



2015-2016

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# ACLU OF KENTUCKY

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ANNUAL REPORT

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**There is no other organization in the Commonwealth quite like the ACLU of Kentucky. As we work daily to guard civil liberties and protect civil rights, we are guided and inspired by our shared Kentucky values.**

### Reliable

We are challenging the threats to your liberty no matter where you call home.

### Justice

We are working toward a smarter, fairer criminal justice system that saves tax dollars and makes your community safer.

### Accessibility

We are standing up for reproductive freedom in the face of attempts to legislate and regulate abortion out of existence.

### Accountability

We are committed to ensuring your rights are real by taking on unpopular issues and challenging government overreach.

### Collaboration

We are partnering with our corporate community to ensure no Kentuckian is discriminated against because of who they are or who they love.

### Persistence

We are in this fight for the long haul, pursuing victory even if it takes years or decades to achieve.

At the ACLU of Kentucky we are fighting for your rights and working to extend rights to Kentuckians who have yet to reach full equality. Take a look at our activities over the past year, then please renew your support and join us in making a better Kentucky.



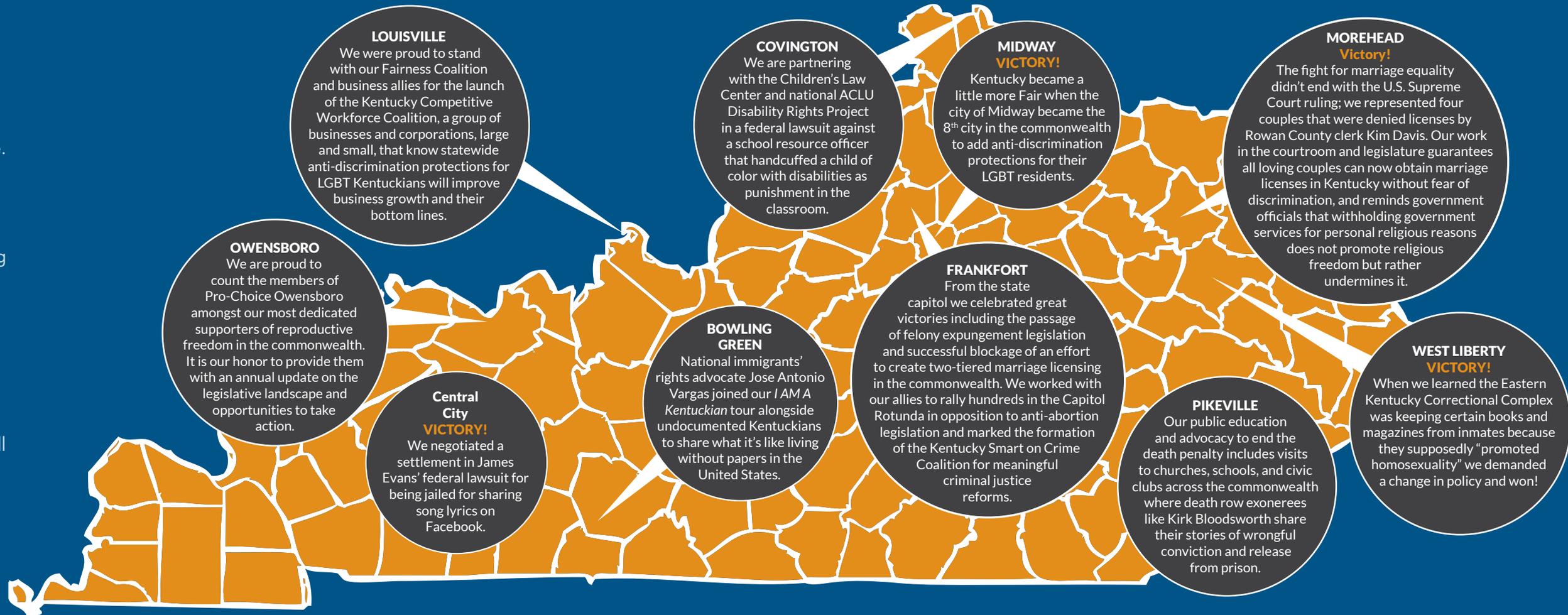
**Randy Strobo**  
President ACLU of Kentucky  
Board of Directors



**Michael Aldridge**  
Executive Director

# RELIABLE

We are challenging the threats to your liberty no matter where you call home. Over the past year our staff has crisscrossed more than 24,000 miles in the commonwealth investigating injustices, making court appearances, hosting educational programming, and lobbying legislators as part of our work to protect and advocate for the civil liberties and civil rights of all Kentuckians.



