

ACLU

**AMERICAN CIVIL LIBERTIES UNION
of FLORIDA**

2013-2014 ANNUAL REPORT

**RESTORING
FLORIDIANS'
RIGHT TO VOTE
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**DEATH
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IT WAS A VERY BUSY YEAR



A Message from our Director
HOWARD SIMON

Thank you for being our partner in the important work of the American Civil Liberties Union.

It has not been easy defending constitutional rights in the Sunshine State. The Bill of Rights and especially the values of separation of church and state and privacy and personal autonomy have been under sustained assault by politicians in Tallahassee for a long time.

But over the last few years, whether it is –

- Protecting the right to vote, including the right of volunteer-based organizations like the League of Women Voters to register new voters, or the right to cast a regular not a provisional ballot, or the ability to cast your ballot during early voting days, including the two Sundays before an election, or
- Defeating the Legislature’s attempt to remove the guarantee of separation of church and state from the Florida Constitution, or
- Standing up for free speech for doctors to discuss gun safety with their patients, or
- Defending a woman’s right to makes choices about her reproductive health care, including choosing an abortion, which has been under assault by the Legislature, or
- Successful ACLU lawsuits that have blocked a state law and the Governor’s Executive Order mandating suspicionless urine tests for state workers and applicants for temporary assistance.

The ACLU has worked hard, and with considerable success, to protect the rights of Floridians from assault by the policies of our own legislature and the governor!

Our hard-working staff and volunteers have brought significant changes at the city and county level. We have helped to extend civil rights protections and legal recognition for same-sex couples in communities across Florida, including such fundamental protections as the right of gay Floridians to be free from arbitrary discrimination, the right to make emergency medical decisions and the right to visit a loved one in a hospital. Our legal team ended the decades-old ban on adoptions, and we are on the verge (I truly believe!) of winning the right to marry, by first securing the recognition of the marriages (and the benefits of the marriages) of same-sex Florida couples who have been married in other states, and whose marriages are recognized by the federal government.

This Annual Report describes work over the past year by our dedicated staff and volunteers, frequently in partnership with our national organization and in collaboration with coalition partners.

I also want to share with you (see page 22) a preview of our plans to responsibly use your contributions to defend constitutional rights going forward.

Thank you again for being our partner in this important work.

Howard Simon
Executive Director

BEING ON THE FRONT LINES



A Message from our President
ROSEMARY WILDER

This March, when I started my term as the President of the ACLU of Florida, was an exciting time to be involved with the organization. The ACLU of Florida was preparing to announce its lawsuit challenging the state's ban on recognizing the marriages of same-sex couples, building on the ACLU's celebrated win at the U.S. Supreme Court challenging the Defense of Marriage Act on behalf of Edie Windsor.

As someone who has long fought for LGBT people – including as a founding member and President of the Gay and Lesbian Lawyers' Association and founding member and co-chair of SAVE, South Florida's largest LGBT rights organization – it was thrilling to be stepping into my new leadership role at the ACLU of Florida as this exciting chapter in the fight for equality for all Floridians was being written.

This is what makes being part of the ACLU so special: you are on the front lines of the fights that shape what it means to be an American and what it means to be free. When you're part of the ACLU, you're part of the act of history itself being made. But history isn't about esoteric writings and abstract legal arguments – it's about people.

When the ACLU takes on a case or advocacy issue it isn't for the sake of some abstract idea. It's for the eighth-grader fighting to start a gay-straight alliance to stop her classmates from being subjected to anti-gay bullying; it's for the government employees being treated like suspected criminals by their own governor and subjected to humiliating, invasive searches of their bodily fluids; and it's for the 1.5 million Floridians who have been shut out of our democracy by a felon voting ban from the Civil War Era.

My entire career has been about using the law to improve the lives of the people in the state I call home. That's what the ACLU does, and I'm proud to be a part of that. By being a part of the ACLU – whether through membership, a gift to the organization, or by getting personally involved – you too get to be a part of the work of this critical organization.

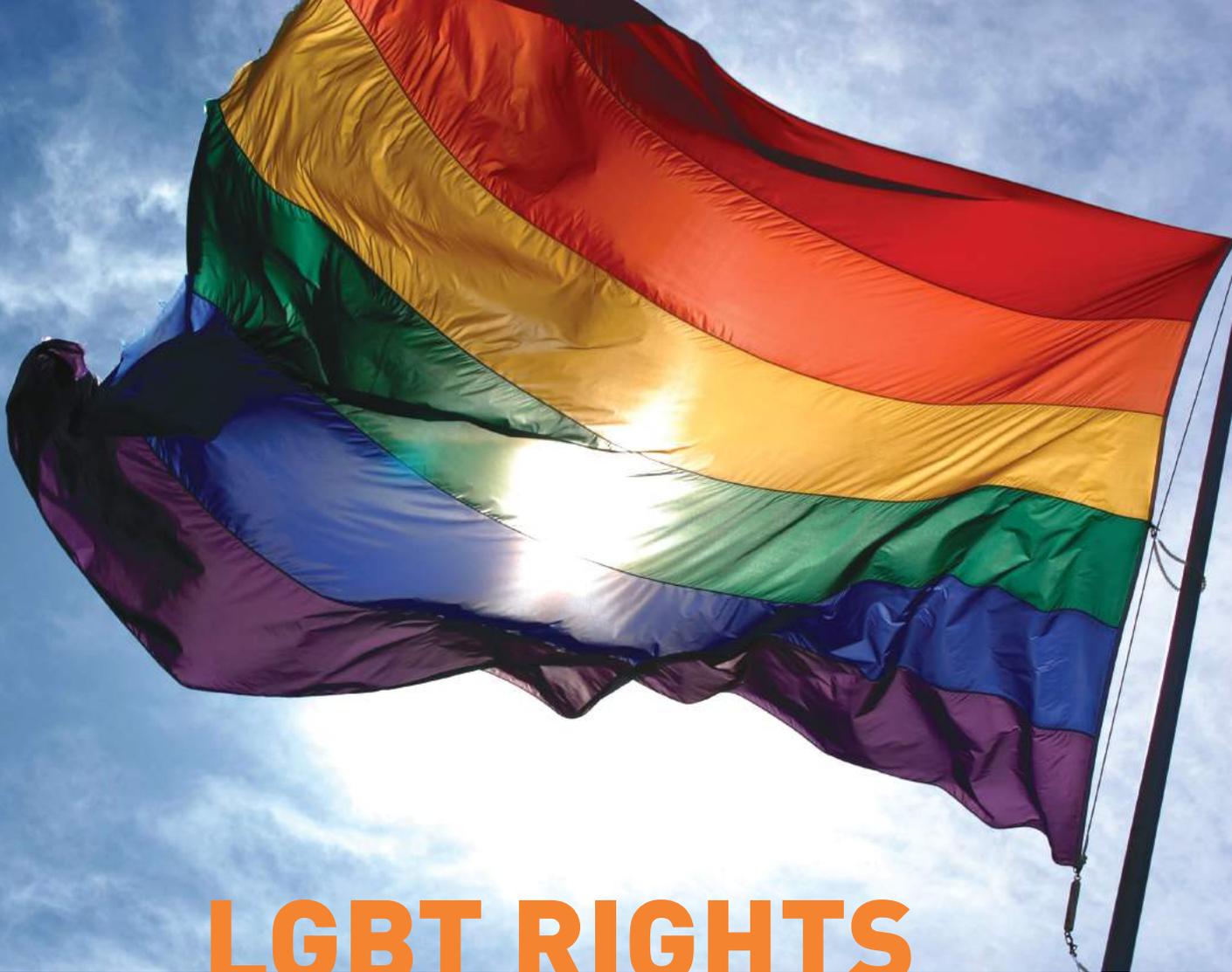
It's not just history that is really about people: the ACLU is as well. As you read the stories in the pages that follow and meet some of those people, we hope that you'll decide to become one of them and join us in the fights ahead, making the place we call home a better – and more free – place over the years to come.

Rosemary Wilder
President, ACLU of Florida

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LGBT RIGHTS

DOMA



ON JUNE 26, 2013, TEN YEARS TO THE DAY AFTER the LGBT community’s historic victory in *Lawrence v. Texas*, the U.S. Supreme Court struck down the core provision of the so-called Defense of Marriage Act (DOMA) in *United States v. Windsor*, holding that the ACLU’s 84-year-old client Edie Windsor should not have been required to pay the \$363,000 in federal estate taxes that she owed simply because her marriage was not legally recognized because she was married to a woman. As a result of the historic decision, same-sex couples in Florida who were married

elsewhere can now receive numerous federal protections of marriage.

