

Founded in 1951 as the New York affiliate of the American Civil Liberties Union, we are a not-for-profit, nonpartisan organization with eight chapters and regional offices and nearly 50,000 members across the state.

OUR MISSION IS TO DEFEND AND PROMOTE THE FUNDAMENTAL PRINCIPLES AND VALUES EMBODIED IN THE BILL OF RIGHTS, THE U.S. CONSTITUTION, AND THE NEW YORK CONSTITUTION, INCLUDING THE FREEDOM OF SPEECH AND RELIGION, AND THE RIGHT TO PRIVACY, EQUALITY AND DUE PROCESS FOR ALL NEW YORKERS.

The New York Civil Liberties Union (NYCLU) is the state's premier guardian of liberty and defender of civil rights.

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DEAR FRIENDS,

At the New York Civil Liberties Union, change is constant. Each day we work to change laws, change minds and change hearts. And although the results of this work are often slow, they are far from invisible.

But this year has been different. This year, change was not merely an idea, but something tangible that we felt, heard and saw. Real couples granted the right to marry. Real communities marching for fair and just policing. Real students receiving comprehensive sex education.

These are just some of the many victories we enjoyed this year. But they didn't happen overnight. And they couldn't have happened without remarkable unified efforts. The NYCLU is working with many organizations throughout the state on every major social issue impacting New York. With your help, we've built a collective movement for the freedom and dignity of all people. LGBT rights organizations marching for police reform. Religious leaders calling for fair marriage laws. Men speaking out for reproductive freedom. Me standing up for you, and you standing up for me.

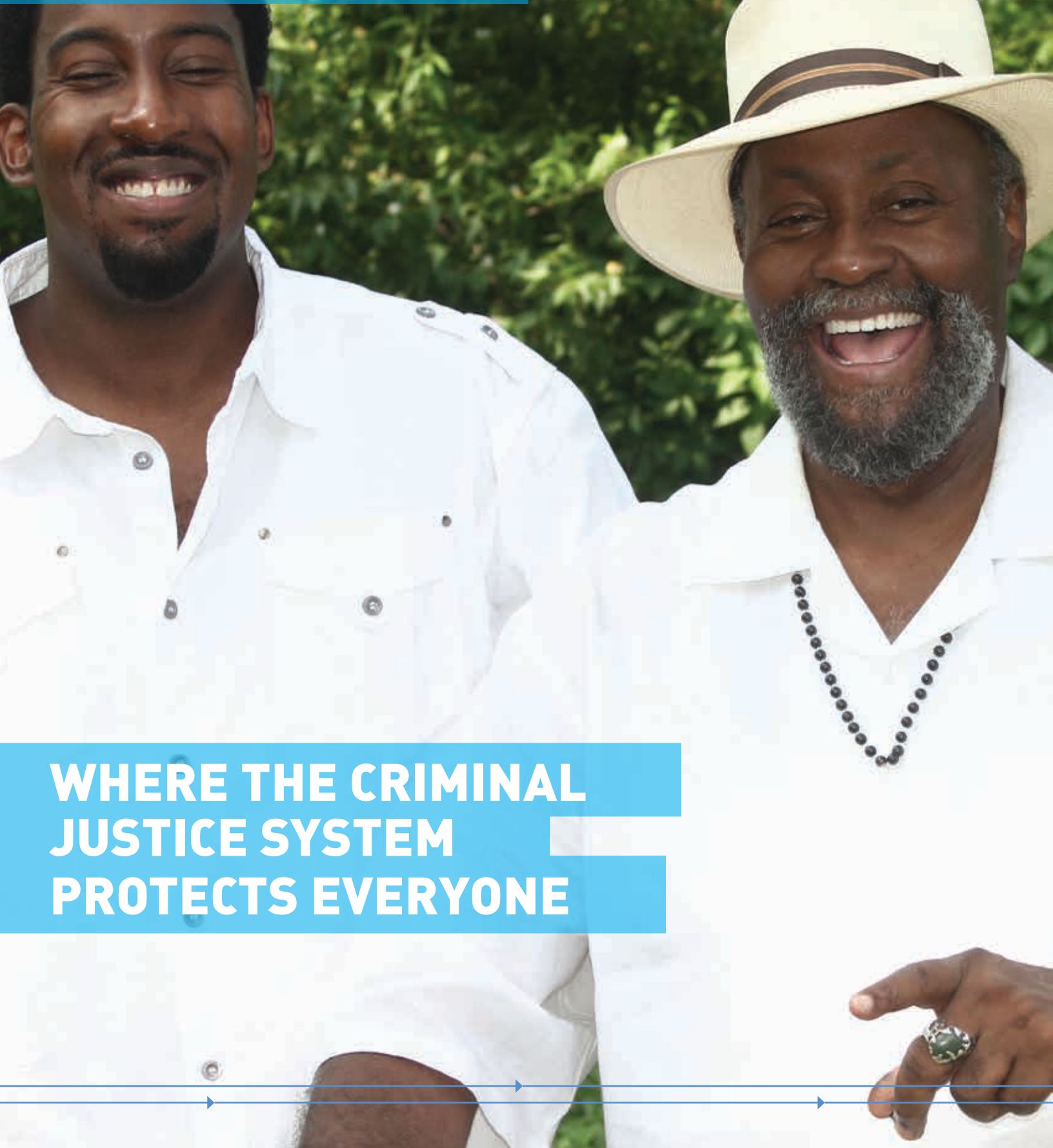
In President Obama's victory speech, he said that "we are greater than the sum of our individual ambitions." Our successes this year prove how true this is. There is still so much we have to accomplish, but momentum is building toward equality and justice. Whatever drives each of us, we share the belief in a New York where we are not defined by our race, gender, sexual orientation, appearance or socioeconomic or immigration status... Above all, we are New Yorkers.