## LOUISVILLE

We were proud to stand with our Fairness Coalition and business allies for the launch of the Kentucky Competitive Workforce Coalition, a group of businesses and corporations, large and small, that know statewide anti-discrimination protections for LGBT Kentuckians will improve business growth and their bottom lines.

## OWENSBORO

We are proud to count the members of Pro-Choice Owensboro amongst our most dedicated supporters of reproductive freedom in the commonwealth. It is our honor to provide them with an annual update on the legislative landscape and opportunities to take action.

## Central City VICTORY!

We negotiated a settlement in James Evans' federal lawsuit for being jailed for sharing song lyrics on Facebook.

## COVINGTON

We are partnering with the Children's Law Center and national ACLU Disability Rights Project in a federal lawsuit against a school resource officer that handcuffed a child of color with disabilities as punishment in the classroom.

## BOWLING GREEN

National immigrants' rights advocate Jose Antonio Vargas joined our *JAMA Kentuckian* tour alongside undocumented Kentuckians to share what it's like living without papers in the United States.

## MIDWAY VICTORY!

Kentucky became a little more Fair when the city of Midway became the 8<sup>th</sup> city in the commonwealth to add anti-discrimination protections for their LGBT residents.

## FRANKFORT

From the state capitol we celebrated great victories including the passage of felony expungement legislation and successful blockage of an effort to create two-tiered marriage licensing in the commonwealth. We worked with our allies to rally hundreds in the Capitol Rotunda in opposition to anti-abortion legislation and marked the formation of the Kentucky Smart on Crime Coalition for meaningful criminal justice reforms.

## PIKEVILLE

Our public education and advocacy to end the death penalty includes visits to churches, schools, and civic clubs across the commonwealth where death row exonerees like Kirk Bloodsworth share their stories of wrongful conviction and release from prison.

## MOREHEAD Victory!

The fight for marriage equality didn't end with the U.S. Supreme Court ruling; we represented four couples that were denied licenses by Rowan County clerk Kim Davis. Our work in the courtroom and legislature guarantees all loving couples can now obtain marriage licenses in Kentucky without fear of discrimination, and reminds government officials that withholding government services for personal religious reasons does not promote religious freedom but rather undermines it.

## WEST LIBERTY VICTORY!

When we learned the Eastern Kentucky Correctional Complex was keeping certain books and magazines from inmates because they supposedly "promoted homosexuality" we demanded a change in policy and won!

# JUSTICE

We are working toward a smarter, fairer criminal justice system that saves tax dollars and makes your community safer. With a grant from the national ACLU Campaign for Smart Justice we pulled together an unusual set of allies to create the Kentucky Smart on Crime Coalition.

*All data from the Kentucky Department of Corrections*

## \$524,628,400

Kentucky's projected corrections budget for fiscal year 2017-2018

### OVERCROWDING

178%

Capacity  
Madison  
County

187%

Capacity  
Pulaski  
County

181%

Capacity  
Boyle County

147%

Capacity  
Fulton County

35.1%

Trending General  
Population Growth

591.8%

Trending Prison  
Population Growth

**NOT** the result of higher  
general population

## WHY?

**Unworkable conditions, delays for parole.**

**Out of date and inconsistent sentencing.**

**Mandatory minimum sentences.**



Members of Kentucky Smart on Crime joined Governor Bevin and supportive legislators at the bill signing ceremony for felony expungement legislation. (Front row, 4th and 5th from right ACLU-KY Communications Director Amber Duke and ACLU-KY Advocacy Director Kate Miller).