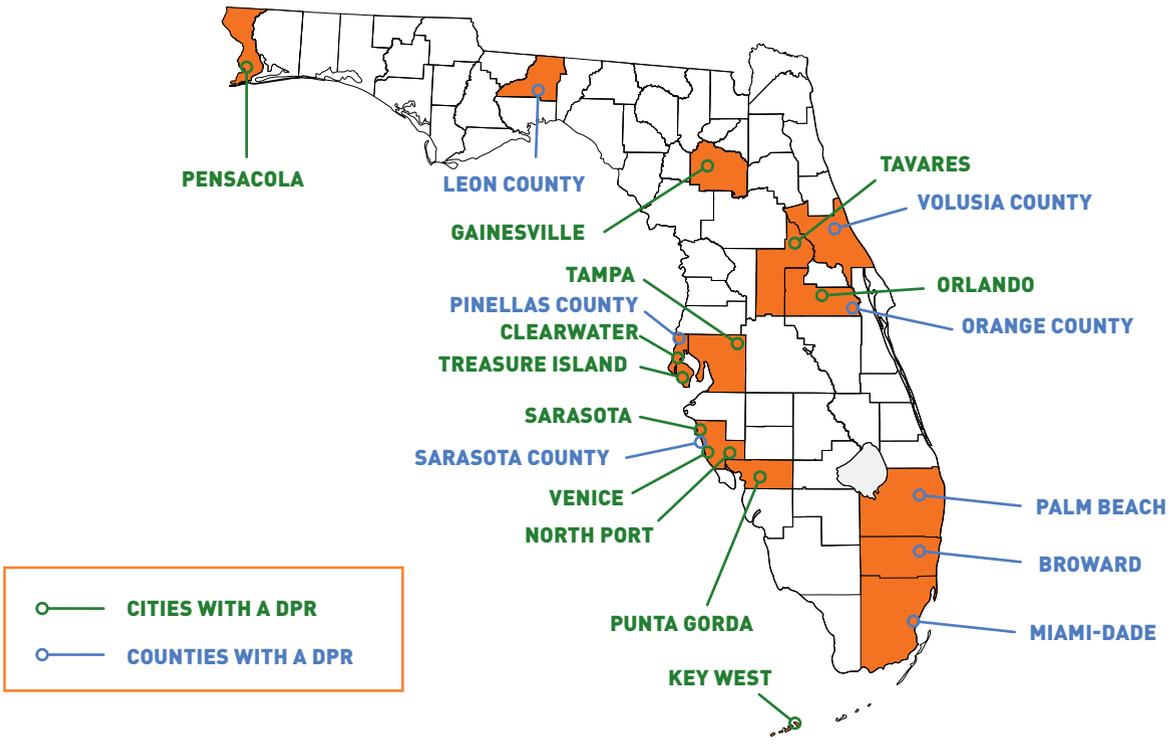
The ACLU of Florida has participated in town-hall meetings and legal seminars across the state to educate the public about what the changes in the law mean for same-sex couples who were married in other states or countries.

Although Florida’s discriminatory state constitution both prohibits marriage for same-sex couples and has the effect of blocking same-sex couples from receiving all of the federal protections and responsibilities of marriage, the ACLU continues to work at the local, state, and national levels to make sure that same-sex relationships are accorded the dignity and respect of other relationships.

The ACLU of Florida filed a lawsuit in federal court on behalf of eight couples who married in other states and SAVE Foundation, South Florida’s largest LGBT rights organization, to require Florida to recognize marriages performed in any of the increasing number of states that permit same-sex marriage. A decision is expected any day as of this writing.

PHOTO: TOP: LUDOVIC BERTIRON | EDIE PHOTO: ACLU

Domestic Partnership Registries



A city or county Domestic Partnership Registry (DPR) provides all couples – same-sex and opposite-sex – the ability to obtain limited but important protections and responsibilities to secure their relationship. Though a small bundle of benefits, they are among the most important a couple can have; allowing couples to make important decisions about finances and what happens in emergencies that keep them secure in the plans for their families’ future.

Because Florida’s discriminatory state constitution forbids same-sex couples from marrying, DPRs are the only way for

such couples to obtain some of these protections. The ACLU of Florida’s leadership and collaboration with other activists and advocacy organizations has resulted in DPRs sprouting up throughout the state. In 2012, Orange and Volusia Counties were added to the list, along with the cities of Clearwater, Gulfport, Sarasota, St. Petersburg, and Treasure Island. In 2013, Leon, Pinellas, and Sarasota Counties came on board, accompanied by the cities of Tavares and Venice. The ACLU of Florida will continue this work to make sure that the important protections offered by DPRs are available to couples all across the state.

LGBT= Lesbian, Gay, Bisexual, Transgender

DOMA= Defense of Marriage Act

DPR= Domestic Partnership Registry

GSA= Gay Straight Alliance

WHAT WE’RE DOING TO PROTECT SAME-SEX RELATIONSHIPS

NATIONAL: We have lawsuits throughout the country, including Florida, that, if successful, will topple state constitutional bans on same-sex marriage.

STATE: The ACLU of Florida has filed a lawsuit on behalf of eight married gay and lesbian couples, South Florida-based LGBT rights organization SAVE, and a recently-widowed Ft. Myers woman challenging the state of Florida’s refusal to recognize the marriages of same-sex couples that are performed out of state and are legally recognized by the federal government.

LOCAL: We continue to change hearts and minds at the local level to protect LGBT individuals and families. Through establishing domestic partnership registries, passing non-discrimination ordinances, and securing health-insurance benefits for same-sex spouses of public employees, we are committed to protecting the right to equal treatment for LGBT Floridians in all regions of our state.



Fighting Discrimination

All Alex Wilson, a 25-year-old nursing student at Pinellas Technical Education Centers (PTEC) wanted was a safe and supporting environment to learn so that she could become a capable healthcare professional. She just wanted to be treated like any other female student, and when Alex first enrolled at classes at PTEC she was, until PTEC

administrators found out Alex is transgender and forbade her from using the women’s restrooms. Despite the fact that Alex has received appropriate clinical treatment for gender transition, has been living as a woman for four years, and has a Florida driver’s license that identifies her as female, PTEC would not treat her as a woman. Alex was told that if she used either the men’s or the women’s restrooms again, she would have charges pressed against her. She was told that she could either use a single-occupant restroom in another building or the faculty men’s room in the nursing building.

Following this discriminatory treatment, the ACLU of Florida intervened, filing a complaint with the U.S. Department of Education which resulted in Alex being granted access to the women’s restrooms and told that she would be treated as female for all purposes. The complaint is ongoing— the school has refused to change its policies and thus has still not created a non-discriminatory environment for Alex—but Alex is looking forward to completing her nursing degree and treating others with the care and respect that transgender students in Pinellas County unfortunately have not been afforded.

Advocacy for the Transgender Community

Transgender individuals in all states, and especially in Florida, face substantial difficulties in securing even the most basic rights. Here are some areas where the ACLU of Florida is helping secure protections for some of our most marginalized residents:

SCHOOL - medical confidentiality, respect of one’s preferred name, access to sex-specific facilities like restrooms;

LEGAL DOCUMENTS – changing name and gender markers on identification cards, driver’s licenses, passports, school records, and birth certificates;

COURTS – making sure that transgender individuals have equal access to basic rights such as the ability to change one’s name.



Amores de Mi Vida

Members of South Florida’s LGBT community and allies gathered at the Miami Light Project in Miami’s Wynwood arts district for a screening of the *Amores de Mi Vida*, a Spanish-language multimedia initiative of the ACLU of Florida to address issues related to the LGBT and Hispanic communities in South Florida. The screening featured videos of dozens of LGBT Floridians and allies who shared stories about the loves of their lives, including Hallandale Beach Vice-Mayor Alexander Lewy, State Representative Jose Javier Rodriguez, and the 2013 Presidential Inaugural Poet Richard Blanco.