Peace,



Donna Lieberman, Executive Director

**WE BELIEVE
IN A NEW YORK...**



**WHERE THE CRIMINAL
JUSTICE SYSTEM
PROTECTS EVERYONE**

“The NYCLU is fully committed to achieving real and lasting justice for all New Yorkers.”

Candis Tolliver, NYCLU Organizer

“You have the right to remain silent...” Television dramas have etched those “Miranda rights” onto our collective subconscious. Less a part of the national dialogue are the right to due process of the law, the right to walk without identification, and the right to be free from unreasonable search and seizure. Unfortunately, for many black and Latino New Yorkers, all of these rights exist on paper alone. Instead of protecting them, the criminal justice system treats many New Yorkers like suspects and criminals. As a result, “taking the garbage out or checking the mail can result in being thrown against the wall and humiliated by police,” says NYCLU Executive Director Donna Lieberman.

At the NYCLU, we call it “The Tale of Two Cities.” There is one New York for communities of color, characterized by heavy-handed and hyper-aggressive law enforcement; another New York reserved for white, middle class and affluent communities, where law enforcement is tolerant and dignified.

The NYCLU believes in a New York where all people are safe and everyone’s civil liberties and human rights are respected.

That is why we’re suing the NYPD to end the abuses of Operation Clean Halls, a program that arrests people for trespassing when they’re in their own private apartment buildings. That is why we are leading efforts to reform the NYPD’s abusive stop-and-frisk practices, improve policing practices in Westchester and Syracuse, overhaul the state’s broken public defense system, and transform the treatment of incarcerated New Yorkers and people throughout the criminal justice system.

“I don’t think anyone deserves to be treated that way. We may be inmates... but we are still human beings.”

Jason Porter, pictured below
Plaintiff, *Butler v. Suffolk County*

Porter, a county resident, spent two months at Riverhead Correctional Facility in Suffolk County and encountered shockingly unsanitary conditions, including showers caked with mold, very cold temperatures and chronically malfunctioning toilets.



FACT

New Yorkers who must rely on the public defense system often have no contact with their lawyer prior to their court date; do not receive translators, experts or investigators; and are encouraged to take unnecessary plea bargains.

THIS PAST YEAR, YOU HELPED US:

- Undertake an extensive investigation into the use of extreme isolation – also known as solitary confinement – in New York prisons
- Join forces with community partners to lead a silent Father’s Day march against unconstitutional stop-and-frisk abuse that shut down Fifth Avenue and ended at the mayor’s house
- Launch the mobile phone app “Stop and Frisk Watch,” which allows New Yorkers to document police activity and help the NYCLU to hold police accountable
- File major class-action lawsuits to:
 - 1) stop the NYPD from stopping and frisking innocent people in and around private residential buildings
 - 2) end the NYPD’s practice of questioning and harassing innocent people riding in livery cabs
 - 3) improve horrendous and abusive conditions inside Suffolk County jails

DID YOU KNOW?

The number of NYPD stops of young black men in 2011 exceeded the entire city population of young black men (168,126 as compared to 158,406). Ninety percent of them were innocent.