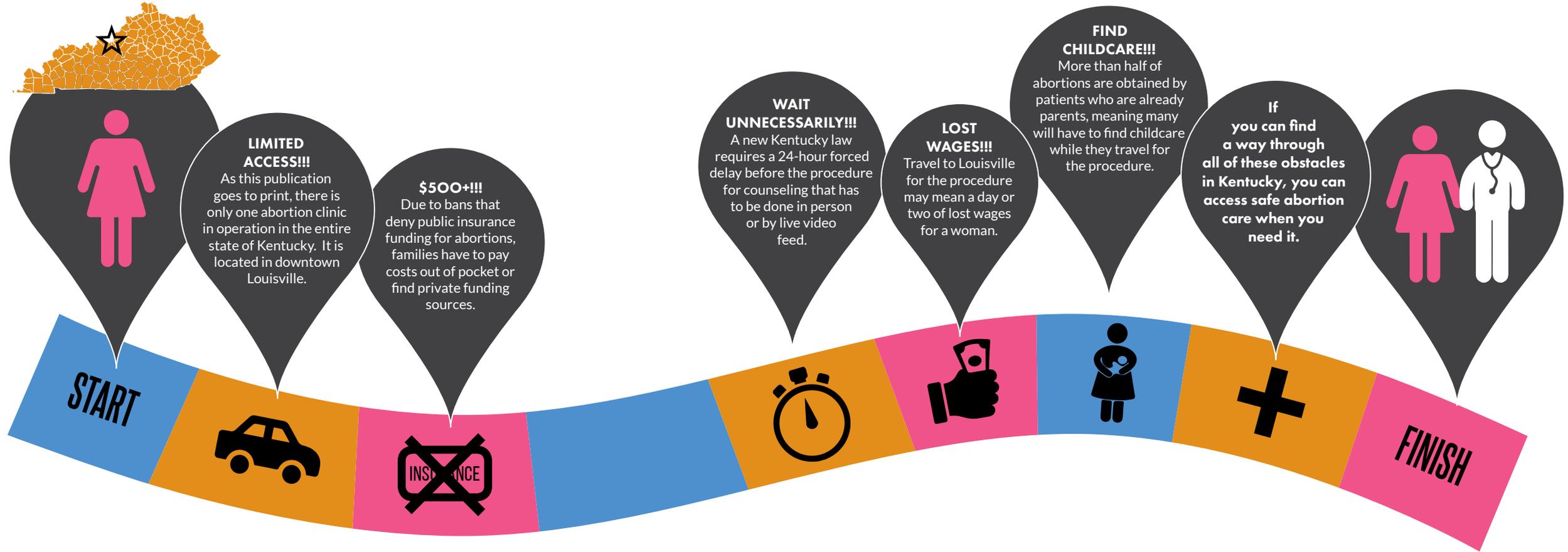
Kentucky Smart on Crime is a broad based coalition working for common sense justice reforms that enhance public safety, strengthen communities and promote cost effective sentencing alternatives. Its member organizations include the ACLU of Kentucky, Kentucky Chamber of Commerce, Catholic Conference of Kentucky, Kentucky Center for Economic Policy, Bluegrass Institute for Public Policy Solutions, Kentucky Council of Churches and Kentucky Youth Advocates.

The newly formed coalition celebrated a great legislative victory in the 2016 General Assembly with the passage of felony expungement legislation that allows certain class D felonies to be expunged from a returning citizen's record.

As Kentucky Smart on Crime turns its focus to meaningful penal code reform in the upcoming 2017 General Assembly, we are proud to have a representative serving on the Governor's newly constituted Criminal Justice Policy Assessment Council.

# ACCESSIBILITY

We are standing up for reproductive freedom in the face of attempts to legislate and regulate abortion out of existence in the commonwealth. The U.S. Supreme Court's ruling in *Whole Women's Health v. Hellerstedt*, declaring sham laws that do nothing to protect a woman's health are unconstitutional, means we have momentum at our back and the courts on our side. We are working with our allies to both repeal laws designed to block access to abortion care and move forward policies that support women and families.



