

ACLU OF INDIANA ANNUAL REPORT 2017:

A YEAR OF RESISTANCE

We Are
a Nation FOUNDED
by IMMIGRANTS
and REFUGEES!!
Patriotism and Pluralism
are NOT
Culturally Exclusive!



ACLU
Indiana

Photo: Paul Weaver, Flickr

A MESSAGE FROM ACLU OF INDIANA LEADERSHIP

2017 has been a year of extremes. The principles that make us proud to be Americans have been challenged in ways few of us could have imagined.

The new federal administration is working hard to turn unconstitutional campaign promises into laws and policies. Those emboldened by dangerous rhetoric are following their lead, at every level of government.

In strong contrast, we have shown what We the People can achieve when we stand together. We have defended ourselves, our neighbors, and our values.

This report includes just some of the battles we have won together, as an organization and a people.

When President Trump tried to ban Muslims from our shores, not once, not twice, but now three times, people flooded airports in protest and the ACLU took to the courts and has stayed there, fighting for our Muslim neighbors.

When Attorney General Jeff Sessions backed away from the law's protection of transgender teenagers, from holding police departments accountable, and from protecting the most vulnerable among us, the ACLU brought suit and we all raised our voices in dissent.

When President Trump left young DREAMers with an uncertain future, determined people confronted him. Young immigrants bravely stood up, telling their stories. Through phone calls and at town halls, constituents forced Members of Congress to respond to their demands for fairness. The ACLU stands with these young immigrants and filed a class action lawsuit on behalf of all DACA recipients.

When the Trump-Pence administration pressured frightened young women, fleeing violence in their home countries, to continue

pregnancies against their wills, the ACLU fought for their right to determine for themselves when and whether to become a parent. And, here in Indiana, we once again are successfully challenging government interference in the rights of Hoosier women to access safe, constitutionally-protected abortions.

The ACLU is proud and humbled to be a trusted ally to which millions have looked to lead the fight against attacks on free speech, an independent press, the right to protest, freedom of religion, and equal protection under the law.

Using the Constitution as a light shining through the darkness, the ACLU stands with you.

Together, we are a force that can turn this worst of times to the best of times.

Thank you for all you have done over this past year, speaking truth to power. Each of us may despair in our moments alone. But, we cannot abandon hope or walk away from the battle.

We the People can reclaim our pursuit of a More Perfect Union with equality, fairness, and liberty for everyone on our shores.

We promise the ACLU is and always will be right there in the fight with you.



Jane

Jane Henegar, Executive Director

A handwritten signature in blue ink, appearing to read "Terri R. Jett".

Terri R. Jett, Board President



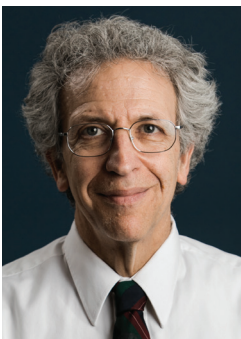
LEGAL DIRECTOR'S LETTER

Events over the past year have served as a constant reminder that serving the Bill of Rights, as we do, is not only essential but is ultimately the most important thing that we can do to support our country. The beauty of the Bill of Rights is that it focuses beyond our own interests and requires us to consider the rights of others—the rights of others to speak, to worship or not, to bear arms, to be safe in their homes, to be treated fairly and equally, to be subjected to only fair criminal process and appropriate punishment.

We may not be fans of particular rights and may certainly not be fans of those who exercise them. However, without the Bill of Rights, the United States would have no backbone because there would be no way to stand up to the government. This last year has reminded us that the ability to confront government overreach and government attempts to suppress the views of the minority is essential.

At the ACLU of Indiana, we have continued to play our part. The last year has seen victories for women seeking protection of their reproductive rights, protesters desiring access to government property, persons with developmental disabilities seeking residential rights similar to traditional nuclear families, prisoners and others desiring to practice their religion, public housing tenants seeking to be free from unlawful searches, and other cases. The cases continue and we continue to respond to the needs of Hoosiers.

