

Finances*

Combined budgets for the ACLU of Virginia, a 501 (c)(4) tax-exempt non-profit organization, and the ACLU Foundation of Virginia, a 501 (c)(3) tax-exempt non-profit organization, for the current fiscal year (April 2010-March 2011). Donations to the ACLU Foundation of Virginia are tax-deductible.

REVENUES

Membership Dues	\$ 230,000
Foundation Donations	\$ 340,000
Endowments, Trusts	\$ 165,000
Grants & Fellowships	\$ 65,000
Other	\$ 5,500
Total	\$ 805,500

EXPENSES

PROGRAMS	
Legal	\$ 347,000
Legislative	\$ 200,000
Public Education	\$ 250,000
SUPPORT SERVICES	
Management	\$ 25,000
Fundraising	\$ 80,000
Total	\$ 902,000

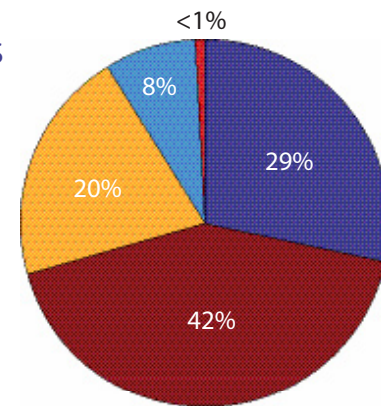
Excess (Deficit) \$ (96,500)

VOLUNTEER SERVICES

Legal Services	\$ 150,000
Other	\$ 75,000
Total	\$ 225,000

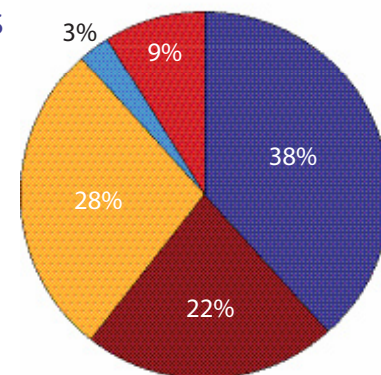
* For a copy of the most recent audits of the ACLU of Virginia and the ACLU Foundation of Virginia, please contact the Richmond office at 804-644-8080 or acluva@acluva.org.

REVENUES



- Membership Dues
- Foundation Donations
- Endowments, Trusts
- Grants & Fellowships
- Other

EXPENSES



- Legal
- Legislative
- Public Education
- Management
- Fundraising

Board of Directors

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Rebecca Glenberg, Legal Director	Tom Okuda Fitzpatrick, Dunn Fellow
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530 East Main Street, Suite 310, Richmond, Virginia 23219

To learn more about the ACLU of Virginia or to support the ACLU Foundation of Virginia contact us at 804-644-8080 or go on our website, www.acluva.org

ACLU of Virginia
2010 Annual Report



Dear ACLU of Virginia Supporters,

For our annual report this year, we have chosen to provide you with samples of our work protecting and promoting civil liberties around the state. As you can see, our efforts take us to every corner of Virginia and feature successes stemming from our litigation, advocacy, and lobbying on issues ranging from free speech to due process to voting rights to religious liberty to racial justice and the equal treatment of gays and lesbians.

But this is only part of the ACLU of Virginia picture. In the 2010 General Assembly we lobbied for or against 75 bills affecting civil liberties by both deploying the ACLU staff and engaging more than 1,000 volunteer activists to assist us.

The ACLU of Virginia is the most effective voice for civil liberties in the state. It's hard to count all the times we appear on the radio, television, and in newspapers and blogs since we are so constantly in demand, but it is well over 1,500 per year.

We also have special programs focused on a single issue. Our Voter Restoration Project is slowly reforming Virginia's felon disenfranchisement law, and this year we will launch the Patricia M. Arnold Women's Rights Project.

Our Northern Virginia Chapter has some of the best educational programs of any local chapter in the nation. If you haven't been to their summer "Crabfest" or winter issues brunch, you're missing out on two special opportunities to meet with other ACLU supporters and catch up on civil liberties in Virginia. We also have six active college chapters that are serving as platforms for energizing a new generation of civil libertarians.

Behind all this is a dedicated volunteer board of directors, as well as a panel of lawyers who not only select the cases we file but also provide pro bono legal services.

Of course, none of this would happen without our generous donors. What we do starts with you and simply would not be possible without you.