PHOTO OF ALEX: PAOLA CALVO FLORIDO | PHOTO OF BAYLI: WATERMARK MAGAZINE AND PAOLA CALVO FLORIDO

BAYLI'S STORY

ONE FOURTEEN-YEAR-OLD girl's effort to create a Gay-Straight Alliance (GSA) to combat bullying at her middle school in Lake County kicked off one of the most dramatic battles in Florida over LGBT rights, students' rights and free speech.

After months of being denied the ability to start a gay-straight alliance at her school, 8th-grader Bayli Silberstein and her mother reached out to the ACLU to encourage school administrators to do the right thing and follow the law. But the school board kept escalating their refusal, at one point considering a ban on all student clubs just to keep Bayli from starting hers. And that even after we got hundreds of people to attend school board meetings and tens of thousands to sign a petition to the school board. Finally, just one day after we brought a lawsuit on Bayli's behalf, the school board gave in and allowed the club to meet.

Throughout it all, and with the help of the ACLU of Florida, Bayli stood up for what she believed and ultimately was able to start the GSA. Watermark Magazine called Bayli "The Most Fearless 14-Year-Old in Florida."



ACLU: Why was it important to start a GSA at your school?

BAYLI: The GSA was important to me because it was meant to help the students, to keep them safe. I wanted to make sure my friends were comfortable to be themselves in school.

ACLU: What happened when you and your friends first tried to start the GSA?

BAYLI: We were told that it was against school policy because it wasn't educational, even though the school had a bowling club and a Christian club.

ACLU: How did you decide to contact the ACLU for help?

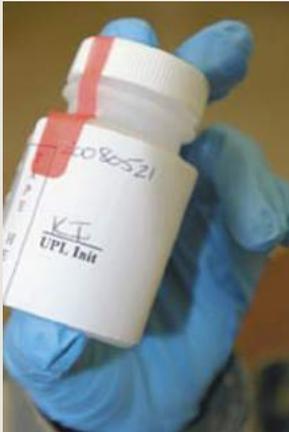
BAYLI: Contacting the ACLU was my mother's idea, she asked a couple of her friends what she should do to get the school board to answer us. Multiple people told her to contact ACLU, and she decided it may be a good idea. It was probably the best thing we could have done.

ACLU: Hundreds of people came out to the school board meeting, and tens of thousands of people signed the ACLU petition to support your effort. What was it like to know you had that kind of support?

BAYLI: Knowing that so many people were behind me, standing for what is right, that told me that it didn't matter what anyone said. Whether they hate me now or not, it doesn't matter.

ACLU: Was it frustrating that, even though there was all this support, it took a lawsuit for the school board to do the right thing?

BAYLI: I really didn't think that it would take so much for my friends and I to start a club that was against bullying. It is a club helpful to students and they denied it because not everyone agrees with it. I believe that it shouldn't have taken so much for them to do the right thing for the students in their schools.



REALLY. YOU WANT MY WHAT?!

When government forces people to submit to mandatory urinalysis or other searches of their bodily fluids without suspicion of wrongdoing or a public safety reason, that is a violation of the Fourth Amendment’s protection against unreasonable government searches. The ACLU of Florida has been fighting these unreasonable searches by both state and local governments in four different lawsuits.

PROTECTING THE RIGHTS OF STATE EMPLOYEES

AFSCME V. SCOTT

In Spring of 2013, a federal court issued another blow to what it called ‘a drug testing policy of unprecedented scope.’ Gov. Rick Scott and his attorneys argued that they had the authority to require all state employees to submit to invasive and humiliating drug tests as a condition of employment. We – and the Constitution – say “no.” While lower court proceedings continue in this case, which we brought on behalf of the members of Florida’s largest public employee union, AFSCME Council 79, Gov. Scott appealed the decision striking down his Executive Order to the United States Supreme Court, which denied his petition for appeal. The Supreme Court’s decision not to hear the case reinforced what we’ve known all along: the government can’t subject people to invasive searches without suspicion just because they work for state government and serve the public.

BEING POOR DOESN’T MEAN YOU’RE A SUSPECTED CRIMINAL

LEBRON V. WILKINS

Luis Lebron – single father, Navy veteran and caretaker for his disabled mother – needed help making ends meet, so he applied for the Temporary Assistance for Needy Families program. When asked to submit his bodily fluids in order to receive benefits, he refused, knowing that the Constitution he served to protect also protected him. In February of 2013, the 11th Circuit Court of Appeals unanimously affirmed a lower court’s injunction against the law in a lawsuit we brought on Luis’ behalf, stemming the tide of these poverty-stigmatizing laws nationwide. And, in our final victory of 2013, the lower court issued an opinion on New Year’s Eve, declaring the law unconstitutional. Gov. Scott has appealed that decision, keeping up the legal fight for this unconstitutional policy. We will continue to defend people against invasive searches in this case.

VICTORY IN THE PANHANDLE

SCOVILLE V. CITY OF DEFUNIACK SPRINGS

The ACLU of Florida celebrated a major victory for the privacy and dignity of city workers in DeFuniak Springs, Florida, when the city council voted in January 2013 to repeal a policy that subjected all employees to random, suspicionless drug testing. The council’s action was a result of our lawsuit in which we represented the city’s former Planning Director, Greg Scoville. The city fired Scoville when he refused to submit to the unconstitutional drug test that the city required at the time even though Scoville was not suspected of using drugs.

ONE HUMAN FAMILY (UNDER GOVERNMENT INSPECTION)

VOSS V. CITY OF KEY WEST

Karen Cabanas Voss was offered a job by the City of Key West to become the city’s Recycling Coordinator. Her job was to promote the city’s recycling program. But when she refused to submit a urine sample, and complained to the City Attorney’s Office that the search would be unconstitutional, Key West revoked the job offer and hired someone else. In a federal lawsuit, we’re standing up for her rights and the right of all city workers to be free from unwarranted suspicionless searches. This Spring, the court found that the policy that required applicants to submit to the drug tests violated the Fourth Amendment’s guarantee against unreasonable searches: another win in the ongoing fight against mandatory government inspection of people’s bodily fluids.

Drug Database LEAKED

A government database that collects Floridians' personal medical information with lax oversight and no warrant requirement – what could possibly go wrong? This summer, what could go wrong did, as the confidential medical information of thousands of Floridians was leaked from a state-run database.

3,300 innocent Floridians' confidential prescription drug information, stored in a prescription drug database, ended up in the hands of third parties without the knowledge or consent of the individuals whose information was released. Thousands of individuals' prescription records from the Electronic Florida On-Line Registry of Controlled Substances Evaluation (E-FORSCE) database were distributed to prosecutors and defense attorneys in six criminal cases.

The ACLU of Florida had opposed the database – which contains personal identifying information including Floridians' names, their addresses, the medications they take, their dosages, the names of their physicians, and the names of the pharmacies that dispensed the medication. Whenever government collects and stores such information, there's a risk of exactly such a breach. As soon as we heard about this leak, we sounded the alarm, filing an official request for the U.S. Department of Health and Human Services to investigate the breach.

Because the database contains confidential information access to the database by law enforcement agencies at the very least must require a court order. We delivered that message directly to the Florida Department of Health at a series of public hearings it called to discuss reforms to the program. Following the debacle, the Florida Senate considered a bill that requires law enforcement to obtain a court-issued subpoena. Though that bill didn't pass in 2014, we're working to make sure Floridians' personal medical information is not subject to this kind of exposure again.



Nowhere to Hide

As surveillance technology advances, it sometimes seems like privacy is getting harder and harder to protect. The pace at which technology changes has usually outstripped the law's ability to adapt. Nevertheless, recent passage of the Freedom from Unwanted Surveillance Act made Florida one of the first states to limit the use of unmanned surveillance drones by law enforcement agencies.

The ACLU has warned about the potential dangers of unregulated use of drones for surveillance purposes. These small "unmanned aerial vehicles" are no longer a futuristic hypothetical, as multiple Florida enforcement agencies have already purchased drones. Drones challenge traditional understandings of the limits of government's power to spy on its citizens.

Strict controls are needed to help guide law enforcement's use of technology in a way that protects all of us from needless invasive surveillance, and the ACLU of Florida worked with bill sponsors to put those controls in place. As our legislative staff helped shepherd the bill through its various committees, we also encouraged Floridians to contact their legislators and call for passage.

The result of this advocacy was something that doesn't happen very often in the Florida legislature: the bill passed unanimously.