**WE BELIEVE
IN A NEW YORK...**

**WHERE EVERY STUDENT
GETS AN EQUAL
OPPORTUNITY TO THRIVE**

“Criminalizing school behavior and students’ mistakes does not help our communities. Kids deserve adults who believe in them.”

Johanna Miller, NYCLU Assistant Advocacy Director

In many ways, schools hold the greatest potential to influence our young people’s development. To ensure a strong foundation for all of New York’s students, school environments should be positive, safe and supportive, and academic instruction must be un-biased and inclusive of all student experiences.

But too often this is not the case. Around the state, students are denied access to educational opportunities because of hostile disciplinary policies that remove students from the classroom, and high-stakes testing measures that reinforce the achievement gap. Far too often, students of color and students with special needs bear the brunt of these measures.

Equal access to education has always been a top priority for the NYCLU. That is why we are devoting significant time and resources to addressing educational inequities throughout the state.

In New York City, the NYCLU is leading a campaign to transform school discipline. Currently, the ultimate authority over school safety rests with the NYPD, not educators. Under a zero-tolerance approach, minor misbehavior is too often viewed as a matter of law enforcement instead of a teachable moment. Too many students are treated as suspects and criminals instead of the children they are. The once familiar trip to the principal’s office has been replaced with a trip to the local precinct.

For young people of color, this criminalization of the classroom has resulted in drastic increases in suspensions and arrests, pushing students from safe and nurturing learning environments into the juvenile and criminal justice systems, and creating lifelong barriers to employment and economic stability.

Around the state, we continue to respond to complaints of harsh and exclusionary discipline, such as off-site detention facilities where students languish without access to classwork, and accounts of abuse at the hands of school-based police personnel.

FACT

During the 2011-2012 school year, NYPD school safety officers made 882 arrests and issued 1,666 summonses. Of the summonses, 1,066 were issued for disorderly conduct, a catch-all that sweeps in routine misbehavior. About 95 percent of the arrests were of black and Latino students.

BRINGING DIGNITY TO ALL STUDENTS

The Dignity for All Students Act went into effect July 1, 2012. This new law requires New York’s public schools to prevent, monitor and address all types of bullying. The NYCLU and other advocates worked for nearly a decade to get the Dignity Act passed. As a leading member of the State Education Department’s taskforce on bullying, the NYCLU is working on the Dignity Act’s implementation by developing anti-bullying policies and practices and educating the public about the law.

SCHOOL-TO-PRISON PIPELINE:

A disturbing national trend that disconnects students from their learning environment through a combination of suspensions, expulsions, zero-tolerance discipline and excessive police involvement, increasing their likelihood of dropping out of school and entering the criminal justice system.



DID YOU KNOW?

If the NYPD School Safety Division were an independent police force, it would be the sixth largest in the United States. There are more police personnel inside New York City schools than there are on the streets of Detroit, D.C. or Baltimore.

**WE BELIEVE
IN A NEW YORK...**

**WHERE WOMEN CAN MAKE THE
BEST CHOICES FOR
THEMSELVES AND THEIR FAMILIES**

“It’s not only about strengthening reproductive rights, it’s about supporting autonomy, privacy and dignity. And it’s about supporting healthy families.”

Donna Lieberman, NYCLU Executive Director

Women’s fundamental right to basic reproductive and sexual health care is under the most serious attack in decades. This assault goes far beyond abortion and the typical “pro-life/pro-choice” debate. Recent government actions at both the federal and state level threaten women and teenager’s ability to access basic family planning and sexually transmitted disease prevention services; to receive comprehensive and accurate information about the full range of their reproductive and sexual health choices; and to maintain confidentiality and privacy about their most intimate health care decisions. As the legal arm of the reproductive rights movement in New York, the NYCLU is dedicated to ensuring that New York remains a safe haven for reproductive justice.



LET’S CELEBRATE SOME VICTORIES!

- After nearly two years of intensive NYCLU advocacy, the New York State Department of Health finally agreed to restore a policy allowing minors to consent on their own to confidential “rape kits” following a sexual assault.
- Thanks to a new mandate, sex education is now a part of the health education requirement for all New York City public middle and high school students. We will be working with other organizations to monitor what students are learning. What about the rest of the state? Not to worry, we continue to work toward a statewide sex education requirement.
- We released a report that outlines serious privacy issues in the state’s electronic health records system.

WHAT’S OUR REPRODUCTIVE RIGHTS PROGRAM DOING?