# ACCOUNTABILITY



In August of 2015, the ACLU of Kentucky partnered with the national ACLU's Disability Rights Project, the Children's Law Center, and Dinsmore & Shohl to file suit on behalf of two elementary school children with disabilities who had been shackled by a school resource officer.

The children were 8 and 9 years old, respectively, during three

separate incidents in which the officer locked the handcuffs around the children's biceps with their arms behind their back. On one occasion, school officials videotaped the incident which depicted the 8 year old boy shackled and crying out in pain. The 9 year old girl was twice handcuffed in this manner. Both children suffer from identifiable behavior disorders, and in their lawsuit they maintain that the

shackling was done to punish them for behavior related to their disabilities. Notably, none of the three instances resulted in either child being arrested or charged with any criminal wrongdoing.

Susan Mizner, disability counsel for the ACLU, states that "Using law enforcement to discipline students with disabilities only serves to traumatize children. It makes behavioral issues worse and interferes with the school's role in developing appropriate educational and behavioral plans for them."

Nationally, students with disabilities make up 12 percent of the student population, but are 75 percent of the students who are physically restrained by adults in their schools, according to the U.S. Department of Education. These disciplinary practices also feed into the "school-to-

prison pipeline," where children are funneled out of public schools and into the criminal justice system. Many of these children have disabilities, yet instead of receiving necessary educational and counseling services, they are often punished and pushed out.

"Kentucky's school personnel are prohibited from using restraints, especially mechanical restraints, to punish children or as a way to force behavior compliance," said Kim Tandy, executive director of the Children's Law Center. "These regulations include school resource officers. These are not situations where law enforcement action was necessary."

The complaint, *S.R. v. Kenton County Sheriff's Office*, was filed in the U.S. District Court for the Eastern District of Kentucky and remains pending.

## SPECIAL THANKS

**The commitment of volunteer attorneys is an integral part of the ACLU of Kentucky's work. We would like to thank and recognize the following attorneys, firms, and organizations that played an important role in our achievements:**

Michael Abate  
Tim Arnold  
Junis Baldon  
Vanessa Cantley  
Amy Cabbage  
Michael Goodwin  
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Lindsay Lopez  
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**ACLU Program on Religious Freedom and Belief**  
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**ACLU LGBT Project**  
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Ria Mar

**Americans United for Separation of Church and State**  
Alex Luchenitser

**Arnold & Porter**  
David Bergman  
Ian Hoffman  
Stanton Jones

**Children's Law Center, Inc.**  
Rickell Howard

**Clay Daniel Walton Adams, PLC**  
Dan Canon  
Joe Dunman  
Laura Landenwich

**Dinsmore & Shohl**  
Kenyon Meyer

# COLLABORATIVE



As discriminatory, anti-LGBT legislation has proliferated across the nation, corporate America has taken notice. Last summer, Indiana reportedly lost \$1.5 billion in convention and tourism business after passage of a so-called "Religious Freedom" bill; the NCAA and NASCAR even spoke out against the legislation.

The Williams Institute, a think tank devoted to research on sexual orientation and gender

identity law and public policy, found that implementation of sweeping legislation in North Carolina that nullified local anti-discrimination protections and barred transgender people from using the public restroom matching their gender identity, could cost that state almost \$5 billion a year in economic activity.

In recognition of the corporate support we have in Kentucky, last fall the ACLU of Kentucky, along with our partners in the Fairness Coalition, launched

the Kentucky Competitive Workforce Coalition. The KCWC is made up of some of Kentucky's leading employers, home-grown corporations, and small businesses who've come together to express their strong support for statewide, non-discrimination protections for the lesbian, gay, bisexual and transgender community.

They recognize that a Statewide Fairness law would make it possible for companies to recruit and retain the best, hardest working, and most talented individuals without impediment, keeping Kentucky competitive in workforce recruitment and retention.

This law—which would simply update Kentucky's Civil Rights Act to include sexual orientation and gender identity—is good for Kentucky businesses and it's the right thing to do.