Just because technology makes surveillance easier, doesn't mean people should be subject to unwarranted spying. Our victory in the passage of this bill helped protect us from going one step closer to a surveillance society.



DEFENDING VOTING RIGHTS, POST-SHELBY COUNTY

The Supreme Court's decision in *Shelby County v. Holder*, which gutted key sections of the Voting Rights Act, was a blow to the ability to defend the right to vote. But the ACLU of Florida has a strategy with an arsenal of tools to combat voter suppression even in light of the Supreme Court's decision. Here's how we'll keep defending your right to vote:

1

SECTION 2

Section 2 of the Voting Rights Act still stands. While this section of the law imposes a greater burden on voting rights groups like the ACLU to prove a law is discriminatory, it can still be used to challenge voter discrimination.

2

FIRST AMENDMENT

Some voter suppression schemes can be challenged under the First Amendment, as we successfully did in a lawsuit we won on behalf of the League of Women Voters striking down restrictions on the registration of new voters.

3

VRA STANDARDS

Our successful work in 2010 supporting passage of the "Fair Districts Amendments" enshrined VRA standards in the Florida Constitution, which will (and already have) helped challenge discriminatory redistricting.

4

ENHANCED LITIGATION CAPACITY

The ACLU of Florida has hired one of the nation's most prominent voting rights litigators, Nancy Abudu, to lead the organization's legal department and guide our legal fight against voter suppression and for fair elections.

5

"BAIL-IN" PROVISION

Section 3(c) of the Voting Rights Act allows for jurisdictions with a history of – and ongoing – voter discrimination to be placed under Justice Department scrutiny. We will monitor both the formerly-covered counties and voting policies of the state to determine if any should be "bailed-in" to stop voter suppression.

6

PRESSURE CONGRESS

We will work with community groups to monitor voting changes for evidence of retrogressive effects to build the case for Congress to re-enact the portion of the VRA that triggers oversight by the Department of Justice.

7

LOBBY COUNTY LEADERS

With the help of our 16 ACLU of Florida Chapters and our more than 15,000 members, we will lobby county commissions to enact voter protections and expanded voting opportunities.

8

PUBLIC EDUCATION

We will continue to spread the word – especially through outreach in minority communities – about the impact of the Supreme Court's *Shelby County* decision and voter suppression, to build a groundswell of grassroots support for new voting rights protections.

VOTE PHOTO: ERIK HERSMAN

BLOCKED?

The Florida Voter Purge

PRIOR TO THE 2012 ELECTION, the state of Florida attempted a “purge” of the voter rolls, first incompetently relying on motor vehicle records which don’t match with Florida’s voter registration information, then claiming that it could use faulty, unreliable information from federal Homeland Security databases, which would have likely kept many eligible citizens from voting. The Governor’s estimate of people who were wrongly on the voter rolls eventually dropped to 198. One county supervisor of elections (SOE) described the debacle as “embarrassing,” “sloppy,” and “disgusting.”

The ACLU of Florida sued to stop the purge because, under the Voting Rights Act, Florida had the responsibility to show that the purge wasn’t discriminatory before attempting to undertake it. Unfortunately, in June of 2013, before that case was resolved, the Supreme Court decision in *Shelby County v. Holder* struck down the portion of the Voting Rights Act on which our case was based. Our lawsuit was dismissed. In early October of 2013, the state began preparing for a renewed purge with the “Project Integrity” tour – a statewide series of roundtables with Secretary of State Ken Detzner pitching the purge to County Supervisors of Elections.

The ACLU of Florida was in attendance and noted that many of the supervisors were skeptical – and rightfully so, especially since the answers they got to their questions – or the lack of answers – justified their concern. Perhaps most critically, they couldn’t answer questions about any documented cases of non-citizens being charged with illegally voting.

In short, they couldn’t answer why citizens should expect to be protected from being wrongfully identified as ineligible to vote by unreliable databases.

Ironically, despite the warnings from the ACLU and others that the databases that the purge program would be built on were unreliable, the purge ultimately fell apart for exactly that reason: the unreliable federal databases. In March, Secretary Detzner announced a suspension of the purge until after the 2014 elections pending a federal overhaul of the SAVE database which the state would have relied on.

Defending democracy takes more than paying lip-service to “Integrity.” Fair elections are under attack across the country, now more so than ever after the *Shelby County* decision.



Championing Voting Rights

Nancy Abudu,
ACLU of Florida Director of Legal Operations

LAST YEAR MARKED A PIVOTAL MOMENT for voting rights advocates when the U.S. Supreme Court, in *Shelby County, AL v. Holder*, gutted a key provision of the Voting Rights Act (VRA) which has been one of the most effective legal tools in ensuring equal access to the ballot box for all people regardless of race or membership in a language minority group.

I was in the courtroom during the *Shelby County* argument and heard firsthand Justice Antonin Scalia’s reference to the VRA as a “racial entitlement,” completely ignoring the blood and tears that were shed by so many people of all races to end the violence and fear minorities faced when trying to exercise their fundamental right to vote.

Prior to the Court’s decision, I already had been involved in two successful VRA challenges to state photo voter ID laws – one involving the State of South Carolina and the other against Texas – and had assisted in stalling the

implementation of photo ID and proof of citizenship laws in Alabama and Mississippi. We were able to show that such laws, despite how innocuous they may appear, actually have a negative and disparate impact on minorities, the elderly, low-income people, and students. We also used the VRA to prevent Governor Rick Scott from unlawfully removing eligible voters from the voter rolls based on his flawed use of various government databases. Unfortunately, the Supreme Court did not take any of these cases into consideration, and now we must rely more heavily on other strategies to ensure that the tremendous civil rights gains that were made are not lost.

We expect 2014 to be another important election year and, given Florida’s history when it comes to election day problems, we anticipate irregularities leading up to and on Election Day, especially when it comes to the counting of absentee and provisional ballots and the accuracy of voter registration lists (whether because of the State’s use of a non-citizen purge process, problems with the State’s felon database, or other glitches related to voter file maintenance), to make it difficult for some people to vote a regular ballot or have their ballot counted.

Despite the uphill battles we still face, the ACLU of Florida will continue to champion the voting rights of all citizens so that all eligible voters can play an active role in our country’s democracy.



RESTORING FLORIDIANS' RIGHT TO VOTE

THE LAST FEW YEARS HAVE SEEN VICIOUS attacks on voting rights in Florida, but one of the most insidious was the change in the clemency process pushed through by the new Scott Administration, particularly Gov. Scott and Attorney General Pam Bondi. The 2011 changes made the state's already broken rights restoration system even worse.

There are 5.85 million people in the United States who have had their voting rights revoked due to past felony convictions; 1.54 million of them are in Florida.

That amounts to 10.42% of Florida's voting age population. Only two states, Florida and Kentucky, permanently disenfranchise felons, even after they have completed their sentences.

In addition to stripping people of their civil rights, the obstacles to clemency put in place by Gov. Scott and Attorney General Bondi disproportionately affect minorities. 23% of African-Americans of voting age in Florida have been disenfranchised and barred from voting.

The fundamental right to vote is a major part of an international human rights treaty known as the International Covenant on Civil and Political Rights, or ICCPR. This year,

the U.S.'s compliance with the ICCPR was up for review, and the ACLU of Florida successfully lobbied to have the issue of Florida's felon disenfranchisement be part of that review.

The American Civil Liberties Union of Florida, along with a coalition of civil rights organizations, issued a shadow report to the UN Human Rights Committee regarding Florida's disenfranchisement crisis. The report details the alarming statistics that have resulted from the tightening of Florida's clemency rules.

In March, the ACLU of Florida's Joyce Hamilton-Henry was part of a delegation of human rights experts from the U.S. who travelled to Geneva to testify before the UN Human Rights Committee about the U.S.'s compliance with the ICCPR. Her input and the information in the shadow report led the committee to issue a blistering report that slammed felon disenfranchisement in Florida as a serious human rights shortcoming.

The scrutiny of the international human rights community has made the suppression of one and a half million voters in Florida an international embarrassment. We will continue to work to end this Jim Crow policy and make sure that all Floridians have access to our democracy.