- 1) Campaigning, campaigning, campaigning!
 - To update New York’s abortion law so that women can make decisions that are best for them.*
 - To establish sex education standards that are comprehensive, medically-accurate, age-appropriate and LGBT inclusive.
 - To provide New Yorkers with paid time off from work when their families face serious health care challenges or need to care for a new child.
- 2) Educating New Yorkers about their reproductive rights – minors’ right to confidential health care, women’s right to breastfeed, employment rights during pregnancy, etc.
- 3) Training teens to educate their peers about their rights to reproductive and sexual health care.
- 4) Protecting women from deceptive and misleading reproductive health care and information.
- 5) Responding to attacks on women’s access to abortion and contraception.

*Abortion is legal in New York, so why is this important?

New York State law defines abortion as a crime, except when it is performed during the first 24 weeks of pregnancy and when it endangers a woman’s life. But what about when a pregnancy endangers a woman’s health? Because New York regulates abortion in the penal code, doctors are often reluctant to provide the care a woman needs and that the doctor thinks is best. Abortion is a matter of health and should be defined in the law as such.

DID YOU KNOW?

New electronic health records networks do not give New Yorkers the ability to decide which doctor can see medical records. So, your podiatrist can see your reproductive and sexual history. For teens, this means their guardians may have access to their complete medical records – including reproductive and sexual health care they received confidentially.

**WE BELIEVE
IN A NEW YORK...**



**WHERE ALL RIGHTS
ARE LGBT RIGHTS**



**YOU HAVE THE RIGHT TO
Be Yourself**
aclu.org/getequal

“It is only right that the federal government treat all married couples fairly.”
Mariko Hirose, NYCLU Staff Attorney

Although New York is generally viewed as a progressive and supportive place for LGBT people, serious inequity remains. Students are bullied for their perceived or actual sexual orientation and gender identity, LGBT issues are excluded from school environments, transgender individuals face widespread discrimination, and LGBT couples are denied rights afforded to opposite-sex couples. Momentum is building, however, toward fairness, equality and full human rights for LGBT people, and New York is leading the way.

“I look forward to the day when the federal government will recognize the marriages of all Americans, and I am hopeful that this day will come during my lifetime.”

Eddie Windsor, 83
Plaintiff, *Windsor v. United States*

Eddie (on the right) pictured with her wife Thea Spyer.



WITH YOUR HELP:

- Same-sex couples can marry.
- LGBT students have the right to an education free from bullying and discrimination.
- The NYPD has taken critical steps to protect the dignity and rights of transgender New Yorkers.

And, thanks to lawsuits filed around the country, including the NYCLU's *Windsor v. United States*, we are closer than ever to striking down the discriminatory Defense of Marriage Act and welcoming the day when all married couples are treated equally.

There are other victories to celebrate as well. In the past year, the NYCLU:

- Supported the right of transgender students to have their preferred gender respected by their schools, parents and communities.
- Intervened to stop schools from using internet filters that block LGBT-related content.
- Advocated for policy changes to stop transgender housing discrimination.

So, congratulations to you, for supporting us in achieving these important victories. We couldn't have done it without you.

FACT

Married same-sex couples are denied 1,138 benefits that opposite sex couple enjoy because of the Defense of Marriage Act - a federal law that defines marriage as a union between a man and woman.

**WE BELIEVE
IN A NEW YORK...**



**WHERE PEOPLE ARE
TREATED WITH DIGNITY
REGARDLESS OF THEIR
IMMIGRATION STATUS**

“The Constitution protects all people in this country, regardless of their background.”

Corey Stoughton, NYCLU Senior Staff Attorney

Although immigrants are the foundation of America, they continue to be targets of discrimination, abuse and ridicule. Despite their significant contributions to society, immigrants are often alienated from mainstream society by policies and practices that exclude them from civic participation and threaten their freedom.

The NYCLU has always defended the rights of New York’s most vulnerable populations. We are currently leading efforts on Long Island, in New York City and throughout upstate New York to counter serious attacks on immigrants’ rights. This includes challenging law enforcement policies that encourage racial profiling, laws that limit the ability of immigrants to seek work and local policies that reinforce language barriers. Further, we are engaged in collaborative efforts to dispel harmful myths about immigrant communities and promote tolerance.

FACT

In New York, during the first three months of the federal Secure Communities program, 73 percent of New Yorkers deported had no criminal convictions.