We have heard a lot about patriotism over the last year. We at the ACLU of Indiana have long recognized that the essence of patriotism, the essence of supporting America, is to support the Bill of Rights, the one document that enshrines the best of what this country promises its citizens, residents, and the world. With your help we will continue to work in the coming year to protect our most essential charter.



A handwritten signature in black ink, appearing to be 'Ken Falk'.

Ken Falk, ACLU Legal Director

LEADING THE RESISTANCE

The American Civil Liberties Union, using the Constitution as a shield and a sword, has been protecting Americans' rights for close to 100 years.

The ACLU and its members – now more than 2 million strong nationwide – have launched an all-hands-on-deck effort to resist the agenda of the Trump-Pence administration, defend the Constitution, and protect the rights guaranteed to all people.

“With your help, the ACLU will be vigilant, challenging our leaders at every level of government, to keep the awesome promises and potential of the Constitution.”

Jane Henegar, ACLU of Indiana Executive Director



WE'LL SEE YOU IN COURT – AND IN THE STREETS

Before the Trump-Pence administration took office, the ACLU released a Seven-Point Plan laying out how the ACLU intends to challenge unconstitutional policies and protect the Constitution.

The Plan:

1. Demand government accountability and transparency
2. Protect the rights of immigrants
3. Defend reproductive rights
4. Protect First Amendment rights
5. Defend LGBTQ rights
6. Defend core civil rights and civil liberties from erosion
7. Mobilize the American people

“The ACLU has held every administration accountable to the letter of the Constitution. And, we will hold this administration accountable too.”

Jane Henegar, ACLU of Indiana Executive Director

We filed our first case challenging Donald Trump’s Muslim ban just one week into his presidency. We haven’t stopped suing him and those emboldened by his rhetoric and policies since – over voting rights, immigrants’ rights, religious freedom, and transgender rights. Five of these cases are now before the U.S. Supreme Court.

Our Rights and Freedoms on the Line

The ACLU is counsel in five of the most significant cases before the U.S. Supreme Court

The Right to Due Process in Detention: *Jennings v. Rodriguez*

The Right to Be Free From Religious Intolerance: *Trump v. IRAP*

The Right to Decide When to Vote: *Husted v. A. Philip Randolph Institute*

The Right to Equal Treatment: *Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Commission*

The Right to Keep Personal Data Private: *Carpenter v. U.S.*

PEOPLE POWER

The ACLU is first and foremost a membership organization. Since its inception, its strength and impact have been driven by the passion and conviction of the dedicated civil libertarians who stand up and speak out as ACLU members.

In response to the Trump administration's discriminatory agenda, membership in the ACLU has surged. After tripling in size in the three months following the election, the ACLU of Indiana now has more than 14,000 members. Seventy thousand Hoosiers are among more than 2 million ACLU members, activists and supporters nationwide.

To harness this grassroots energy, the ACLU launched a major new grassroots platform, PeoplePower.org, to mobilize our members in resisting the unconstitutional policies of the Trump-Pence administration – not only in the courts, but also in the streets and in their communities.



First Wednesdays

The ACLU of Indiana transformed its long-running educational series, “First Wednesdays,” to educate and empower Hoosiers across the state to defend civil liberties and constitutional rights.

In Gary, Fort Wayne, Bloomington and Indianapolis, these events brought together ACLU experts and community advocates to provide Hoosiers with a “Survival Guide” for how to protect their constitutional rights and defend the rule of law in their communities.



More than 1,000 supporters gather in Feb. 2017 in Indianapolis to learn how they can protect their rights and the rights of their neighbors.

NO BAN. NO WALL. NO RAIDS.