We are partnering with our corporate community to ensure no Kentuckian is discriminated against because of who they are or who they love



# PERSISTENCE



David Floyd, second from the left, is joined by Marc Hyden, far left, and Steve Ryan next to Rep. Floyd, and Joe Gutmann far right.

We are in it for the long haul, pursuing victory even if it takes years or decades to achieve. We've been fighting for repeal of Kentucky's death penalty since 1976. Our former Executive Director Suzy Post and Carl Enoch brought together the group that later became the Kentucky Coalition to Abolish the Death Penalty. Over the years, our statewide coalition has won some important victories in this fight, including this year, when for the first time the

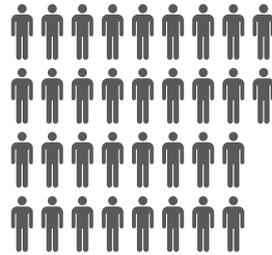
House Judiciary Committee held a hearing with a vote on the repeal bill. While the bill fell two votes short of advancing to the full House, it was an important step forward. The historic hearing was covered extensively by media across the state, educating thousands of Kentuckians on why people of faith, conservatives, family members of victims of violence, and more have joined us in our efforts to repeal the commonwealth's broken death penalty system.



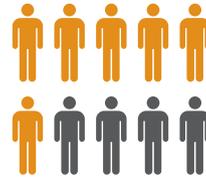
**3 Executions**  
in Kentucky since 1976



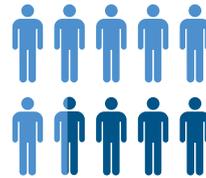
**1 Innocent Person**  
Freed from Kentucky's  
Death Row



**34 People**  
Currently on Death  
Row in Kentucky



More than **60%** error rate in Kentucky death penalty cases, **50** of the **78** people sentenced to death have had their sentences overturned



**64%** of Kentuckians support replacing the death penalty with a sentence of life without parole

*\*Statistics from the ABA Kentucky Death Penalty Assessment Report, National Coalition to Abolish the Death Penalty and University of Kentucky Survey Center*

## ACLU-KY BY THE NUMBERS

**1,905**

Members

**2,057**

Donors

**14,239**

E-activists in our Community Action Network

**10,526**

Facebook Likes  
[www.facebook.com/ACLUofKY](http://www.facebook.com/ACLUofKY)

**4,933**

Twitter Followers  
[www.twitter.com/ACLUofKY](http://www.twitter.com/ACLUofKY)

**1,464**

Media Mentions

**26**

Press Releases

**24,387**

Miles Traveled Across the Commonwealth

# DONOR PROFILE



For Bob Sachs, the ACLU's commitment to civil liberties has been the core of its mission. As the former president of the ACLU of Kentucky, his leadership has strengthened and expanded its work, and he continues to serve as a powerful example of what can happen when a concerned citizen joins the struggle to protect the rights and liberties that are constitutionally guaranteed to them.

As a law student at Northwestern University in Chicago in the 1960s, Bob founded a campus civil rights organization called Northwestern Law Students for Civil Rights Under Law. Inspired by the civil rights movement that was blooming across the nation, Bob and his classmates secured a major success when they achieved the integration of downtown campus housing.

After moving to Louisville in 1971, Bob joined the Louisville affiliate of the Kentucky Civil Liberties Union, the precursor of the ACLU of Kentucky. He worked with influential ACLU leaders like Charlie Pratt to merge the two groups

into one statewide organization, led at the time by executive director, Suzy Post, a trailblazer for reproductive rights in Kentucky. "I can't honestly remember if meeting Suzy Post spurred me to join or if joining led me to meet Suzy. In any event, she has had a profound effect on my life," Bob said.

Defending civil liberties has been Bob's mission since his youth, and under his presidency, the ACLU fought for marriage equality, reproductive rights, voting rights, ending discrimination, rights to privacy and due process, and the First Amendment freedoms of speech, religion, press, and assembly.