ONLY TWO STATES, FLORIDA AND KENTUCKY, PERMANENTLY DISENFRANCHISE FELONS

PHOTO: JOHN STEVEN FERNANDEZ PENDING AS PER APPROVAL FROM BAYLOR

Florida Death Penalty, By the Numbers



- 404** ▶ The number of people on Florida's death row, the second-highest in the country.
- 24** ▶ The number of exonerations from Florida's death row, more than any other state.
- 3** ▶ Three Florida counties – Duval, Sumter and Polk – are among the top ten counties in the country for sentencing people to die.
- 1** ▶ Florida is the only state in the country that sentences people to die based on a simple majority vote.



Justice 4 Jacksonville Coalition

Under State Attorney Angela Corey's leadership, Florida's 4th Judicial Circuit, which consists of Jacksonville/Duval, Clay and Nassau Counties, has sentenced more people to die than any other area of our state. Since 2009, about 25 percent of the people sent to Death Row in Florida have come from these counties. It's extreme, it's out of line with national standards for justice, and we're working to end it.

Based in the ACLU of Florida's Northeast Regional Office, the Justice 4 Jacksonville Coalition is a project to eliminate the extreme and disproportionate use of death sentences in Florida's 4th Judicial Circuit and to create a model of integrated advocacy that can be used in other death sentencing "hot spots" nationwide. We coordinate public education and the engagement of local coalition allies to develop and implement a plan to ensure fewer death sentences by greater accountability and transparency of the State Attorney's policies for when the death penalty will be sought.

The extreme brand of lethal justice being practiced in Florida's Fourth District is out of line with national standards and hasn't made the community any safer. The Justice 4 Jacksonville Coalition is working to bring an end to it.

Cutting the Brakes on a Runaway Train – The "Timely Justice Act"

"Only God can judge, but we sure can set up a meeting." This was how Rep. Matt Gaetz explained the rationale behind a bill he sponsored in the 2013 Legislature that is designed to speed up the pace of executions conducted in our broken death penalty system – and make it more likely that wrongly-convicted people could be put to death.

The Timely Justice Act takes away opportunities for people on Death Row to challenge a death sentence and speeds up the time between conviction and execution, making it more difficult than ever for people on Death Row to challenge their sentences. With 24 people having been exonerated from Death Row in Florida (based on research from the independent and respected Death Penalty Information Center), our state leads the nation in having death sentences set aside after being sentenced to die. We already can't trust

the death penalty system in Florida, and the Timely Justice Act increases the chances of people being executed for crimes they didn't commit.

Before the Legislature passed the Timely Justice Act, the ACLU of Florida introduced two of Florida's exonerees to the nation in order to share their experience of being released from death row. Our effort to let Gov. Scott know the wishes of Floridians, which included an email campaign and "Twitterbomb," resulted in the Governor's office receiving 15,006 requests for the Governor to veto the Timely Justice Act and only 6 messages asking for him to sign the bill. That's right: a thousand to one. But in the end, Scott ignored the wishes of Floridians and signed the bill into law. Now more than ever we must fight to reign in the broken mistake-ridden justice system.



PEOPLE AND THEIR PASSIONS

With a staff of two dozen, plus cooperating attorneys, volunteer chapters throughout the state, and tens of thousands of members, there are people all across Florida who are passionate about the work they do for the ACLU. Here are some of those stories from the people who are passionate about the work they do for civil liberties.

PHOTO: PIXABAY.COM

Play Ball

MARIA KAYANAN,
ACLU of Florida Associate Legal Director



Call it baseball or béisbol, it's our national sport, our shared passion, our community on a green diamond. The Boys of Summer—grown men living their childhood fantasies—inspired kids and adults to don full-beard masks, and for a few glorious days in October, kept us glued to our TVs.

A baseball game requires two teams. Without two teams, there's no game. Freedom requires discourse, and with discourse, often disagreement. Without discourse, there's no conversation, just the sound of one hand clapping, or a pitch to an empty plate. That's why Florida International University's (FIU) cancellation of the

games between legendary members of Cuba's Los Industriales baseball team: those still living in Cuba, and those who left the island nation and made the U.S. their home, was so full of errors.

The planned games were a reunion of players on the team's 50th anniversary: a gesture of hope that political barriers would fall, and families and friends separated by 94 miles of water might reunite. The games were a metaphor. Just as the crack of a bat can signal a home run, the reunion of Cuban and U.S. players can signal a crack in the cruel political walls that divide nations and families.

We still don't know why FIU,

a state university, cancelled the games. We suspect it was politically motivated and driven by fear of protests, a "heckler's veto."

Nevertheless, the calls of "Play Ball" prevailed. Players met on a field in Ft. Lauderdale, embracing each other like the long-lost friends they were. A handful of protestors appeared outside the stadium, and lively, peaceful discourse ensued. Only Mother Nature, immune to politics or sports, could call the game a rainout. But before the thunder and lightning, the veteran Boys of Summer, and "Las Glorias de Industriales," met on a green diamond, and we became a community of hope. It wasn't the World Series, but it was glorious.



Fair Access to Driver's Licenses

BENJAMIN STEVENSON,
ACLU of Florida Staff Attorney

211,159 drivers in Florida at the start of 2013 had their driver's licenses suspended by the Department of Motor Vehicles (DMV) for failure to pay court costs and fines (legal financial obligations or LFOs) imposed after a misdemeanor or felony conviction.

The DMV suspends driver's licenses without any consideration into whether a person willfully decided not to pay the LFOs or simply lacked the ability to pay them. The DMV also suspended licenses without providing people notice of the impending suspension or a meaningful opportunity to challenge the suspension. Yet, most of the drivers simply lack the ability to pay the LFOs and lost their drivers' licenses as a consequence. As a result, without driver's licenses they have fewer job opportunities and are excluded from some higher-paying jobs.

The ACLU is working with numerous drivers to redress this unfortunate and needless catch-22, and we are active in pushing for legislation to correct this patently unconstitutional policy.



Doing What's Right, not What's Easy

ANDREW AND MOLLY BARNES,
ACLU of Florida Supporters

Where advocacy groups defend civil liberties issues, it is the ACLU that talks about what is right, indeed what is a constitutional right. If we relax vigilance and say somebody else will deal with it, we will look up to find our country is not the place we thought.

While we have disagreed with ACLU positions sometimes, even disagreed with each other sometimes, ACLU has consistently worked to define and achieve a higher standard for American public behavior. Perhaps as valuable as anything is the ACLU determination to raise uncomfortable issues, not because they are in our interest, but because they need to be raised.

We are proud to have been able to help in our small way over the years.

No Barriers for Immigrant Students

SHALINI GOEL AGARWAL,
ACLU of Florida Staff Attorney



In the wake of the Sandy Hook tragedy, schools across the country have been tightening their security policies, often impinging on civil rights. For example, the Bay County School District required all visitors to Breakfast Point Academy to submit a Florida driver's license or other state ID in order to enter the school. As a result, undocumented parents were unable to go inside the building and accompany their kindergarteners to their classrooms on the first day of school. Making matters worse, school security personnel threatened to call immigration authorities if the undocumented parents returned to the school.

After the ACLU intervened, acknowledging that the school had an interest in knowing who was in its building, but stressing that undocumented parents—many of whom are long-time volunteers at the school—should not be prevented from participating in their children's education, the school district changed its policies. It decided to allow certain consular IDs as a valid form of ID and agreed to separately screen parents without such identification to enter the school. As a result, undocumented parents of Breakfast Point Academy students are taking their children to school and attending parent-teacher conferences and school functions without fear.



Say Yes Caravan

PAOLA CALVO FLORIDO
Mid-Florida Regional Organizer

The morning meeting began very casually in the backyard of Jesus Guevara’s house, one of the caravan riders. We waited patiently for everyone to arrive while we said hello by giving everyone the traditional kiss on the cheek.

The Caravan for Citizenship passed through central Florida, making stops in strategic districts asking members of Congress to “Say Yes” to citizenship. The two vans traveled from Orlando to Miami collecting stories and showing the state what the face of immigration reform looks like.

Jesus Guevara was the first to share his story, a heart-breaking example of our broken immigration system. In the presence of his children and with a shaky voice, he pleaded to help stop his deportation.

As I sat there listening to men, women and children share their stories, I had mixed feelings of frustration and inspiration. For years undocumented immigrants hid their status as a dirty little secret—I was one of them. It took me 10 years to gather enough courage to do what those people did, step up and fight for my family and my immigrant community.

