IMMIGRANTS' RIGHTS

As national outrage grew in 2018 over the separation of immigrant families at our borders, we wanted to help in Wisconsin. We conducted a study on the role that county sheriffs play in the war on immigrants, by sending a letter and open records request to sheriffs in all 72 Wisconsin counties.

The 63 responses showed that while the majority of Wisconsin counties may not be active participants in the Trump Administration's deportation force, policies in most Wisconsin counties could lead local authorities to illegally detain people when Immigration and Customs Enforcement (ICE) asks, without a judicial warrant. Only six counties have policies that make it clear that local law enforcement may not detain people based simply on a request from immigration authorities.

"ICE sends hundreds of detainees to local Wisconsin law enforcement each year, so it is troubling that Wisconsin jails either have no

policy at all, have policies that are incorrect, or actually encourage compliance with detainers in violation of the Fourth Amendment," said Timothy Muth, ACLU of Wisconsin staff attorney and author of the report.

After assessing the situation in Wisconsin, we provided the sheriff's department in every county with a model policy for them to consider adopting, to strike the appropriate balance between the needs of local law enforcement and the constitutional rights of immigrants. The policy helps local sheriffs make it clear that they will not become an active part of Trump's deportation force. Our report outlines how to establish an environment where immigrant members of the community can feel secure in their interactions with local law enforcement and not be turned over for deportation.

To read more about our study go to <https://www.aclu-wi.org/2018-report-fixing-wisconsin-sheriff-policies>.

## YOUTH PROGRAMS

In Wisconsin, the ACLU works with high school and college students to help them examine, understand, and make an impact on major community issues by learning about their civil liberties and civil rights. The ACLU works with young people to help them feel inspired, empowered, and confident that they can always make a positive change in their communities

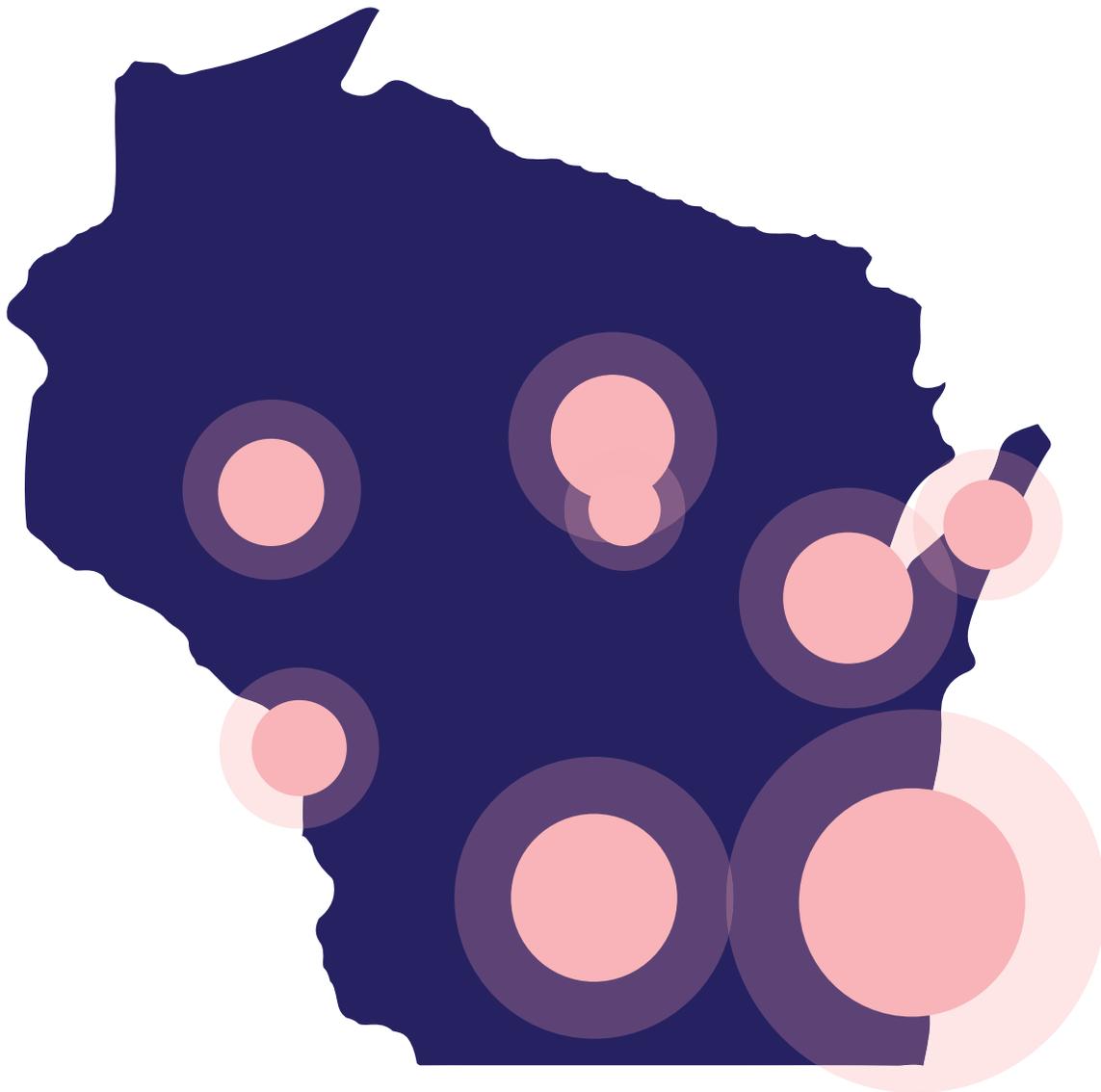
In schools, we conduct trainings that inform students about their rights during law enforcement encounters, about immigrants' rights, technology & privacy, criminal justice reform, and LGBTQ rights. We organize the Summer Justice Institute, a two-week intensive camp experience in which we partner with community groups and leaders to teach high school students about key social justice issues, leadership skills, and organizing techniques for civic engagement.

