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## A NOTE FROM AMBER DUKE

EXECUTIVE DIRECTOR, ACLU OF KENTUCKY



After a year of heartbreaking blows to reproductive freedom and LGBTQ rights, the ACLU of Kentucky is unbowed in our fight for equal rights and equal protection under the law. Amidst these challenges, we celebrate our wins in criminal legal reform, religious freedom, and voter education.

With an unprecedented number of people dying in the Louisville Metro Department of Corrections, we worked closely with community partners to demand Louisville's justice partners host an amnesty docket. We successfully advocated waiving thousands of traffic-related bench warrants and raised nearly \$300,000 for restitution, lifting the threat of arrest for hundreds of people.

As leaders in the Protect Kentucky Access coalition, we defeated anti-abortion Amendment 2, and the legal pathway to restore access remains open. Defeating this ballot measure confirmed what we've known for a long time—most Kentuckians do not support blanket abortion bans.

Kentucky needs a strong ACLU to do "harm reduction" in this critical moment. We are uniquely positioned to lead this work through litigation, advocacy, and mobilization of directly impacted people across issue areas to address challenges to civil liberties in the commonwealth in real time. Each year, our staff, board, volunteers, and partners renew their commitment to the fight for freedom and democracy, and we are grateful you continue to choose to stand with us.

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In solidarity,

Amber G. Duke

## AMNESTY COURT RAISING FUNDS FOR FREEDOM: OUR FIRST AMNESTY CAMPAIGN

Our justice system is bloated with outstanding bench warrants and unpaid restitution. These cases only further marginalize and punish those who can't pay their fines or who may have missed a court date years ago—and who could end up in jail for owing the court as little as \$12.

Incarceration in Louisville is also deadly. In less than two years, 15 people have died at the Louisville Metro Department of Corrections.

Given these crises, we knew we needed to do something to prevent people from entering LMDC and having their lives put at risk. In collaboration with attorneys, prosecutors, judges, clerks, the Administrative Office of the Courts, and sheriffs, the ACLU of Kentucky helped organize our first-ever amnesty court, allowing people with active bench warrants to come to the courthouse, address their warrant, and try to resolve their case without the threat of arrest.

## NEARLY 12,000 BENCH WARRANTS FOR TRAFFIC OFFENSES WERE EXPUNGED FROM THE SYSTEM.

Community partners knocked on 4,500 doors, mailed postcards, and ran ads in English and Spanish to spread the word and encourage people to utilize this amnesty court.



## WE'RE VERY PROUD TO SAY THE PROGRAM WAS A SUCCESS IN EVERY WAY:

- We raised nearly \$300,000 from foundations and individual donors over the course of just two weeks to pay restitution in the 345 cases that had active bench warrants due to nonpayment. We are grateful to the Fairness Campaign, Black Lives Matter Louisville, Louisville Community Bail Fund, Community Justice Exchange (a project of The Tides Center), Stephen Reily and Emily Bingham, and several anonymous donors for their support.
- Roughly 150 people with certain non-violent misdemeanors and Class D felonies applied for amnesty from the threat of arrest for petty crimes and fines, and we look forward to holding another amnesty court in the future.
- The court had a 50% appearance rate, which was incredible for a first-time program like this one, and we're confident that with planning and collaboration we can increase those rates and remove barriers to participation.

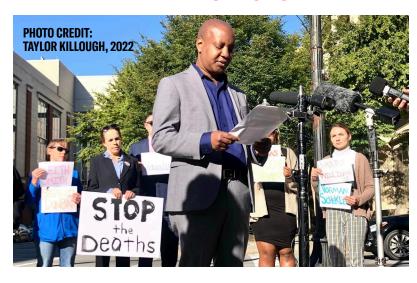
We thank the donors who fiscally supported the amnesty campaign so that others could be free. It was critical to show Metro Louisville lawmakers and the community at large that their neighbors and fellow Kentuckians are advocating for their freedom. We'll continue to work toward policy change as well to keep individuals from the threat of arrest for petty crimes and fines, and we look forward to holding another amnesty court in the future.

## JUSTICE REFORM UPDATE

We continued our work as a founding member of Community Stakeholders for Change at LMDC, a coalition working to address the deadly conditions in Louisville Metro Department of Corrections. Fifteen individuals died in LMDC's care in nearly as many months. One death is too many and we'll continue to work until there are no deaths at LMDC.