One week after his inauguration, President Trump attempted to ban people from seven predominantly Muslim countries from entering the United States. The ACLU sprang into action. As spontaneous protests erupted at airports across the country, the ACLU was in federal court winning an immediate stay against the ban. Following the ban, we've won multiple, nationwide injunctions against the original and subsequent attempts to ban Muslims from entering the U.S.

The ACLU of Indiana joined other ACLU affiliates in demanding records from U.S. Customs and Border Protection to expose how officials implemented the president's Muslim ban, and has continued to fight on behalf of immigrants and refugees.



ACLU of Indiana joined hundreds of protesters who gathered at the Indianapolis International Airport to protest Trump's Muslim ban.

Ending Unlawful ICE Detainers: *Marion County Sheriff's Department*

With Indiana's immigrant communities under attack, the ACLU of Indiana is fighting to end the use of "detainers," which U.S. Immigration and Customs Enforcement uses to bully local authorities into imprisoning people without due process and funneling them into deportation proceedings.

Last year, our client appeared in court for a routine traffic citation. Even though authorities had no probable cause to arrest him, he was held in the Marion County Jail overnight and then transferred into federal custody because of a detainer request from ICE.

Depriving people of their freedom without due process is a violation of the Fourth Amendment. And if immigrants are reluctant to show up in court or report a crime out of fear they may be deported, everyone will be less safe.

We filed suit on our client's behalf, and came to an agreement with the Marion County Sheriff's Department that would stop Indianapolis authorities from detaining immigrants without probable cause.



Protecting Refugees: *Exodus Refugee Immigration v. Pence*

The ACLU of Indiana has also continued to fight on behalf of Syrian refugees, winning multiple court rulings against Indiana's discriminatory and unconstitutional attempt to block the resettlement of refugees.

Discriminating against a particular group of refugees because of their nationality is unconstitutional, and the ACLU of Indiana filed suit in 2015 against then-Governor Mike Pence to stop his attempts to suspend resettlement of Syrian refugees.

In October 2016, the Seventh Circuit Court of Appeals affirmed a district court ruling that blocked Indiana's illegal and unconstitutional actions, allowing Syrian families fleeing war and horror to continue to find safe haven in the Hoosier State. The ACLU of Indiana is seeking a court ruling to cement this victory for the most vulnerable among us.

Federal Court Blocks Gov. Pence's
Attempt To Bar Syrian Refugees
From Indiana

NPR, 10/3/16

DEFENDING VOTING RIGHTS

The right to vote is essential to the preservation of every other right guaranteed by our Constitution. That is why the ACLU of Indiana is working to protect the right to vote and expand access to the ballot box, to ensure every Hoosier has an equal opportunity to participate in our democracy.

These efforts took on new urgency this year when President Trump convened a so-called “Election Integrity” Commission to validate his lies about voter fraud and justify measures to make it harder for people – especially minority and low-income people – to vote.

In May, the ACLU of Indiana filed one of five Freedom of Information Act requests by the ACLU nationwide demanding to know what information the Trump administration is using as the basis for its voter fraud claims. Trump’s commission is a sham, and we will fight efforts to use it as a pretext for voter suppression.

Let People Vote

With voter suppression on the rise, the ACLU and People Power launched a 50-state campaign to harness the power of grassroots activism to defend democracy and expand voting rights.

At 600 events nationwide, People Power activists came together to learn about threats to Americans’ voting rights – and how, state-by-state, we’re going on the offense to expand access to the ballot and make our democracy more representative.

Here in Indiana, People Power activists will push for an independent, non-partisan redistricting commission that will remove the power of redistricting from the hands of partisan, self-interested politicians. For too long, lawmakers of both parties have manipulated district boundaries to favor their particular party. This needs to change.

Voters should choose their elected officials, not the other way around.

FIGHTING ANTI-LGBTQ DISCRIMINATION

The ACLU works to ensure that people can live openly without discrimination and enjoy equal rights, personal autonomy, and freedom of expression and association.

As LGBTQ rights have come under sustained attack by the Trump-Pence administration and officials in Indiana, the ACLU of Indiana has stepped up to protect the basic civil and human rights the Constitution affords to every Hoosier.