A SNAPSHOT OF WHAT WE’RE DOING

- We are pushing back against implementation of the Secure Communities federal deportation program. Last year we spearheaded a campaign that led to the suspension of the program in New York, but the federal government has steamrolled New York and is pushing ahead with the program anyway. For example, in order to reduce the number of people detained through Secure Communities, we trained sheriffs statewide on how to deal with federal government requests to detain immigrants for possible deportation.
- We are challenging a law in Oyster Bay, Nassau County that seeks to deny immigrant day laborers the ability to provide for their families and violates their First Amendment rights to seek work on a public street.
- We are investigating and responding to aggressive enforcement tactics by Border Patrol agents in upstate New York. We co-released a report documenting these practices in order to publicize the issue.
- We are working inside communities around the state to dispel harmful myths and create a positive public discourse about immigrants and immigrants’ rights.



WHAT IS SECURE COMMUNITIES?


S-Comm is a federal immigration enforcement program that requires local law enforcement agencies to check the fingerprint data of all arrestees against the Immigration and Customs Enforcement (ICE) database. If law enforcement authorities detect a fingerprint match of some kind (whether correct or not) that individual will likely be subject to immigration detention, potentially hundreds of miles from home.



**WE BELIEVE
IN A NEW YORK...**

**WHERE THERE IS AN APPROPRIATE
BALANCE BETWEEN
LIBERTY AND SECURITY**

**WHERE NO ONE HAS TO
SACRIFICE THEIR FREEDOMS
FOR THEIR SAFETY**



dissent is patriotic.

“The First Amendment provides a floor, not a ceiling, for the protection of free speech.”

Barrie Gewanter, NYCLU Central NY Chapter Director

The freedom to hold and express our beliefs, and the freedom to have our voices and opinions heard – these lie at the heart of our democracy and at the heart of each of us. It is how society learns, evolves and accepts. Our First Amendment freedoms become indispensable during times of great strife, such as war, economic recession and moral crisis.

That is why the NYCLU has consistently protected the right to free speech and protest and freedom of religion – even when it was not popular to do so.

Currently, as we have seen in response to the Occupy movement and the ongoing impact of 9/11, threats to First Amendment freedoms are widespread and frequent.

- Efforts by law enforcement to stifle protest and deny the rights of the press
- Police monitoring of lawful activities
- Attacks on mosques and Muslim communities and individuals
- Censorship of student speech

In response:

We have been a constant presence at Occupy sites statewide – distributing Know Your Rights materials, providing trainings, negotiating permits, opposing unjust arrests and evictions, defending the rights of the media, and acting as legal observers.

WE HAVE COUNTERED ATTACKS ON RELIGIOUS FREEDOMS BY:

- Releasing “Religious Freedom Under Attack: the Rise of Anti-Mosque Activities in New York State,” a report that explores the legal and cultural background against which mosque controversies have unfolded
- Advocating for fair and un-biased law enforcement
- Engaging New Yorkers in meaningful dialogues to promote religious tolerance

We also defend the individual voices and beliefs of New Yorkers. *Your* voice and beliefs. We have defended the free speech rights of students, worked to maintain the separation of church and state, supported the rights of people to film the police and photograph public places, and so much more.

“We shouldn’t sacrifice personal liberty for laws that are more likely to incriminate the innocent than capture criminals.”

Amol Sinha, NYCLU Suffolk County Chapter Director

In August 2011, news reports exposed an NYPD operation that secretly spied on Muslim communities across New York and New Jersey. “In directing surveillance against Muslims engaged in perfectly lawful activity,” says NYCLU Legal Director Arthur Eisenberg, “the NYPD has effectively imposed a badge of suspicion on all Muslims and has stigmatized communities of individuals based upon their religious affiliations.”

These invasive surveillance practices are not limited to Muslim communities. In New York City, the NYPD’s expanding efforts to operate as a counter-terrorism agency has led to large-scale monitoring of the everyday activities of all New Yorkers.

The pursuit of achieving a balance between liberty and security is not new. In fact, the NYCLU was founded at the height of the McCarthy era. The targets of today’s witch hunts may differ in race, religious beliefs and ethnicity, but they share the humiliating experience of being hunted, attacked and labeled suspects based solely on their perceived beliefs.

A society committed to equality and justice must address matters of national security in ways that respect the dignity and freedom of all people. That is why the NYCLU has worked tirelessly to end the illegal profiling of people and communities and to highlight the human impact of such biased practices.

THIS PAST YEAR, WE:

- Worked as part of a coalition to raise objections to NYPD surveillance programs.
- Educated the public about the connections between the NYPD’s excessive “anti-terror” profiling of Muslims and its “anti-crime” profiling of black and Latino New Yorkers through stop-and-frisk practices.
- Took legal action to investigate and challenge surveillance of Muslim communities by the NYPD.
- Worked on legislation to reduce the likelihood of these abuses.