To that end, the group engages in community-level advocacy and city- and state-level policy work. We continue to meet quarterly with LMDC leadership to address healthcare services, while simultaneously working with city leaders to shift policy around how mental healthcare and substance use disorder are treated in the facility.

## THE ACLU-KY REMEMBERS THOSE WHO HAVE DIED IN LMDC AND DEMANDS NO MORE NAMES BE ADDED TO THIS LIST.



## A NOTE FROM OMAR SALINAS-CHACÓN

PRESIDENT, BOARD OF DIRECTORS, ACLU OF KENTUCKY



Despite continued challenges in the statehouse, courthouse, and our communities, the ACLU of Kentucky has worked over the last fiscal year to reorient the organization and refocus our work. Integral to this refresh was the board's decision to select Amber Duke as our Executive Director, after she served as interim director for 18 months.

For over 10 years, Amber has dedicated her work to the ACLU by serving as a key leader in the organization's growth and visibility. During her tenure, she worked as the organization's first communications director, first deputy director, and is now the first Black woman to lead the ACLU of Kentucky in its 67-year history. In each of these positions, she has worked to bring ACLU values to life through clear communication, transparent decision making, and partnership with community stakeholders.

Amber's leadership will usher in a new era for the ACLU of Kentucky, where every aspect of our work will be approached through a racial justice lens. In a time when basic human rights are under constant attack, it is as important as ever to protect and empower marginalized communities in our commonwealth.

In solidarity,

Omar Salinas-Chacón



## CROWN ACT RALLY

For the fourth year in a row, we brought the CROWN Act (Creating a Respectful and Open World for Natural Hair)—a measure that prevents discrimination of race-based hairstyles—to the Kentucky General Assembly. The CROWN Act Pep Rally drew a crowd of over 300 and included speeches from members of Justice Now,

Miss Black Kentucky USA, and Kentucky lawmakers in support of the Act, as well as a performance by the Real Young Prodigies, a group of young musicians and advocates for change.

"IT WAS AMAZING TO SEE SO MANY YOUNG PEOPLE SHOW UP AT THEIR CAPITOL TO MAKE THEIR VOICES HEARD."

-JACKIE MCGRANAHAN SENIOR POLICY STRATEGIST

## BREAKING BARRIERS COUNCIL & REPRODUCTIVE FREEDOM PROJECT

Kentucky is at the forefront of the global maternal health crisis. The US is the only developed country where maternal mortality rates are increasing, and Kentucky has some of the worst maternal and infant outcomes in the nation—especially for Black and brown people, who are three times more likely to die during birth or after compared to their white counterparts.

Now that Kentucky is a forced pregnancy state, the work of the Breaking Barriers Council—a group of Black birth workers, experts in maternal health, doulas, and members of other reproductive freedom organizations—is as crucial as ever.

This year, the Breaking Barriers Council held their first-ever annual Maternal Health Luncheon, where they came together to share resources and connect with other advocates, like-minded organizations, and lawmakers to discuss better maternal health policies in the commonwealth.

If legislators continue to prohibit Kentuckians from accessing the full spectrum of maternal care, they must implement policies that reduce harm to those forced to remain pregnant against their will.

To that end, Breaking Barriers Council members met with legislators during the 2023 General Assembly Maternal Health Lobby Day to advocate for harm reduction policies like:

- expanding pre-K and paid family leave so no parent must choose between a paycheck and caring for their child;
- mandating postpartum depression education and resources to ensure birthing people get the support they need as early as possible;
- preventing racism in healthcare to ensure Black and brown Kentuckians' health issues are taken seriously;
- and studying the problem of abysmal health outcomes for Black and brown birthing people and babies in Kentucky to improve care and ultimately save lives.

Dr. Ana'Neicia Williams, a Breaking Barriers Council member and maternal health expert, testified during the 2023 Kentucky General Assembly in support of Rep. Sarah Stalker's bill making pregnancy a qualifying event for health insurance, which passed out of committee. We hope to push that bill, and other similar measures, across the finish line in the 2024 Kentucky General Assembly.

The Breaking Barriers Council will continue their work strategizing around their advocacy, setting goals for their continued reproductive freedom work in a forced pregnancy state, growing the group's membership, and ultimately expanding their impact on Black maternal health in Kentucky.