At the national level, the ACLU filed suit against the Trump-Pence administration's discriminatory ban on transgender service members and has continued to defend the rights of transgender students such as Gavin Grimm.

The ACLU will argue before the U.S. Supreme Court on behalf of David Mullins and Charlie Craig, a same-sex couple who were denied service by a wedding cake bakery, in violation of Colorado's anti-discrimination law. No business open to the public should be allowed to excuse discrimination based on claims of free exercise of religion and free expression.



Transgender Education and Advocacy Program (TEAP)

In the past few years, political, legislative, and media attacks on transgender Hoosiers have increased exponentially. The need for public education to counter these dangerous attacks has never been more clear, and we know that transgender people and their families are the most effective educators and the best advocates for their issues.

The ACLU of Indiana is contributing to this work by developing its Transgender Education and Advocacy Program (TEAP) in Indiana. TEAP seeks to empower local trans activists and advocates and promote leaders in the grassroots transgender community. TEAP will help tell the story of who transgender people are, why anti-transgender policies are harmful, and how anti-discrimination laws provide important protections.

Additionally, TEAP will support the transgender community in building sustainable statewide advocacy networks and leadership and developing a political voice. We will prioritize outreach in communities where intersections of race, ethnicity, education, and socio-economic status place individuals at heightened risk for discrimination and marginalization.

With the support of our members, donors and volunteers, the ACLU will continue to step up to defend the right of LGBTQ people to be themselves – free from discrimination.



ACLU of Indiana staff and supporters celebrate trans awareness at the Indy Pride Parade in June 2017.

REPRODUCTIVE RIGHTS

The ACLU works to ensure that every woman can make the best decision for herself and her family about whether and when to have a child without undue political interference. When Indiana politicians passed demeaning and intrusive restrictions on abortion rights, the ACLU of Indiana fought back – winning multiple court battles and protecting abortion access in the Hoosier State.

In October 2017, the ACLU successfully defended the right of a young refugee in Texas to determine for herself whether to terminate her pregnancy. The ACLU continues to seek the rights of all such vulnerable women and the halt the shameful, coercive and dystopian tactics of the Trump-Pence administration.

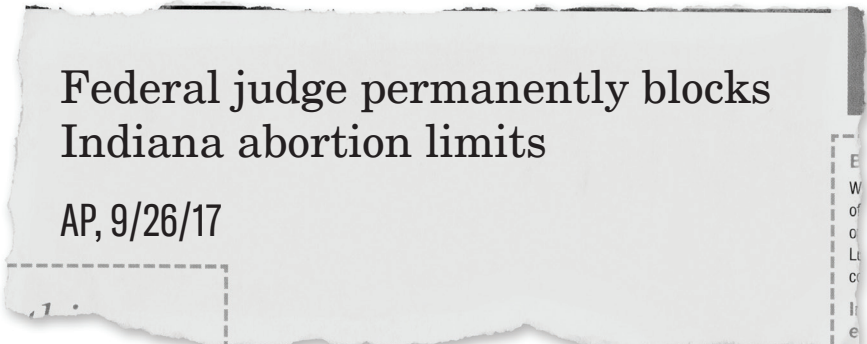


VICTORY: Extreme Abortion Restrictions Struck Down

HEA 1337, passed by the General Assembly in 2016

In June 2016, the ACLU of Indiana successfully prevented one of the most extreme and restrictive anti-abortion laws in the country from taking effect.

HEA 1337 would have imposed unprecedented, unconstitutional restrictions on women seeking abortions and their health care providers. Filing two lawsuits on behalf of Planned Parenthood of Indiana and Kentucky (PPINK), the ACLU of Indiana challenged multiple provisions of this unconstitutional law and won – stopping the law from taking effect and protecting women’s access to reproductive health services. The ACLU of Indiana continues to defend this victory for women as the state government appeals.