To find out more, visit our website (www.acluva.org) or ask for a copy of our litigation report or our review of the 2010 Virginia General Assembly session. Or just contact me at 804-644-8080 or kwillis@acluva.org.

Kent Willis, Executive Director

This report is dedicated to the memory of Nat Wilson, ACLU of Virginia Board member May 2005 to June 2010.

Snapshots Across Virginia

n Richmond

Colleges Agree Not to Discriminate Against Gays and Lesbians

Shortly after taking office, Attorney General Ken Cuccinelli sent a letter to public university presidents advising them that under state law they must rescind their policies protecting gays and lesbians from discrimination. We countered with our own letter warning college presidents that discrimination against gay and lesbian employees or students violates their constitutional rights, and announcing that the ACLU was prepared to provide legal representation to employees or students who are victims of discrimination based on sexual orientation. Since receiving the dueling letters from the AG and the ACLU, most college presidents have publicly stated that the ACLU's assessment of the law is correct and they do not plan to rescind their non-discrimination policies. None has decided to follow the AG's advice.

n Richmond

Voter Restoration Process Improved

After taking office, Governor Robert McDonnell made Virginia's worst-in-the-nation felon disenfranchisement law even worse by quietly adding an essay-writing requirement for individuals seeking restoration of their voting rights. The ACLU made the new requirement public, leading to national media condemnation of the governor for instituting a new version of the literacy test. After several meetings between the governor's staff, the ACLU and other voting rights reform advocates, the governor announced not only that the essay requirement would be dropped, but that the waiting period would be shortened and applications processed in 60 days. While falling far short of the major overhaul needed, these reforms of Virginia's Jim Crow felon disenfranchisement law may prove to be the most significant in years.

n Gate City

Prayers Prevented, Religious Demonstration Allowed at High School

In the fall of 2009 the ACLU received complaints that Gate City High School had opened a football game with a prayer announced over the public address system. We informed the school's principal that such prayers were a violation of the First Amendment, and he immediately responded by promising that the incident would not be repeated. Students who wanted the prayers to continue, however, announced that they would be organizing a protest of the ACLU's action and the principal's decision by wearing t-shirts with religious messages to the next football game. After determining that the protest might not be permitted, we informed the principal that the students had a First Amendment right to protest against him and the ACLU. The protests were allowed.

n Richmond

Federal Court Rules Privacy Advocate Can Post Public Records Online

After noticing how simple it is to obtain individuals' Social Security Numbers and other private information from government websites, privacy advocate B.J. Ostergren began downloading and publishing on her website public records containing the SSNs of Virginia's elected officials. Her goals were to show how easy it is to steal identities in Virginia and to embarrass the General Assembly into acting to protect online privacy rights. Legislators reacted not so much by fixing Virginia's inadequate laws, but by passing a new law to prevent B.J. from publishing their SSNs. The ACLU sued, arguing that the "anti-B.J." statute violated her First Amendment right to disseminate information made available to the public by the government. Thus far, both the lower federal court and the court of appeals have ruled in B.J.'s favor.

n Prince William County

Latinos' Right to Assemble in Public Protected

Last fall, a group of Latinos was standing on a public sidewalk near an apartment complex in Prince William County, when police officers approached and asked for identification. The police charged the men who lived in the complex with loitering and the rest were charged with trespassing. Convinced that the men were targeted because of their national origin and that the Fourteenth Amendment protected their right to gather peaceably in a public place, the ACLU of Virginia offered legal representation and filed court papers arguing that the Latinos' constitutional rights had been violated. Prosecutors voluntarily withdrew the charges shortly afterwards.

n Stafford

Jail Forced to Stop Censoring Religious Messages

When the mother of a Rappahannock Regional Jail inmate discovered that the religious messages she was sending to her son were being censored, she contacted jail officials. After being told that the Biblical passages in her letters were being cut-out—literally, with scissors—under a policy banning "religious material sent from home," she contacted the ACLU. Our prompt action led to the jail officials agreeing to end their illegal practice of censoring religious material sent to inmates.

n Spotsylvania

Judges Rule That Defendant Deserves Day in Court

Several years ago, a Spotsylvania man was charged with felony drug possession but avoided jail time on condition that he enter a drug court treatment program. After complying with the program for a year, he was abruptly terminated—without a hearing of any kind—and incarcerated when it was discovered that he had used the name of a drug court "surveillance officer" on his MySpace page. The ACLU took the case and in 2010, the Virginia Supreme Court ruled that the defendant had been denied his due process rights by not being allowed to present his side of the issue in a fair legal hearing.