As our caravan moved from city to city, others were inspired to share their own. This once dirty, not-so-little secret became anything but shameful. These were heroes taking off their masks, giving communities power and pride, all by answering one simple question:

Why are YOU saying yes to citizenship?



Escape from “Owlcatraz”

BAYLOR JOHNSON,
ACLU of Florida Director of Communications



Administrators at Florida Atlantic University in Boca Raton made the curious decision to rename their football stadium after the GEO Group, a private prison operator notorious for human rights abuses.

We were contacted by students who were understandably upset at the idea of their university becoming a prop in an effort to whitewash the public image of a prison-for-profit corporation. We saw this as an opportunity to support the students’ First Amendment rights, as well as to warn Floridians about the dangers of prisons-for-profit. I helped the students organize a rally, facilitated press outreach, and went with one of our staff attorneys who spoke at the demonstration to present administrators with evidence of GEO’s shameful human rights record.

The students were fantastic – they even named this whole debacle “Owlcatraz,” which is far cleverer than anything I’d have thought of. Ultimately, we were successful in getting the plan cancelled – “Owlcatraz” never came to pass. It was great to help these students discover that standing up and using your rights can have an impact.



Free To Be Me

QUINLAN STEWART
ACLU Supporter, Age 17

There has always been trouble with people not being accepted for who they are. People all around the world, people like me, are struggling today. I’m a bisexual teenager living in a world that doesn’t truly accept me yet, that doesn’t give me all the rights as

some other people, only because I may want to marry a girl one day.

But things are getting better; and I have the ACLU to thank, for working for equal treatment for all. Because of the ACLU, GSAs all around the United States are providing a safe place for people like me. They have given me the bravery to speak for myself and support people like me. I took the bold initiative to even write a song about me and my story. Like the ACLU, I want to be people’s motivation—I want to give them bravery too.



Responding to Hate with Love

SARA LATSHAW
*ACLU of Florida North Florida
 Regional Director*

While reading the newspaper in early February, I was appalled to find that Jesse Jeffers, a gay 18-year-old living just down the road in Pace, Florida, was the victim of an anti-gay hate crime. His mobile home had been spray-painted with slurs, and the letters “KKK” on the front door, as well as the message “God don’t love you,” with a heart in place of the word “love.” The inside of the home was also vandalized, with multiple surfaces spray-painted, including a large red swastika on the ceiling.

This felt like an act so egregious that no one, regardless of their views of LGBT equality, could tolerate. And as I began to organize a cleanup of Mr. Jeffers’ home, the response was overwhelming. From concerned citizens to local gay rights organizations, a team of volunteers formed most notable of



all was the Pensacola World Changers, a Christian missionary volunteer organization. The World Changers provided manpower, materials and much-needed expertise—all crucial to the effort.

In all, nearly thirty volunteers spent the entire day repairing the damage to the home, leaving it in better condition than before the incident. Spray paint was scrubbed away and walls repainted, the yard was cleared, damaged property was replaced, and new flowerbeds were planted. A dedicated group who did not see eye-to-eye on LGBT equality found common ground standing against hate. Everyone walked away after hard day’s work with a better understanding of one another and a deed well done.

ACLU of Florida en Español

CAROLINA GONZALEZ
ACLU Communications Officer

ACLU hosted the 2nd Annual Hispanic Media Breakfast for Miami-area journalists, in collaboration with the Florida Association of Hispanic Journalists and the International Press Club-Miami. In our first series of Annual Hispanic Media Breakfasts we met with members of the press in Miami, Tampa, Orlando, and Jacksonville.

This new tradition is part of our effort to communicate on civil rights and civil liberties issues to what is, according to the latest U.S. Census, 20% of Florida’s population for whom Spanish may be their first or principal language.

Thirty members of the press participated in this event, including EFE News, Associated Press,

Notimex, Miami Diario, Latina Noticias Newspaper, NTN24, Diario Las Americas, AFP, and Telemundo. The presentation by the ACLU of Florida staff focused on our work in three major areas: Immigration Reform, Voting Rights, and Criminal Justice. Members of the press asked questions and presented ideas.

As part of our commitment to work with the Spanish-language media we also have developed a full Spanish-language ACLU website, a Spanish Twitter account, and are part of MiACLU, a nationwide ACLU effort for Spanish-language outreach because in the end, our job is not just communicating with members of the press, but with all Hispanic Floridians.





How an ACLU Report Card Helped Fulfill a 31-Year-Old Promise to Immigrant Students

MARIEL GRAEBER
ACLU of Florida Legal Intern

Public education “provides the basic tools by which individuals might lead economically productive lives to the benefit of us all.” That’s according to *Plyler v. Doe*, a 1981 Supreme Court decision holding that undocumented children cannot be stopped from attending public school based on their immigration status.

The ACLU of Florida heard reports of some Latino families being told not to enroll their children in public school because they would have to provide their child’s social security number (SSNs). Because undocumented children do not have SSNs, requiring them to produce one could deter them

from enrolling in school and directly violates the Supreme Court’s decision in *Plyler*.

The ACLU investigated and found that enrollment forms of most Florida school districts failed to inform parents that SSNs are optional. Last year, the ACLU released a report card grading each Florida school district on whether it requests a student’s SSN, informs families that providing a SSN is optional, and/or discloses that the SSN may not be used for immigration enforcement purposes. The report card signaled the unfulfilled promise of *Plyler* in Florida. But once the issue was made public, many school districts changed

their enrollment forms to comply with the law.

This year, the ACLU of Florida released an updated report card—showing a dramatic improvement: 55 of Florida’s 67 school districts received an A grade, compared to only 34 districts the previous year. Consequently, in twenty more counties, parents will be able to enroll their children in public school without an SSN and without fear of being reported to immigration enforcement authorities. For these families, a 31-year old promise made by the U.S. Supreme Court has finally been fulfilled.

MURAL PHOTO: RUBEN UBIERA

Our CIR Advocacy Path Fieldwork

This year, the ACLU of Florida engaged in statewide coalition work to advocate for Congress to enact a path to citizenship for undocumented individuals and to fix our broken immigration system. The ACLU has participated in major rallies and vigils across the state, with particular emphasis on the critical mid-Florida region, where several Congressional Districts are battlegrounds for immigration reform. There, the ACLU has engaged the Haitian community

to advocate for immigration reform, putting a new face on the issue. Additionally, the ACLU, along with community leaders and immigrants’ rights groups, advocated for city resolutions in Tampa and Orlando, expressing the cities’ support for a comprehensive immigration reform with a pathway to citizenship for the 11 million undocumented immigrants. Our next step is to pass resolutions in Lakeland and other surrounding cities.

Next Fights

While we anxiously wait to see if Congress can muster the will to address immigration reform at the federal level in the near future, there are several battles to be won in the Florida Legislature that would dramatically impact immigrant communities. These include making all undocumented Floridians eligible for drivers’ licenses, which would reduce the number of

unlicensed and uninsured drivers on the road and curtail racial profiling and the “driving to deportation” pipeline; and creating a statewide policy of refusing to honor federal immigration detainers—by which police often detain individuals for an extra 48 hours without probable cause at the recommendation of ICE—except in under very specific circumstances.

Victory for Florida Students!

After years of advocacy by the ACLU of Florida and immigrants’ rights groups, the Florida Legislature passed a bill providing for in-state tuition for undocumented students at Florida’s public colleges and universities.



#IamHereFlorida Mural

The ACLU commissioned artist Ruben Ubiera to create a mural in the Wynwood section of Miami, called "I am Here." The mural depicts the faces of eight Floridians, including a bi-national gay couple. Before the DOMA decision, the citizen partner couldn't apply for legal status for his undocumented partner. Another story depicted on the mural is that of a pregnant woman subjected to immigration detention and solitary confinement without a bond hearing.

The mural allows visitors to interact with the images—using a mobile device, viewers can listen to the stories (in English,

Spanish, Portuguese, and Creole) of those represented and take immediate action to contact their representatives. At its unveiling, Miami Mayor Tomas Regalado noted the many contributions of immigrants to our communities and stressed that if we don't fix our broken immigration system soon, the faces in the mural will be the only remnant remaining here of many of these immigrants. The "I am Here" mural was featured in The Huffington Post, WLRN, The Miami New Times, and ArtSlant and was the cover of the local section of a Miami Herald and El Nuevo Herald Sunday edition.