Federal judge permanently blocks
Indiana abortion limits

AP, 9/26/17

VICTORY: Protecting Young Women’s Reproductive Rights

SEA 404, passed by General Assembly in 2017

The ACLU of Indiana also succeeded in blocking another unconstitutional abortion law, SEA 404, which imposed draconian requirements on physicians and threatened the health, safety, and privacy of young women seeking abortions.

Indiana already has a parental consent law that protects the rights of parents and minors, but SEA 404 went too far, endangering the very people it purported to protect. The court’s decision affirmed that the state must continue to provide a safe alternative for young women who – whatever their circumstances – are unable to talk to their parents about this difficult and personal decision.

The ACLU of Indiana will continue to fight, in this and other battles, for a woman’s right to make her own reproductive health decisions.

RACIAL JUSTICE

Though generations of civil rights activism have led to important gains, the dream of full equality remains an elusive one. In pursuit of a future free of discrimination, the ACLU of Indiana has continued to ramp up its work on behalf of communities of color, bringing lawsuits in state and federal courts, lobbying the state legislature, and supporting grassroots movements.

Smart Justice

The U.S. incarcerates more people, in both absolute numbers and per capita, than any other nation in the world. This mass incarceration crisis disproportionately impacts people of color. At the end of 2014, the imprisonment rate among Black men was nearly six times that of white men and the rate for Black women was double that of white women.



The ACLU Campaign for Smart Justice is an unprecedented, multi-year effort to reduce the U.S. jail and prison population by 50% and to combat racial disparities in the criminal justice system.

The ACLU is working in Indiana and all 50 states for reforms to usher in a new era of justice in America – and we're already implementing solutions:

- **Reforming Policies:** We are fighting for nationwide reforms to police practices, indigent defense systems, and government abuses of authority in the name of fighting crime.
- **Sentencing Reform:** We are working to reduce both the number of people entering jails and prisons and the extreme laws and policies that drive extraordinarily long prison terms.
- **Bail Reform:** We're overhauling the unjust and for-profit bail system that strips people of their rights, targets poor people and people of color, and hurts families and communities.
- **Prosecutorial Reform:** Prosecutors across the country work toward convictions, not justice. We're challenging prosecutorial abuse in the courts and legislatures and through voter education.
- **Parole Reform:** We are working to ensure systems are fair, respect people's rights, and promote safety and success for those returning to their communities.
- **Reentry:** We are working to end the collateral consequences that are imposed on people living with a criminal record.

Protecting Low-Income Residents from Unlawful Searches: *Gutierrez v. City of East Chicago*

For years, residents of the East Chicago Housing Authority, who are predominantly people of color, have been subjected to warrantless inspections and searches of their apartments. Some of these aggressive, intrusive and unconstitutional searches were conducted against people who were already suffering from lead-contaminated soil, crumbling buildings, and potentially contaminated drinking water in the public housing complex.

The ACLU of Indiana is fighting back, filing a class action lawsuit on behalf of all tenants living in East Chicago Housing Authority units to stop these unconstitutional, intrusive and unjustified searches.

In October 2016, a federal judge issued a preliminary injunction to stop ECHA from conducting warrantless, non-consensual searches of the homes of its residents, saying these searches violate the Fourth Amendment to the U.S. Constitution. The ACLU of Indiana is asking the court for a final ruling that will end these unconstitutional searches permanently.

“Far too often, we are treated like prisoners in our own homes. This decision sends a message to management that they need to respect tenant rights and treat us like any other citizen who wants basic privacy when they come home and close their door.”

– Shawn Polk, ACLU client and ECHA resident



DEFENDING VULNERABLE HOOSIERS

When the government has the power to deny legal rights and due process to one vulnerable group, everyone's rights are at risk. The ACLU of Indiana is committed to protecting the rights of vulnerable individuals to whom the protections of the Bill of Rights are too often denied, including homeless people and those with disabilities and mental illness.