In November, we held the 19th annual Youth Social Justice Forum at the University of Wisconsin - Milwaukee. Every year, the ACLU of Wisconsin invites community partners to participate in a day-long event to teach high school students to exercise, protect, and celebrate their civil rights and liberties. In 2018, students learned about topics such as new media, art, social justice, civics, government, bullying, racial profiling, LGBTQ rights, and restorative justice.

Across Wisconsin and across the nation, students are learning to build power and take action in their communities. They are developing the skills to organize in coalition and are connecting with other students at different schools to build movements for racial justice and criminal justice reform. They are beginning to lead efforts within the ACLU's Smart Justice campaign, and we are looking forward to seeing what they have in store in the future!



**THANK YOU TO ALL OF OUR MEMBERS FROM ACROSS THE STATE.  
WE COULDN'T DO WHAT WE DO WITHOUT YOU!**



## **NOT A MEMBER YET?**

**More than 13,000 people support the ACLU of Wisconsin.**

With you by our side, we can make progress on all the issues you've read about here, and more. Become an ACLU of Wisconsin member now and help protect everyone's rights.

**Join today at** <https://action.aclu.org/give/join-aclu-wisconsin>

\*Contributions to the American Civil Liberties Union of Wisconsin are not tax deductible

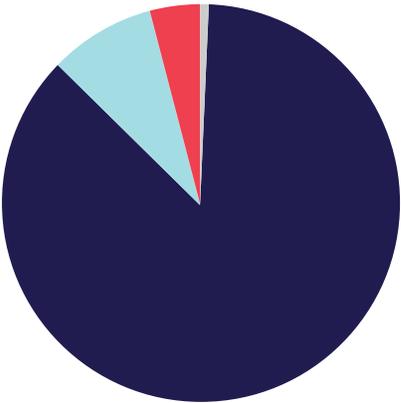
Photo: ACLU senior organizer Jarrett English speaks outside the Milwaukee office of ICE at a protest against the separation of families at the border.