n Gloucester County

Citizens May Use Courts to Remove Public Officials without Fear of Sanctions

In 2008, 40 Gloucester County residents used an obscure state law to ask a court to remove from office four members of the board of supervisors who had once been indicted on criminal charges. The judge not only threw out the case, but assessed the residents \$80,000 in attorney's fees. We lobbied the General Assembly to add protections for citizens who use the courts to have public officials removed from office, and we filed a friend-of-the-court brief on behalf of the "Gloucester 40." In 2009, the legislature passed a law prohibiting fines against citizens who use the law to attempt to remove public officials from office, but it did not apply retroactively to the Gloucester residents. The Gloucester legal case is currently before the Virginia Supreme Court.

n Richmond

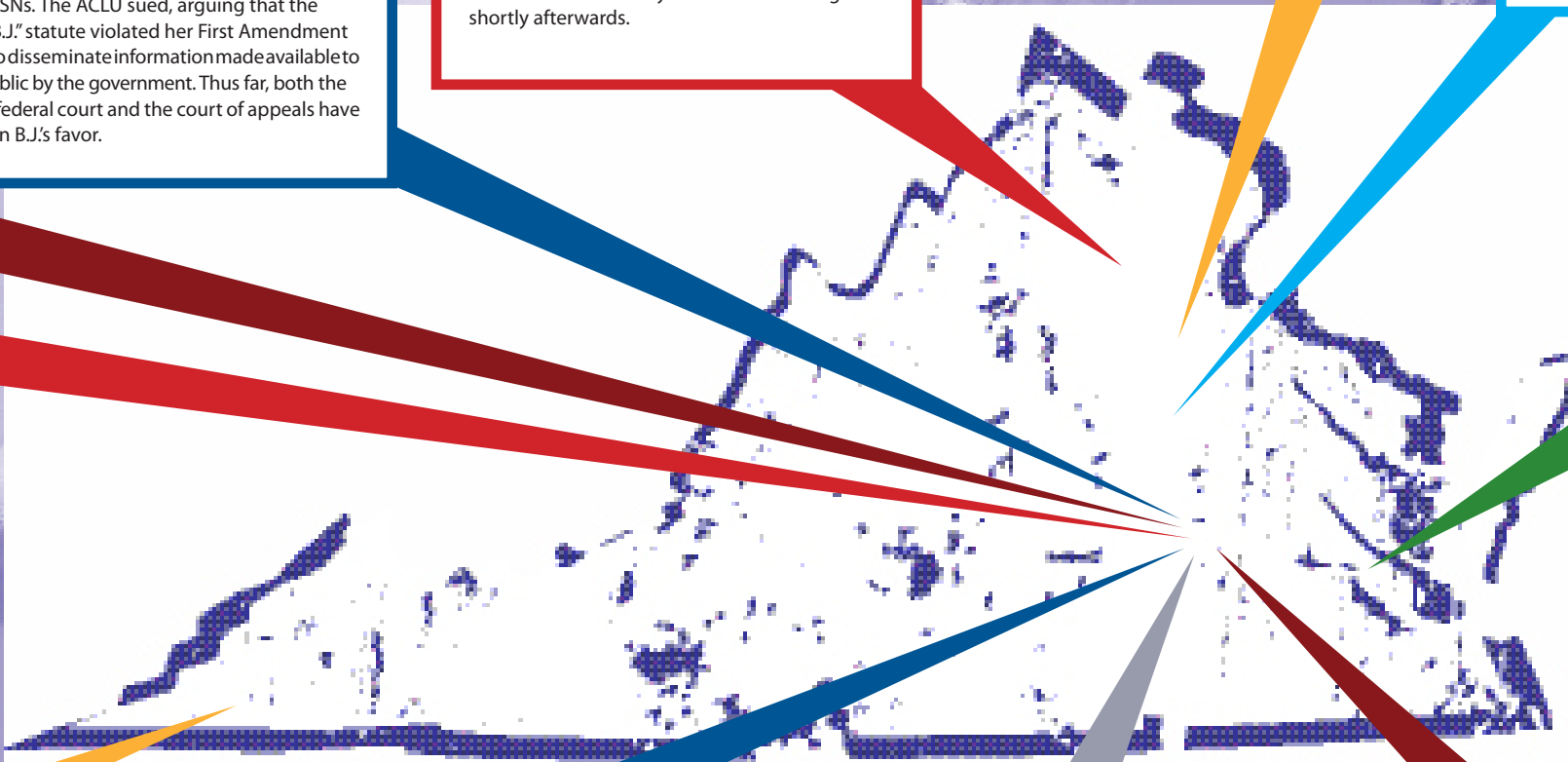
Reforms Bolster Student Participation in Democratic Process