Fighting for Equal Access: *Hizer v. Pulaski County, Indiana*

The Americans with Disabilities Act is the most comprehensive and foundational civil rights law prohibiting discrimination on the basis of disability. Yet, 27 years after it was passed, people with disabilities still face enormous barriers.

The ACLU of Indiana is dedicated to breaking down these barriers and ensuring people with disabilities have equal access to public and private employment, public services, transportation, communications technology, and public accommodations.

In December 2016, the ACLU of Indiana filed a lawsuit against the Pulaski County for violating the Americans with Disabilities Act (ADA) by failing to make the county courthouse fully accessible to people with disabilities. Our client Emily Hizer has multiple sclerosis and the lack of reasonable accommodations at the Pulaski County Courthouse has denied her the ability to fully participate in the political and civic life of her community.

The case, which was brought as a class action on behalf of all Pulaski County residents with mobility impairments, is pending in U.S. District Court.



Defending Homeless Hoosiers' Rights: *Maurice Young v. City of Indianapolis*

When the City of Indianapolis began targeting homeless people with an “emergency” ban on standing on public sidewalks, while exempting those who were not homeless, the ACLU of Indiana fought back, filing a class action lawsuit to protect their rights.

Representing Maurice Young and other homeless individuals who were banned from standing or sitting on public sidewalks because of their housing status, the ACLU of Indiana is asking the court to block the city from enforcing this unconstitutional and unjust sidewalk ban. The case is pending in U.S. District Court.

“The Constitution guarantees everyone equal protection under the law, whoever they are and wherever they may live.”

– Jane Henegar, Executive Director of the ACLU of Indiana

Landmark Agreement Protects Prisoners with Severe Mental Illness: *IPAS v. Commissioner, Indiana Department of Correction*

In 2016, the ACLU of Indiana reached a settlement with the State of Indiana that fundamentally transformed the way seriously mentally ill prisoners are treated in state correctional facilities. The changes affect thousands of prisoners in Indiana who are receiving better access to mental health care and who are no longer held without treatment in solitary confinement.

The agreement was the result of a long-running and successful legal case brought by the ACLU of Indiana that challenged Indiana’s treatment of inmates with serious mental illness.

Today the ACLU of Indiana continues to monitor the state’s compliance with the agreement to protect the rights of these vulnerable prisoners.



THANK YOU

The ACLU of Indiana is indebted to the hard work and long hours of a small but committed group of coordinators and volunteers who have gone above and beyond in ensuring the ACLU of Indiana thrives.

Ann Pierson D'Angelo and Deb White, you have moved mountains of paperwork, kept track of a thousand moving pieces, and have helped us all keep our sanity. We are forever grateful.

To all of our intake volunteers: the rights of hundreds of Hoosiers' have been protected because of your dedication.

To the 20 Hoosier transgender activists who have joined our Trans Education and Advocacy Program, participated in our advocacy training, and worked with us to build community and educational programs all over the state: we're so proud of the work we're doing together, and it wouldn't be possible without your dedication.

And we extend our sincerest gratitude to our members, donors, and volunteers. You are the ACLU – every legal action, every bill we help make into law (or stop in its tracks), every individual empowered to stand up for their rights and the rights of others. Your commitment to freedom matters and your support makes a difference. Thank you.

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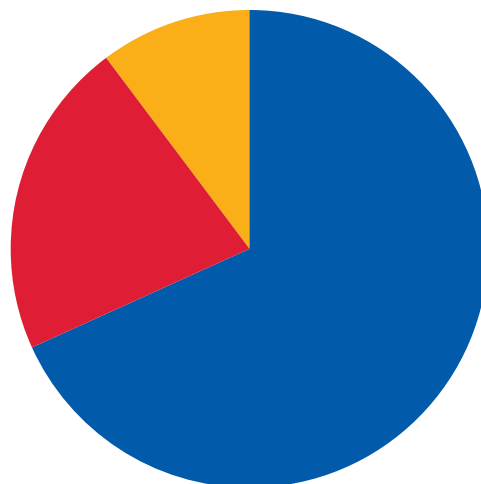
FINANCIALS

The ability of the ACLU of Indiana to defend and advance civil liberties depends on the financial support of our donors. Contributions to the ACLU of Indiana Foundation are tax deductible.