Today, years after he led the ACLU of Kentucky as president, Bob and his wife, Felice, continue to support the work of the ACLU through their generous contributions. He also encourages others to do the same. "I find ... that our friends tend to think like us when it comes to basic civil liberties issues and I believe my passion spills over to their giving," he said.

Whether you give annually or monthly, online or through a gift of stock, we hope you will join Bob and everyone else who has supported the ACLU of Kentucky in its mission to defend civil rights and liberties by considering how this work reflects your own values and making a donation that is personally significant.

## THANK YOU

The ACLU of Kentucky wishes to express our deep appreciation to all of our donors who help us bring the promise of liberty and justice to life for all Kentuckians. This important work is made possible by thousands of members and supporters across the state. The gifts acknowledged here were made to the ACLU during our 2016 fiscal year – from April 1, 2015 through March 31, 2016. Every effort has been made to assure an accurate and complete listing of all contributors. Please accept our sincere apologies for any inadvertent errors or omissions, and please advise us of any corrections.

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The ACLU of Kentucky and the ACLU of Kentucky Foundation are separately incorporated nonprofit organizations operating in Kentucky. The ACLU Foundation conducts litigation and public education programs in support of civil liberties. The Foundation is a 501(c)3 tax-exempt organization, and contributions to it are deductible to the extent allowed by law. The ACLU conducts membership outreach and organizing, legislative advocacy, and lobbying. This work is supported primarily by non-tax deductible membership dues to our tax-exempt 501(c)4 organization. All gifts and membership dues are shared between the national ACLU and the ACLU of Kentucky. A portion of national ACLU's share is allocated to help smaller affiliates around the country that otherwise would be unable to address the serious civil liberties needs in their states. *As one of the smallest affiliates, Kentucky benefits greatly from this sharing arrangement.*

For more information on becoming a member or making a gift to the ACLU, please contact Operations & Development Associate, Africa Hands, at (502) 581-9746 or [africa@aclu-ky.org](mailto:africa@aclu-ky.org). You may also donate online at [www.aclu-ky.org/donate](http://www.aclu-ky.org/donate).