Learn more about RFP and Breaking Barriers at aclu-ky.org/RFP.



### AT THE STATEHOUSE

This year's 30-day legislative session kept our team busy as we worked to pass proactive legislation around issues like maternal health, natural hair discrimination, and legalizing fentanyl testing strips. We also worked to minimize harms posed by anti-free speech and anti-LGBTQ bills, like Senate Bill 150, one of the worst anti-trans bills in the country.



#### REACHING THE PEOPLE OF KENTUCKY

Our communications team works alongside the advocacy team in Frankfort to cover committee hearings, prepare testimony, respond to media inquiries, and keep the public informed about our work and the work of the legislature.

## **DURING THIS SHORT, 30-DAY SESSION, WE:**

- were mentioned in over 3,000 media stories;
- reached 2,033,435 people across our social media channels;
- published six op-eds for outlets across the state.

We also worked to connect members of the public with legislators and advocacy groups that offer community support.

## MAKING STRIDES IN CRIMINAL LEGAL REFORM

A bright spot in this year's session was House Bill 353, a bill legalizing fentanyl testing strips in the commonwealth. Opioids are responsible for almost 90 percent of overdose deaths in the state of Kentucky, and fentanyl is present in about 70 percent of those deaths, meaning House Bill 353 will save thousands of Kentuckians' lives for years to come.

Before HB 353, fentanyl testing strips were classified as drug paraphernalia, needlessly punishing people already struggling with substance use disorders and further endangering their lives.

"This bill was a bipartisan effort that didn't receive a single 'no' vote in committee or on the floor," says Kungu Njuguna, our justice reform policy strategist. "This is a commonsense solution to address the opioid epidemic, and we look forward to bringing additional solutions to the table to save more Kentuckians' lives."

We're grateful to our partners at dream.org, the Kentucky Smart on Crime Coalition, and to Rep. Kim Moser for championing this bill and helping us get it across the finish line.



#### FIGHTING FOR REPRODUCTIVE FREEDOM

Kentucky continues to be a forced birth state as access to abortion remains banned in the commonwealth. However, we were proud to support several bills focused on improving maternal and infant health outcomes in our state, including but not limited to measures that increase access to free-standing birth centers, expand access to health care for pregnant people, and reduce racism in health care. We look forward to continuing our maternal health advocacy in the 2024 General Assembly.

#### FIGHTING UNJUST LAWS

Kentucky lawmakers followed disturbing national trends and filed a record number of bills attacking marginalized Kentuckians this year. For the second year in a row, their primary target was some of the most vulnerable people in our commonwealth: members of the LGBTQ community.

Legislators filed bills attacking drag performances, public school curriculum, literature available in schools, and transgender youth.

Our advocacy team worked with partner organizations like the Fairness Campaign, Ban Conversion Therapy Kentucky, and the Kentucky Health Justice Network to testify in committee hearings, coordinate social media posts, and inform legislators of the dangers posed in these bills.

Senate Bill 150 became law after the legislature overrode the Governor's veto. This measure harms transgender youth in Kentucky by banning medically necessary health care, allowing teachers and school staff to misgender students, preventing trans youth from using the bathroom that aligns with their gender, and limiting the curriculum teachers may use for students of all ages.



The process by which legislators passed SB 150 was equally heinous, flying in the face of democracy by using sneaky tactics to pass the legislation out of committee at the eleventh hour and without properly notifying all committee members.

## TRANS YOUTH BELONG IN KENTUCKY.

If legislators continue to put themselves between Kentuckians and their healthcare providers, we will continue to fight against them. We will work in the courthouse, in the legislature, and alongside partner organizations to ensure transgender youth in Kentucky have access to the services and support they need to live healthy, full lives.

Learn more about our legislative agenda at aclu-ky.org/legislation.

## A NOTE FROM CHARLENE BUCKLES

DEVELOPMENT DIRECTOR, ACLU OF KENTUCKY



Recent years have taught us that the adage is true: the only constant is change. We've fought to defend civil liberties in Kentucky for almost 70 years, but the shape of that work looks different from year to year, week to week, and sometimes even day to day.