The NYCLU believes it is possible to protect the safety and security of New Yorkers while still respecting their liberties, and we will continue to work toward policies and practices that meet this standard.

DID YOU KNOW?

The NYPD is building a network of 3,000 surveillance cameras to monitor and track the movements of people and cars across Lower Manhattan.



**WE BELIEVE
IN A NEW YORK...**



**WHERE YOUNG PEOPLE
ARE EMPOWERED TO BE THEIR
OWN ADVOCATES**



“Our youth engagement work empowers young people to take action when their rights, or the rights of others, have been violated.”

- Lauren Frederico, NYCLU Teen Activist Project Coordinator

TEEN ACTIVIST PROJECT

Our popular Teen Health Initiative has grown! We continue the successful peer education model of the reproductive rights-focused Teen Health Initiative, but we've expanded our youth leadership program to explore other civil liberties issues impacting young people. Each year through this program, 20 New York City high school students become peer educators and activists who work to challenge injustice in their communities.



THIS YEAR:

The teens chose to focus on LGBT rights and police in schools. In addition to participating in NYCLU events, they produced two projects of their own.

- An amazing Know Your Rights video for LGBT and gender non-conforming students as a fun and engaging way to educate their peers about their rights at school.
- A photo essay illustrating the criminalizing the classroom culture that results from metal detectors and heavy police presence in schools.

WORKSHOPS

Ensuring that young people know their rights with regard to police in schools, LGBT rights, reproductive and sexual health care, military recruitment, and pregnancy and parenting as a teen.

OUTREACH

Covering all of the above topics as well as the rights of undocumented students. We distribute materials throughout the state, at events, schools, community centers, health care clinics and beyond.

CONTESTS

Teens are encouraged to think critically and express themselves creatively throughout annual Freedom of Expression contests. Through competitions around the state, young people submit essays, poetry, visual art and multimedia pieces that explore a topic relevant to their lives and related to civil liberties. The winners are showcased at our annual Broadway Stands Up for Freedom concert and other events throughout the state.

BENEFIT CONCERTS

The arts community has an important and inseparable relationship to civil liberties as each generation has seen its share of artists pushing the boundaries of free expression. Because of this, the NYCLU has a long and rich history of defending and working with the arts community to advance civil liberties and social justice.

As a way to support the next generation of artists and activists, each year, Broadway stars have lent their talents to our Broadway Stands Up for Freedom benefit concert, which supports the NYCLU's youth programming. Recent concerts have featured Tony Award and Pulitzer Prize-winning playwright Tony Kushner and Broadway chatterbox Seth Rudetsky, along with leading actors from top hits like *Godspell*, *Porgy & Bess*, *Rent* and *Jersey Boys*.

"TAP has been a bitter sweet experience, because I learned about the terrible things that many people have to deal with all the time. Which I was entirely unaware of. However, TAP showed me that there are many people standing up to these injustices, which gave me hope."

Teen Activist Project student, 2011-2012

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Basic individual membership is only \$20 per year, joint membership is \$35. NYCLU membership automatically extends to the national American Civil Liberties Union and to your local chapter. Membership is not tax-deductible and supports our legal, legislative, lobbying, educational and community organizing efforts.

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Because the NYCLU Foundation is a non-profit 501(c)(3) organization, donations are fully tax-deductible. The NYCLU Foundation supports litigation, advocacy and public education but does not fund legislative lobbying, which cannot be supported by tax-deductible funds.

THE DESILVER SOCIETY

Named for Albert DeSilver, one of the founders of the ACLU, the DeSilver Society supports the organization through bequests, retirement plans, beneficiary designations or other legacy gifts. This special group of supporters helps secure civil liberties for future generations.

THE AMICUS CLUB

Lawyers and legal professionals are invited to join our Amicus Club with a donation equal to the value of one to four billable hours. Club events offer members the opportunity to network, stay informed of legal developments in the field of civil liberties and earn CLE credits.

BECOME AN NYCLU ACTIVIST

NYCLU activists organize coalitions, lobby elected officials, protest civil liberties violations and participate in web-based action campaigns

THE EASTMAN SOCIETY

Named for the ACLU's co-founder, Crystal Eastman, the Eastman Society honors and recognizes those patrons who make an annual gift of \$5,000 or more. Society members receive a variety of benefits.

Go to www.nyclu.org to sign up and stand up for civil liberties.

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