# FINANCIAL SUMMARY

## Support & Revenue FY2018

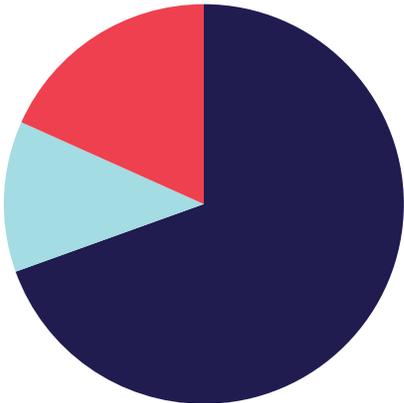
Support & Revenue FY2018	
Grants & Contributions	\$728,210
Awarded & Donated Legal Fees	\$71,312
Special Event	\$31,025
Other Revenue	\$2,761
<b>Total Support &amp; Revenue</b>	<b>\$958,071</b>



- Grants & Contributions
- Awarded & Donated Legal Fees
- Special Event
- Other Revenue

Expenses FY2018	
Program Service: Litigation & Education	\$665,891
Supporting Services -Management & General	\$116,996
-Fundraising	\$175,184
<b>Total Expenses</b>	<b>\$833,308</b>

## Expenses FY2018



- Litigation & Education
- Management & General
- Fundraising

Audited Foundation financials for the year, ending March 31, 2018. To view combined audited financials, visit our website at <https://www.aclu-wi.org/AuditedFinancials18>

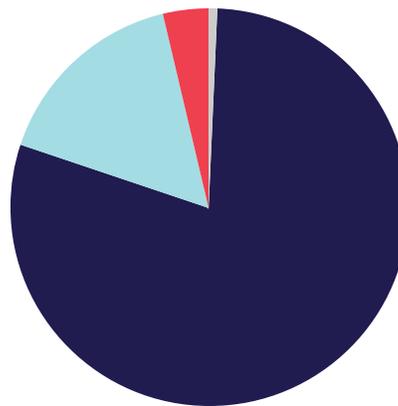


## FINANCIAL SUMMARY

### Support & Revenue FY2017

Grants & Contributions	\$894,895
Awarded & Donated Legal Fees	\$169,453
Special Event	\$29,967
Other Revenue	\$1,089
<b>Total Support &amp; Revenue</b>	<b>\$683,910</b>

### Support & Revenue FY2017

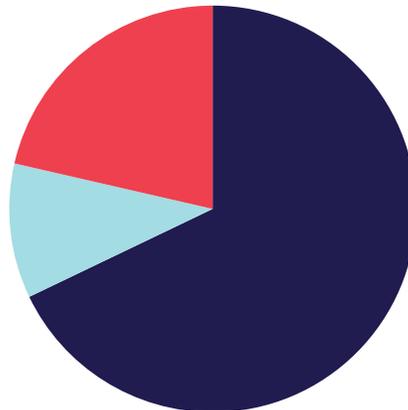


- Grants & Contributions
- Awarded & Donated Legal Fees
- Special Event
- Other Revenue

### Expenses FY2017

Program Service: Litigation & Education	\$464,233
Supporting Services -Management & General -Fundraising	\$73,298 \$146,379
<b>Total Expenses</b>	<b>\$1,095,404</b>

### Expenses FY2017



- Litigation & Education
- Management & General
- Fundraising

Audited Foundation financials for the year, ending March 31, 2017.

To view combined audited financials, visit our website at <https://www.aclu-wi.org/AuditedFinancials18>



## HOW YOU CAN HELP

The ACLU works in the 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 stand up for the principles of equality, justice, liberty, and democracy.

### 1. Make a Gift

- You can defend and advance civil liberties by donating to either the American Civil Liberties Union of Wisconsin (ACLU) or the ACLU of Wisconsin 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, community organizing, and public education efforts. Learn more at <https://action.aclu.org/WI/donate>.
- To give by mail, please make a check payable to the American Civil Liberties Union of Wisconsin or the ACLU of Wisconsin Foundation and send to:  
ACLU of Wisconsin, 207 E. Buffalo Street, Suite 325, Milwaukee, WI 53202

### 2. 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 Wisconsin by visiting [peoplepower.org](http://peoplepower.org).

### 3. Join the Conversation

For more information about ACLU of Wisconsin, visit us at [aclu-wi.org](http://aclu-wi.org), Like us on Facebook, Twitter, and Instagram.



**American Civil Liberties Union of Wisconsin**  
207 East Buffalo Street, Suite 325  
Milwaukee, WI 53202-5774  
[www.aclu-wi.org](http://www.aclu-wi.org)