## WAYS TO GIVE TODAY

### Become a member

### Give a gift to the ACLU of Kentucky Foundation

### Give a gift of stock to the ACLU of Kentucky Foundation

### Make a memorial or tribute gift

### Organize a house party

## WAYS TO GIVE TOMORROW

### Charitable gift annuity

### Planned gifts

### Bequests or beneficiary designations

|                                     |                                   |                              |                                 |                                 |  |                                  |                                  |                                      |                                   |                                     |                                |
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| Courtney M. Hamilton                | Haynie                            | Holly Houston                | Elizabeth Jent                  | Kentucky Youth Advocates Inc.   | Travis Lay                             | Tricia Lubrecht                  | Cynthia McCarty                  | John Meyers                          | Julie Namkin                      | Owen                                | Linda K. Powe                  |
| Michael F. Hamm & Jo Ann Hamm       | Sharon Heck                       | Madrene B. Houy              | C. W. Johanson & Yvonne Petkus  | Casey Kimball                   | Ellen Leichtman                        | Fausta M. Luchini                | David McCay & Emily McCay        | William T. Michael                   | Leonard Napolitano                | Representative Darryl Owens         | Judith Prats & Armando Prats   |
| Brad Hampton                        | Caroline R. Heine                 | Sharon Howard                | Kenneth Johnson                 | Kindred Healthcare, Inc.        | Alan Leidner & Lillian Leidner         | John R. Lunger                   | Jamie McClard                    | William T. Michael & Buddy E. Sybert | & Kevin Borland                   | David Owen                          | Judith Prats & Armando Prats   |
| Jennifer Hancock                    | Joseph A. Heine                   | W. Kent Howard               | Rachel Johnson                  | Patrick King & Ariane Spitaels  | James A. Leland                        | Lili Lutgens                     | Laura McCrea                     | Charles Miesner                      | Dr. David A. Nash                 | David Owen                          | Judith Prats & Armando Prats   |
| Africa Hands                        | W. Helm                           | Rachelle Howell              | Nathaniel Johnson               | Lira Johnson                    | LEO Weekly                             | Alice Lyon                       | Shaun McDonough                  | Robert W. Milgate                    | Gerald Neal                       | Beth Parrish & Gerald Parrish       | Delores Pregliasco             |
| Eric Haner                          | Marie Helm                        | Dorie Hubbard & Tom Hubbard  | Lira Johnson                    | John Johnson                    | Sonia C. Levine                        | Sally D. Macdonald               | Aimee McFerren & Brad Christiana | Katherine Miller                     | Frank E Nelson                    | Christine Payne & Claire Payne      | Maria Price                    |
| Claudia Hanes                       | Christopher J. Helvey             | Rhonda W. Huddleston         | John Johnson                    | Nathan Johnson                  | & Dr. Ronald L. Levine                 | & Stanley K. Macdonald           | David Madewell                   | Brehnan Miller                       | Larry Joe Netherton               | Pro-Choice Owensboro                | Scott Pulliam                  |
| Eric Hanley & Jennifer Hanley       | Diana Henderson Munson            | Karen Hudson                 | Nathan Johnson                  | Peter Johnson, Sr.              | Chris Lewis                            | David Madewell                   | Douglas M. Magee                 | R. H. Miller                         | Carolyn Neustadt                  | Thera Pead                          | Aundria Radmacher              |
| Phillip Hanna                       | Tricia Henninger                  | Mary Hughes                  | Peter Johnson, Sr.              | Laura B. Johnsrude              | Anne Lindauer & Tony Lindauer          | & Anne Marie Regan               | & Anne Marie Regan               | April Miller                         | Mildred Noel                      | Bree Pearsall                       | Charles Raith                  |
| Wesley Hardin                       | Roberta Hershberg                 | Carol Humphries              | Laura B. Johnsrude              | Bee I. Johnston                 | Dieter P. Kohler                       | Heather Mahoney                  | Randall McKenzie                 | Carolyn Miller - Cooper              | Michael O'Connell                 | Russell H. Peebles & Carrie Peebles | Nancy J. Rankin                |
| Kathleen W. Harding                 | Henry Heuser                      | Grace Hunt                   | Bee I. Johnston                 | Tom Jones                       | Chris Kolb                             | Sophie Maier                     | Jo McKim                         | Krista Mills                         | Annie O'Connell                   | Barbara A O'Connor                  | & Whitworth Stokes             |
| Jerry Hardt                         | Tom Hickcox & Jean Hickcox        | Anne Huntington              | Tom Jones                       | David Jones & Mary Gwen Wheeler | Peter L. Krey & Glenn Hunter           | Elizabeth Maines                 | Jack D. McKinney                 | Dr. Patricia H. Minter               | Barbara A O'Connor                | Joe O'Reilly & Mary Beth O'Reilly   | Jerome J. Rankin               |