This past year is a great example of how quickly our needs—and the needs of the commonwealth—can evolve. The ACLU of Kentucky spent decades fighting to protect abortion access, but the Supreme Court's decision overturning Roe v Wade forever changed our reproductive freedom work in the state almost overnight. When the Louisville Metro Department of Corrections announced three deaths in just one week in their facility, we knew we had to come together to protect Kentuckians who are incarcerated there. And this year's General Assembly unleashed more attacks on LGBTQ+ Kentuckians than ever before, aimed particularly at nonbinary and trans youth.

Your gifts ensure we have the capacity and resources to address what is happening in the moment. Every gift you make goes toward funding a better future for Kentucky, and your generosity fuels our passion for justice. We've said it before, and it remains true: we could not do this work without you.

In Solidarity,

Charlene Buckles

## DEFEATING AMENDMENT 2 IN THE 2022 ELECTION

Every voter in the commonwealth had the opportunity to vote on abortion access last November when they voted on Amendment 2, the ballot initiative that proposed adding language to the Kentucky constitution that would have ensured no right to an abortion. After the fall of *Roe* in May 2022, abortion became almost completely inaccessible in our state. Reproductive freedom advocates immediately activated to educate Kentuckians that Amendment 2 was nothing more than extreme government overreach into Kentuckians' personal medical decisions.

Alongside other reproductive freedom organizations, we launched Protect Kentucky Access, a public education campaign letting voters know their right to bodily autonomy was on the line. We knocked on thousands of doors, sent thousands of emails, text messages, and phone calls, took the message to our social media networks, and talked to our friends and neighbors to make sure Kentuckians knew if Amendment 2 passed, there would be no legal path forward to restore abortion access in the commonwealth.



And they listened. Of the nearly 1.5 million who voted, 52.3 percent said no—no to extremist politicians banning abortion, no to unnecessary suffering, and no to the government making private medical decisions on Kentuckians' behalf. The message to lawmakers was clear: they'd gone too far in stripping their constituents' freedoms.

We're proud to say that with the defeat of Amendment 2, the legal path to abortion access in Kentucky remains open, and the fight to restore it is only beginning.





#### **SMART JUSTICE ADVOCATES**

The Smart Justice Advocates (SJAs)—a group of directly impacted individuals fighting for better justice policies—are now facilitated by two group members, LaTonya McNeal and Selena Coomer!

#### **About LaTonya McNeal**

LaTonya was born and raised on the south side of Chicago and came to Louisville in search of recovery after being incarcerated for over a third of her life. She recreated her life here after being a client, and later an employee, of The Healing Place. LaTonya has worn a lot of hats: she's been a caregiver, advocate, and a case manager for homeless outreach, and was introduced to the Smart Justice Advocates in 2018. Since then, she's become more passionate about justice reform, especially about reentry and voting rights issues.

LaTonya is also a mother of two, grandmother to one, and recently married her partner of 14 years.

"I didn't have this work for myself, and I always wished there was something like this for me," LaTonya says of the SJAs. "All I can do is to be the voice for others."

#### **About Selena Coomer**

Selena experienced childhood trauma that led to addiction, which led her to The Healing Place, where she became a peer mentor and then a staff member for 12 years. After nursing school

and a brief stint as a nurse, she quickly realized that recovery and reentry are her passions and began working at The Prisoner's Hope.

As an SJA member, she recalls one of the first times she went to Frankfort to lobby for better justice policies, when a lawmaker proposed cutting fingers off people with addiction to keep them from reoffending. That's when she knew she had to be in Frankfort every session and to bring as many directly affected people as she could.

"I've worked on the front lines of alcoholism, addiction, and reentry for 15 years," Selena says. "It's a never-ending sea, and you have to go upstream to change policies if you want it to change."

#### What's Next for the SJAs?

This past year, the SJAs have focused on building comradery among the group's members, learning more about the policymaking process, and ensuring they feel comfortable providing input at all stages of their advocacy.

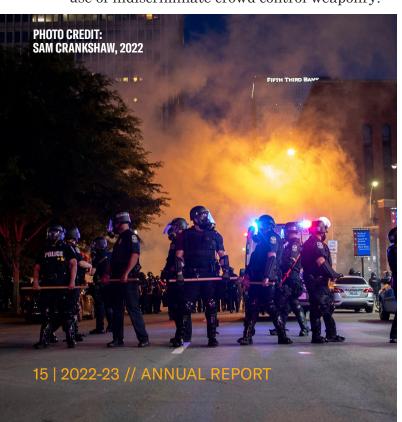
The SJAs were instrumental in passing House Bill 353—the law legalizing fentanyl testing strips in the commonwealth—during the 2023 Kentucky General Assembly. Next year, they'll focus on passing a bill to automate the expungement process, funding for a program ensuring people are automatically given IDs upon release from incarceration, and restoration of voting rights.