Florida Voices for Immigration Reform Interactive Report

Florida Voices for Immigration Reform is an interactive report highlighting individual stories and statements by community leaders to caution against the dangers of the so-called SAFE Act and advocate for due process rights for immigrant workers. The report is available at www.aclufl.org/FLvoicesforCIR.

"This is not politics; we are human beings of flesh and blood. For many it is very easy to say why we came here illegally . . . They do not know what it is to have someone get sick and not have medicine. They do not know what it is to go three days without eating. This is not politics, these are human lives."

—An undocumented worker who suffered an accident at her workplace, losing part of the bones and tendons in her hand, and who didn't receive any compensation or therapy.



Story Collection Project

The ACLU of Florida, with the support of other coalition groups from the "Say Yes" to Citizenship campaign, collected 65 stories about how the dysfunctional immigration system has impacted individuals and families in Florida. These stories were introduced into the congressional record by Rep. Joe Garcia as compelling firsthand testimony about the need for immigration reform.

Meeting with key members of the Florida Congressional Delegation.

ACLU leaders met with members of Florida's Congressional Delegation and their staffers in one-on-one meetings and town halls—including Senators Marco Rubio and Bill Nelson, and Representatives Mario Diaz-Balart, Joe Garcia, (former Representative) Trey Radel, Ileana Ros-Lehtinen, Steve Southerland, Debbie Wasserman Schultz, Daniel Webster, Ted Yoho, Kathy Castor, Ron DeSantis, Vern Buchanan, Gus Bilirakis, John Mica, and Thomas Rooney—to discuss concerns about the civil liberties issues involved in immigration reform.



THE ESSERMANS

ACLU of Florida works on many different issues, which are the most important to you?

The ACLU's work to repeal Florida's lifetime voting ban, just recently submitted to the United Nations Committee on Human Rights, is an issue that is very important to us. Voting is a human right and all citizens of Florida should have the right to have their voices heard and to participate in our democracy.

In addition, we are very concerned about protecting women's rights and especially reproductive rights. We are comforted to know that the ACLU is constantly fighting back in both the courts and against the Legislature's attempts to restrict women's rights; protecting women's well-being and their right to make decisions about their own health and reproduction.

You are generous benefactors of many important cultural institutions and causes, why is the ACLU on your list? How does the ACLU fit into your vision for change?

A great city like Miami needs great venues to continue to attract people from all over the world to experience our incredible mix of natural beauty,

great weather, and world-class arts and culture. But for us, this is home, and as dedicated as we are to supporting institutions such as Zoo Miami, Florida Grand Opera and the Miami City Ballet, we are also committed to doing what we can to improve the lives of all Floridians. For us, there is no better way to do that than by supporting the work of the ACLU. We count on the ACLU to be the steadfast defenders of everyone's rights - working each and every day to protect everyone's freedoms.

Considering all of the accomplishments of the ACLU, which ones are you the proudest of?

There are so many, but their work in the courts, over many years - even before *Roe v. Wade* - to challenge laws that the Florida, or some other state legislature tries to enact limiting women's reproductive rights is something that makes us very proud. I think legislators are learning that the ACLU will not yield in its commitment to protecting women's right to choose, to privacy, and to make their own health decisions.

There are many in our community who agree with the ACLU's philosophy

but may not support the organization financially. What would you tell someone who is considering making a financial commitment to the ACLU?

We have a great deal of experience with this, as we regularly gather our family together to listen to everyone's thoughts on the issues and organizations that are important to them - our goal is to inspire charitable giving in of our children and our grandchildren.

We explain to them that they have to get behind the organizations that are blazing the path for the change that they want to see. And the ACLU is at the top of that list - they are always on the ready - effectively responding to attacks on our civil liberties. They are fighting our fight, and in order to continue to win the battles, they need resources. We would also assure potential supporters that their financial contribution will be appreciated and very well spent.

With such a deep commitment to protecting personal freedoms, if you could wave a magic wand, what would be the first change you would make in Florida?

There are no magic wands. Our philosophy is more about dedication, commitment and hard work than quick fixes. But if there was a magic wand, we would wave it over Tallahassee and magically get our state legislators to do all they can to respect our precious right to vote, to take steps to bring death and destruction by hand guns under some control and to ensure those with the most need are provided the greatest amount of support.



**WE COUNT ON THE ACLU
TO BE THE STEADFAST
DEFENDERS OF
EVERYONE'S RIGHTS
- WORKING EACH AND
EVERY DAY TO PROTECT
EVERYONE'S FREEDOMS.**



THE WORK AHEAD

We must always be prepared to respond to the predictably unanticipated civil liberties battles. These usually involve a government official imposing some illegal restriction on freedom of speech or an impermissible entanglement in religion by some government agency. Because we can pretty much count on the ineptitude of public officials, or the abuse of governmental power, there will always be a need for the ACLU!

But at the same time, we need to use our limited resources to focus on the most serious civil liberties and civil rights problems that face Florida – which are:

PROTECTING THE RIGHT TO VOTE

This most precious right in a democracy has been under sustained assault in Florida for years – and what started here has now infected other states. We must fight against last minute voter purges, restrictions on early voting and absentee balloting, and so-called “reforms” in how our state awards its Electoral College votes in a Presidential Election. We will continue to work to ensure that the principles of the Fair District amendments are respected in the current legal challenge to the Legislature’s Congressional redistricting scheme. And we will continue to work to end the scandal that has resulted from Florida’s system of lifetime voter disfranchisement.

CRIMINAL JUSTICE

It is hard to think of another state whose criminal justice system and drug policies cry out for significant change more than Florida. We are a poster child for the harmful consequences of the over reliance on incarceration and mandatory minimum sentencing. Even the modest change to provide a treatment alternative to incarceration for those convicted for the first time of drug possession – a policy change that was adopted almost unanimously by our Legislature – was vetoed by our current Governor.

We are now involved in a coalition effort (with the Council of Churches, the NAACP, Amnesty International, and the Florida Justice Institute) to get the Department of Justice to investigate the brutal treatment of mentally ill inmates in Florida prisons, including the grisly death of one inmate who was locked in a scalding hot shower for two hours by prison guards. Aside from the sadistic treatment that killed the inmate, he was serving a two-year prison term for possession of cocaine. What was he doing in prison in the first place?

Human Rights Watch reports that Florida leads the nation in the number of children who have been transferred out of the juvenile system and charged as adults in the adult criminal justice system than any other state. And, especially when they are then sent to adult prisons, they are sometimes placed in solitary confinement – a horrible practice with devastating psychological consequence, and must end!

These policies are inflicting damage on our state, destroying

lives and our economy – and they are carried out in a way that does not fall evenly across racial groups.

Also, according to the Death Penalty Information Center, no state has made more mistakes in imposing a sentence of death and has had to release more people from Death Row than Florida. And – related to that – in no other state can a jury recommend a death sentence by a simple majority vote. If the Florida political climate does not permit discussion of the discriminatory nature and morality of the death penalty, the least we can do is reduce its mistakes and arbitrariness by requiring a unanimous jury recommendation for a death sentence.

EQUAL RIGHTS FOR ALL

Across the country, the ACLU is winning the battle to end discrimination against gays and lesbians and achieve full legal equality. Our victory for Martin Gill and his family that ended the adoption ban was followed by the victory of our national LGBT Project on behalf of Edie Windsor that struck down the Defense of Marriage Act (DOMA). The consequences of that latter victory keep unfolding!

The ACLU has three cases on their way to the U.S. Supreme Court, one of which is likely to end all state bans on same-sex marriage – just as five decades ago an ACLU case wiped away state bans on interracial marriage.

At the same time, we are achieving success all across the state – mostly recently in Pensacola – securing local ordinances and domestic partner registries that give greater legal protection to same-sex relationships.

IMMIGRATION REFORM

We are working with Florida’s congressional delegation to encourage reform of America’s broken immigration system. Comprehensive reform will bring people out of the shadows and provide an opportunity to become citizens – with all the rights and responsibilities that entails. At the same time, we will continue to protect the rights of all Floridians by challenging policies that allow the police to stop and detain people based more on the color of their skin and the accent with which they speak than suspicion of criminal activity.

These are the principal civil liberties issues that our staff and the Board of Directors of the ACLU of Florida have determined confront our state.