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| Christopher Harmer                  | Cathy Hinko                       | Ampelio Isetti & Rose Isetti | Michael Judd                    | Lee Ann Jung                    | Bill Kuntz                             | Sam Marcosson                    | & Fletcher Curry                 | Thomas F. Moffett                    | Edwin H. Perry                    | Peter Anton Perry                   | Beth Redwine                   |
| Heather Harrell                     | Claude L. Hinman                  | Elizabeth C. Jackson         | Lee Ann Jung                    | Betty L. Kassulke               | Ed Kruger & Jeff Rodgers               | Leonard Mariani                  | J. Russell Lloyd                 | Jennifer Moore                       | Peter Anton Perry                 | John Perry                          | Eric Reed & E. Kenley Ames     |
| Robin R. Harris                     | Judy H. Hodson                    | Perry S. Jacobs              | Betty L. Kassulke               | Oliver M. Keels, Jr.            | Ed Kruger & Jeff Rodgers               | Lisa B. Markowitz & David Ruccio | Zane D. Lockhart                 | James Elliott Moore                  | John Perry                        | Millie Peters                       | Charlotte Reed                 |
| John Harris                         | Angelika Hoelger                  | & Frances E. Englander       | Oliver M. Keels, Jr.            | & Esther E. Randall             | Ed Kruger & Jeff Rodgers               | Lisa B. Markowitz & David Ruccio | Bill Kuntz                       | Beverly D. Moore                     | John Perry                        | Millie Peters                       | Thomas E. Reed                 |
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| Heather Hart                        | John Harris                       | Pam V. James                 | Lauren L. Kehr                  | Michael Lambert                 | Ed Kruger & Jeff Rodgers               | Lisa B. Markowitz & David Ruccio | Michael Lambert                  | Nelda P. Moore                       | John C. Morrison                  | Betty Peyton                        | Ellen S. Reed                  |
| Mary Lynn Hartman                   | Cale Hollingsworth                | Lynn D. Jamison              | William Keith                   | Nana Lampton                    | Ed Kruger & Jeff Rodgers               | Lisa B. Markowitz & David Ruccio | Nana Lampton                     | Robert P. Moore                      | Donna Morton                      | Jane D. Phillips                    | Stephanie Reese                |
| Chris Hartman                       | & Melanie Foote                   | Lynn D. Jamison              | William Keith                   | Laura Landenwich                | Ed Kruger & Jeff Rodgers               | Lisa B. Markowitz & David Ruccio | Laura Landenwich                 | John C. Morrison                     | Old Town Wine & Spirits, Inc.     | Kimberly Phillips                   | Sheldon M. Rein                |
| Martha Hasselbacher                 | John Harris                       | Lynn D. Jamison              | William Keith                   | Robert Langley                  | Ed Kruger & Jeff Rodgers               | Lisa B. Markowitz & David Ruccio | Robert Langley                   | Donna Morton                         | Ashley R. Oliver, Esq.            | Raymond Philpot                     | Katherine Reisz                |
| Jane Hay                            | Hollingsworth                     | Lynn D. Jamison              | William Keith                   | Dr. Lynn Langmeyer              | Ed Kruger & Jeff Rodgers               | Lisa B. Markowitz & David Ruccio | Dr. Lynn Langmeyer               | Deborah Mesplay                      | Dr. Erik Knowles Olson            | Mimi Pickering                      | Richard M. Renfro              |
|                                     | Tim Holz                          | Dawn Jenkins                 | Gloria Kemper-O'Neil            | Sarah M. Kennedy                | Ed Kruger & Jeff Rodgers               | Lisa B. Markowitz & David Ruccio | Sarah M. Kennedy                 | Patricia Metten                      | & Kristin Joyce Kephart           | Justin Piercy                       | Madeline C. Reno               |
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|                                     |                                   | Brad Jennings                | Gloria Kemper-O'Neil            | Colleen J. Kennedy              | Ed Kruger & Jeff Rodgers               | Lisa B. Markowitz & David Ruccio | Colleen J. Kennedy               |                                      | Lisa Osanka                       | PNC Bank                            | & Bryan R. Reynolds            |

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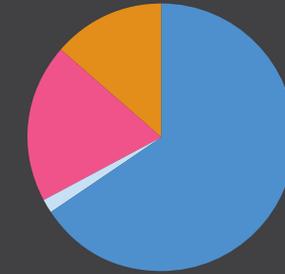
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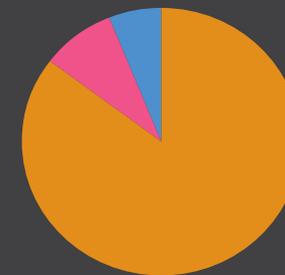
## FINANCIALS



### INCOME

- Contributions, Membership & Grants - \$418,899
- Investment Income & Other - \$9,580
- National Support - \$123,271
- Events - \$84,945

**Total Income - \$636,695**



### EXPENSES

- Programs - \$620,541
- Administration & Management - \$62,741
- Fundraising - \$44,305

**Total Expenses - \$727,587**

Consolidated Audited Statement for ACLU-KY  
and ACLU-KY Foundation, Fiscal Year 2016  
(April 1, 2015 - March 31, 2016)

# ACLU of Kentucky

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Louisville, KY 40202

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