Learn more about the SJAs at: aclu-ky.org/smartjusticeadvocates.

### AT THE COURTHOUSE

## IN PROGRESS: SCOTT V LOUISVILLE METRO GOVERNMENT

Alongside our co-counsel at the NAACP Legal Defense Fund and Emery Celli Brinckerhoff Abady Ward & Maazel LLP, we filed a lawsuit in April 2020 against the Louisville Metro Police Department for their use of chemical agents and crowd control weaponry against peaceful protesters demonstrating after the murder of Breonna Taylor. Discovery and depositions have continued since the suit was filed, with the city spending upwards of \$1 million defending LMPD's prior and ongoing use of indiscriminate crowd control weaponry.



# VICTORY! RELIGIOUS FREEDOM UPHELD IN CASE AGAINST DEPARTMENT OF CORRECTIONS.

#### **VICTORY: THURMAN V CREWS**

We filed a federal lawsuit in April of 2022 challenging violations of religious freedom and constitutional rights in Kentucky prisons. The suit was filed on behalf of Carlos Thurman, a Kentuckian incarcerated at Eastern Kentucky Correctional Complex in West Liberty, Kentucky.

Mr. Thurman is a practicing Rastafarian and wears his hair in dreadlocks, consistent with his religious beliefs. In 2021, the prison announced a new policy stating that dreadlocks and other natural hairstyles would be forcibly cut if they were not searchable. Mr. Thurman knew the policy violated his rights and filed a grievance. In retaliation, the prison transferred Mr. Thurman to another facility, where prison officials forcibly cut his dreadlocks without any attempt to search them.

After a year of litigation, our client agreed to settle the case resulting in, among other things, a change in the Department of Corrections' policy regarding dreadlocks and other natural hairstyles.

## ARGUING FOR ABORTION ACCESS AT THE KENTUCKY SUPREME COURT

When an appeals court judge allowed Attorney General Daniel Cameron to resume enforcement of the six-week and "trigger" bans, abortion immediately became illegal in Kentucky, even in cases of rape and incest. Our Senior Staff Attorney Heather Gatnarek argued before the Supreme Court of Kentucky on behalf of our clients, EMW Women's Surgical Center and Planned Parenthood, challenging those two bans.

The arguments took place one week after Kentucky voters strongly rejected Amendment 2, which would have allowed politicians to not only continue enforcing the bans but also add language to the Kentucky Constitution to explicitly state that it does not protect the right to abortion.

The Court, in an extraordinary opinion that upended decades of precedent, ruled our clients did not have standing to bring the suit on behalf of their patients. Despite this decision, the legal path to abortion access remains open. We are currently seeking a patient plaintiff and our legal team stands ready to continue the fight to restore bodily autonomy for the people of Kentucky.







IF YOU OR SOMEONE YOU KNOW IS CURRENTLY PREGNANT, SEEKING AN ABORTION, AND WANTS TO LEARN MORE ABOUT POSSIBLY BEING A PLAINTIFF IN A LEGAL CHALLENGE, SCAN HERE OR CALL OUR HOTLINE AT: (617) 297-7012.

#### **AMICUS**

Louisville's anti-discrimination ordinance bars businesses that are open to the public from refusing service to customers based on clearly defined innate characteristics, including a customer's sexual orientation. In January 2023, we filed an amicus brief asking a federal appeals court to uphold these anti-discrimination protections, and to reverse a lower court ruling that opened the door for businesses to deny service to LGBTQ people.

Learn more about our legal cases at aclu-ky. org/legal.