And these are the issues that we pledge to responsibly use your generous donations to address in 2014 - 2015.

Thank you for your investment in this important work.
Howard Simon



Executive Director

REMEMBERING TWO OF OUR OWN WHO MADE A DIFFERENCE



THOM FOLEY

When Thom Foley (1954-2013) succumbed to lung cancer in September 2013, the ACLU of Florida lost one of its most devoted and talented leaders.

Thom joined the Pinellas County Chapter of the ACLU in the late 1980s, and over the years he served the chapter and the Florida affiliate in a number of capacities, including chapter president and state board representative. Through it all, Thom demonstrated his fervent commitment

to civil liberties and simple justice, often with a twinkle in his eye and more than a few words of witty commentary. Thom was held in high regard and warm affection by his Pinellas Chapter colleagues, many of whom remember his lyrically comic performance in the 1991 play Comstock Rassles Lysistrata, a parody of censorship offered in celebration of the 200th anniversary of the Bill of Rights.

A native of Michigan, Thom migrated to Florida in 1977. He later attended St. Petersburg Community College before turning to his true loves—the outdoors, environmentalism, and natural history. As a tour guide for Eckerd College’s Elderhostel program he became one of Florida’s most accomplished canoe and nature guides.

Eventually he enrolled in the University Honors Program at the University of South Florida, St. Petersburg, where

he became one of the university’s most gifted students. While Thom did not live long enough to complete his MLA degree, he became a widely admired instructor at Eckerd College’s English as a Second Language Program.

Thom was also a devoted father and grandfather. His survivors include two sons, Tommy and Patrick, a daughter, Marianne, and two grandchildren, all of whom were present at the Pinellas Chapter’s recent Bill of Rights Dinner, at which Thom was posthumously awarded a plaque and commemorative brick to be placed on the campus of the University of South Florida at St. Petersburg honoring his many contributions to the cause of civil liberties.

Ray Arsenault
Chair, Pinellas Chapter
Former President of the ACLU-FL



LARRY SPALDING

Larry Helm Spalding, a dedicated civil libertarian and longtime leader of the ACLU of Florida, died on March 22, 2014 in Tallahassee.

Larry first served the ACLU of Florida in a volunteer capacity—as the chair of two of the affiliate’s chapters (Sarasota and Tallahassee), as a State Board member, State Board President, and the affiliate’s representative to the National Board.

He brought the affiliate back from the brink. Larry had the foresight, along with then-affiliate Treasurer Alan Ehrlich, to promote and establish what

is now a sizable investment fund. Larry’s early work and ideas are key to the Florida affiliate’s current status as having one of the more effective civil liberties programs within the ACLU family.

In 1985, Larry was appointed by Governor Bob Graham to open the Office of Capital Collateral Representative – handling the appeals of inmates condemned to Death Row. He was reappointed by Governor Bob Martinez. He had many successes converting death sentences to life imprisonment, much to the chagrin of some of the state’s conservative leaders.

After leaving, Larry joined the staff of the ACLU of Florida as Legislative Staff Counsel. Then ACLU-FL executive director Robyn Blumner joked that promoting the ACLU in the Florida Legislature—tough as that is—was still an easier sell than his previous job. As Legislative Counsel, Larry’s credibility and integrity and Southern charm disarmed legislators who were often

hostile to our causes. “Those who labor to defend the cherished values of civil liberties in hostile climates are special heroes,” says current executive director Howard Simon. “In the 1990s, Tallahassee, the Florida state capital, became one of those places, and Larry Spalding became one of those civil liberties heroes. He was my friend and co-worker, but for so many years and in so many roles, he was the heart and soul of the ACLU in Florida.”

Larry was a devoted husband to Faith, proud father to Stephanie, and doting grandfather to Parker. Through his 42 years dedicated to Kiwanis Clubs, Larry also served the needs of children.

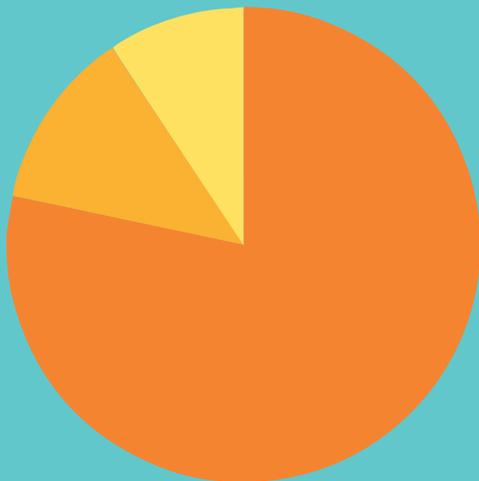
He loved beautiful women, Makers Mark, sports and steak dinners. He was an inspiration to many of us and his legacy will long survive him.

Lorie Fridell
ACLU-FL Board Member and National Board Representative

ACLU OF FLORIDA OPERATING INCOME AND EXPENSES 2012-2013

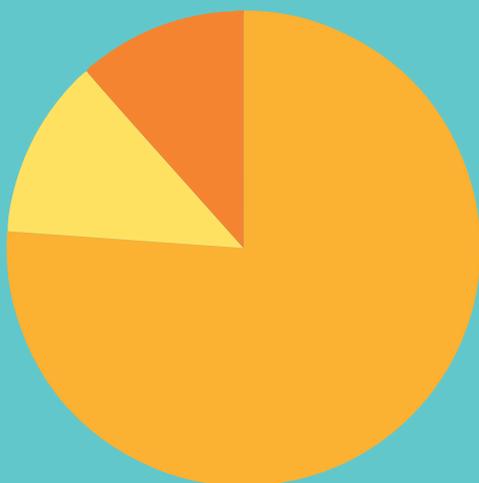
REVENUE AND SUPPORT

● \$387,174	Membership
● \$79,630	Contributions and Grants
● \$42,349	Other Income
\$509,153	TOTAL REVENUE AND SUPPORT



EXPENSES

● \$442,274	Program Expenses
● \$70,937	Management and General
● \$67,549	Fundraising
\$580,760	TOTAL EXPENSES

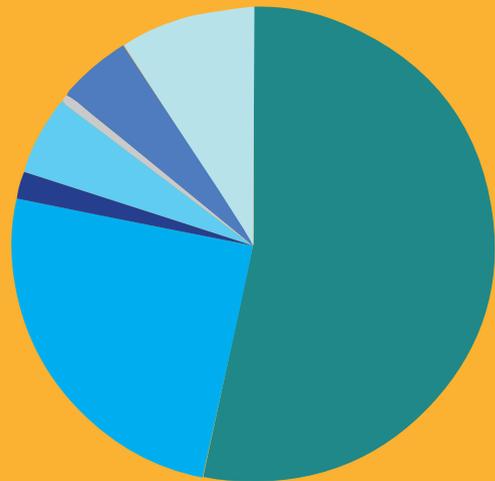


ACLU FOUNDATION OF FLORIDA OPERATING INCOME AND EXPENSES 2012-2013

REVENUE AND SUPPORT

● \$1,614,583	Contributions and Grants
● \$716,637	Contributed Legal Services
● \$52,123	Attorney Fees & Reimbursements
● \$155,859	Strategic Affiliate Initiative
● \$15,647	Events
● \$144,775	Bequests
● \$394,713	Other Income

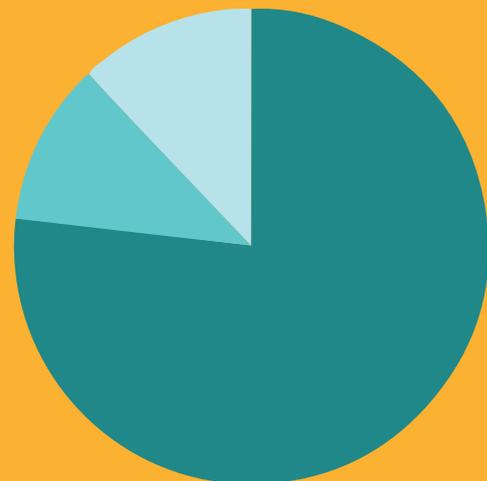
\$3,064,337 **TOTAL REVENUE AND SUPPORT**



EXPENSES

● \$2,607,147	Program Expenses
● \$372,215	Management and General
● \$409,714	Fundraising

\$3,389,076 **TOTAL EXPENSES**





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