A note on our support: Last year's elections brought about uncertain times in our nation. Faced with the prospect of a governmental assault on our most treasured rights and liberties, our supporters sprang into action and propelled the ACLU to new heights. We have seen an increase in activism, volunteerism, and financial support. Together, we are the strongest we have ever been.

We will use this generous support to invest in the future of the ACLU of Indiana, ensuring we have the tools to strengthen our capacity and advance civil liberties and civil rights for all those who call America home.

*Combined budgets for the ACLU of Indiana, a 501(c)(4) tax-exempt nonprofit organization, and the ACLU of Indiana Foundation, a 501(c)(3) tax-exempt nonprofit organization, for the last fiscal year ending March 31, 2017. Audit statements are available from the ACLU of Indiana office.

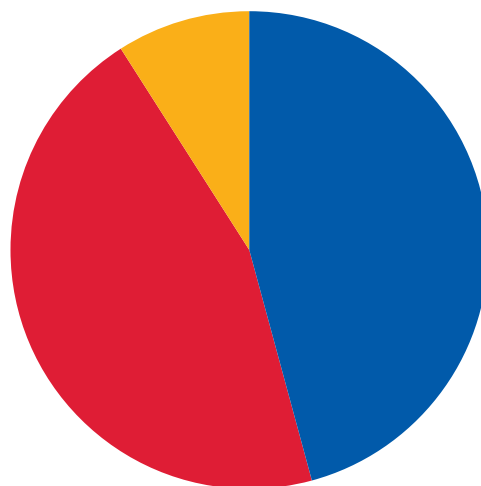


- Program Services
- Management and General
- Fundraising

EXPENDITURES

Program Services:	\$775,405
Management and General:	\$243,185
Fundraising:	\$116,131

TOTAL **\$1,134,721**



- Fundraising, donations, and event income
- Other income
- Membership income

REVENUE & SUPPORT

Fundraising, donations, and event income:	\$1,049,646
Other income:	\$1,034,150
Membership income:	\$204,382

TOTAL: **\$2,288,178**

STAND WITH ACLU

HERE'S HOW:

Make a Gift Today:

Make a tax-deductible gift to the ACLU of Indiana online at www.aclu-in.org/support-aclu-indiana/donate. You can mail your gift to: ACLU of Indiana Foundation
1031 East Washington Street
Indianapolis, IN 46202

The ACLU of Indiana also accepts gifts of stock, securities, or mutual fund shares. To obtain transfer information, please contact Neil Hudelson, Director of Philanthropy, at 317-759-6421 or nhudelson@aclu-in.org.

Take Action:

Change starts with you – every one of us can help make a difference in our community, in our state, and in our nation. The ACLU is America's foremost civil rights and liberties organization. No other organization covers the waterfront of civil liberties. Our volunteers and activists help turn the promises of the Constitution into reality. We are a people powered movement, fighting for liberty, justice, and equality for all.

Sign up to volunteer and receive our ACLU Email Action Alerts at www.aclu-in.org/advocacy/take-action

Join People Power, the ACLU's grassroots member-mobilization project at www.peoplepower.org.

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Leave a Legacy:

Planned gifts, such as bequests, help sustain the ACLU for generations to come. In addition to designating the ACLU as a beneficiary in a will or revocable living trust, donors may also designate the ACLU as a beneficiary of a life insurance policy, IRA, or pension. For more information about these giving opportunities, please contact Director of Philanthropy Neil Hudelson at nhudelson@aclu-in.org or 317-759-6421.

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