### **ACLU OF KENTUCKY STAFF**

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**EXECUTIVE DIRECTOR** 

**SAVANAH TAYLOR** 

**EXECUTIVE ADMINISTRATOR** 

**KATE MILLER** 

ADVOCACY DIRECTOR

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**JACKIE MCGRANAHAN** 

SENIOR POLICY STRATEGIST

**KUNGU NJUGUNA** 

**POLICY STRATEGIST** 

**RICHELLE HARRIS** 

ADVOCACY ADMINISTRATIVE

**ASSISTANT** 

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COMMUNICATIONS DIRECTOR

**KIRA MEADOR** 

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**TAYLOR KILLOUGH** 

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LEGAL DIRECTOR

**CRYSTAL FRYMAN** 

STAFF ATTORNEY

**HEATHER GATNAREK** 

SENIOR STAFF ATTORNEY

**KEVIN MUENCH** 

LEGAL FELLOW

**TRACY MARTIN-WRAY** 

LEGAL ASSISTANT

PHOTO CREDIT FOR 2022–2023 STAFF HEADSHOTS TO CHANEL NICOLE.

### **BOARD OF DIRECTORS**

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**SHADONNA BANKS** 

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#### **2022 INTERNS**



Farrah Alexander, Legal Intern

Farrah is a writer, author, and activist, While pursuing her law degree, she worked with the legal team to conduct research and assist with litigation. Farrah is currently in her third year of law school and plans to use her legal expertise to enact positive change.



**Brennan Eberwine. Communications Intern** 

Brennan served as editor-in-chief of the Manual RedEve. the student newspaper of Dupont Manual High School. He worked with the communications team to create guiding materials for the department and penned opinion pieces related to LGBTQ and student rights. Brennan is currently working on his bachelor's degree at Bennington college in Vermont.



**Brittany Harris, Advocacy Intern** 

Brittany became interested in policy and advocacy work after volunteering with Smart Justice Advocates and the Kentucky Smart on Crime Coalition. She worked with the advocacy team in Frankfort and testified on a bill related to juvenile justice. Brittany is currently completing a secondyear internship with our advocacy department while she completes her master's degree.



**Chloe Treat, Development Intern** 

Chloe is a University of Louisville student who served as the development intern in the Fall of 2022. During her time as an intern, she received first-hand experience fundraising within a federated organization. Chloe focused on creating real and measurable change in our community. At the end of her internship, she applied and was hired as a fulltime development associate at ACLU of Kentucky.



Rachel Utz, Legal Intern

Rachel served as a legal intern while pursuing her JD. She worked with the legal team to conduct research and assist with ongoing litigation. Rachel has since graduated with her law degree and is working as a reproductive justice fellow with If/ When/How.



Stephen Wilder, Development Intern

Stephen served as the development team's first-ever intern in fall 2021 through spring 2022. He initiated a project to help connect smaller nonprofits with funding opportunities throughout the commonwealth. At the end of his internship, he applied and was hired as the development associate at the ACLU of Missouri.

### **BY THE NUMBERS**

742,232 KENTUCKIANS VOTED NO ON AMENDMENT 2

5,350 UNION MEMBERS

1,197 INDIVIDUAL FOUNDATION DONORS

1,631 UNIQUE FOUNDATION DONATIONS

3,229 TEXTS SENT BY VOLUNTEERS ENCOURAGING KENTUCKIANS TO TAKE ACTION

251 BILLS TRACKED BY ACLU-KY

FROM MEMBERS & SUPPORTERS

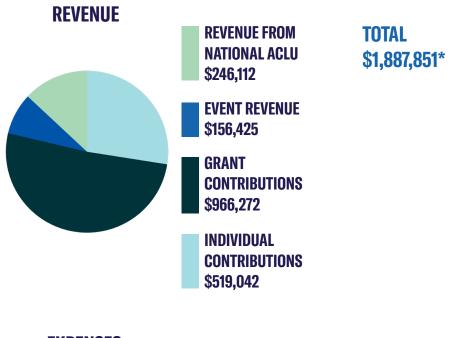
DIRECTLY IMPACTED PEOPLE PARTICIPATED IN MEETINGS WITH LAWMAKERS

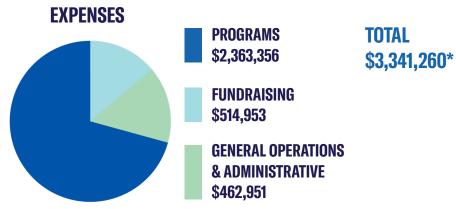
STAFF MEMBERS

113 INTERACTIONS
BETWEEN ACLU-KY
STAFF & LAWMAKERS



## **FINANCIALS**





<sup>\*</sup> Consolidated unaudited statement for ACLU-KY and ACLU-KY Foundation, Fiscal Year '23 (April 1, 2022 - March 31, 2023)