For years, the ACLU has provided legal representation and educational materials to college students denied the right to register to vote where they attend school, while advocating for reform of Virginia's voter residency law. Our highly publicized court cases and studies show inconsistent interpretation of the Virginia law, with many voter registrars requiring that students register in their hometowns, even when they no longer live there. After the ACLU pointed out that many Virginia students were prevented from voting in the 2008 presidential elections, we were invited in 2009 to sit on a state task force that ultimately engineered changes to election policies clarifying that college students may register to vote where they attend school.

n Richmond

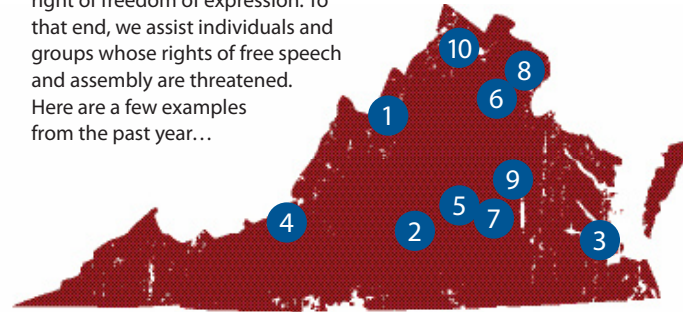
Virginia Supreme Court Upholds Lesbian's Custody Rights

Janet Jenkins and Lisa Miller entered into a civil union under Vermont law, had a daughter, and then dissolved the union. Much like the split-up of a heterosexual marriage, a Vermont family court awarded primary custody to Ms. Miller, the biological mother, and visitation rights to Ms. Jenkins, the non-biological mother. Miller, however, moved to Virginia, refused to allow Jenkins to visit the daughter, and sought to have the Vermont visitation order nullified based on Virginia's Affirmation of Marriage Act. Thus far, in several iterations of the case, the Virginia Court of Appeals (most recently in February 2010) and the Virginia Supreme Court have consistently upheld the Vermont order, agreeing with the ACLU's argument that Vermont, not Virginia, has jurisdiction over the custody case.



Protecting Free Speech in Your Town

Since our founding, much of the ACLU's work has centered on protecting the fundamental right of freedom of expression. To that end, we assist individuals and groups whose rights of free speech and assembly are threatened. Here are a few examples from the past year...



- 1 After we intervened, **Rockingham County** dropped attempts to require a small group of protestors to obtain \$1,000,000 in liability insurance before being allowed to assemble at the courthouse.
- 2 When **Farmville** officials tried to impose unconstitutionally onerous conditions that threatened to stop a parade by an immigrants' rights group, we stepped in and the parade took place as planned.
- 3 When **Newport News** city officials told the Hampton Roads Tea Party they needed \$500,000 in liability insurance to hold a demonstration, the Tea Party called us. After we pointed out that the requirement was unconstitutional, the demonstration proceeded as planned.
- 4 In **Christiansburg**, we provided legal representation to a blogger who was sued after she complained about—and made fun of—an unsightly mound of dirt left in her neighborhood by a developer. The case against our client was dismissed.
- 5 After we promised litigation, **Richmond** dropped a proposed ordinance to prevent homeless persons from using sidewalks next to roads to solicit for donations.
- 6 A proposed **Manassas** ordinance regulating public assemblies was revised after we argued that it was vague and allowed officials to deny permits based on an applicants' purpose or political views.
- 7 After May Day parade organizers in **Richmond** were told they would not receive a permit unless they hired off-duty police officers for security, the ACLU stepped in to remind city officials that no such requirement exists in the Richmond ordinance.
- 8 After we threatened to file a lawsuit, the **Herndon** Town Council substantially rewrote a proposed ordinance that would have prohibited pedestrians on sidewalks from passing out literature or offering services to motorists.
- 9 After we met with the attorney for **King William County**, county officials promptly withdrew a zoning violation notice filed against a property owner who had erected a sign protesting the construction of a nearby motocross racetrack.
- 10 **Prince William County** dropped criminal charges against a man who allegedly cursed at a police officer, but only after we provided a lawyer to argue that the man's speech, while not polite, was protected by the First Amendment.