



***Annual Report 2000***





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## 2000 - Highlights

Dear Friends:

Through our generously-supported public education, lobbying and litigation efforts, the ACLU-SC is able to fend off daily attacks on civil rights and civil liberties throughout Southern California. The torch of liberty you help us hold aloft shines on every aspect of society, illuminating existing inequalities and injustices, and lighting the way to new solutions.

Mindful of the inscription on the base of the Statue of Liberty, which reads in part, “I lift my lamp beside the golden door,” we seek to open the door of opportunity ever wider by linking civil liberties to social justice. Whether it be challenging the state’s failure to adequately warn mothers receiving welfare benefits about the new “family cap” rule, going to court to prevent police from harassing activists providing free food to the homeless in downtown Los Angeles, ensuring adequate access to public transportation for disabled riders or organizing to defeat the anti-youth Proposition 21, the ACLU-SC is everywhere fighting for the rights of the historically disenfranchised.

Each year our annual report provides an opportunity to highlight some of the work the ACLU-SC has been able to accomplish with your help. With over seventy-five cases on our legal docket, close to two hundred civil rights and civil liberties bills before the legislature, and several public education campaigns underway at any given moment, there is no way to capture the full scope of our endeavor. The following pages focus on some major battles we mounted this year – battles over free speech, educational opportunity and police practices – snapshots, as it were, from the front lines.

Thank you for your commitment to the great promise that lies at the heart of our organization’s mission and our nation’s Constitution – liberty and justice for all. The tremendous challenge of fulfilling this promise cannot be fully realized without the courage and generosity of the ACLU’s community of supporters.

A handwritten signature in black ink, reading "Lee Masters".

Lee Masters

A handwritten signature in black ink, reading "Ramona Ripston".

Ramona Ripston

A handwritten signature in black ink, reading "Stephen Rohde".

Stephen Rohde

ACLU of Southern California /  
ACLU Foundation of Southern California  
1616 Beverly Blvd., Los Angeles, CA 90026

*Report 2000*  
Editor: Heather Carrigan  
Associate Editor: Michael Wilson



## Defense of Free Speech during the DNC

Heavy-handed police tactics aimed at stifling political protest met with vigorous free speech advocacy by the ACLU-SC during the Democratic National Convention. In the weeks leading up to the convention, the ACLU-SC, working with other civil liberties attorneys, mounted a legal challenge to the sweeping no-speech zone the Los Angeles Police Department planned to create around the Staples Center in downtown Los Angeles. The judge agreed that the zone carved out by LAPD, which placed protestors beyond earshot and out of sight of convention delegates, was a serious infringement on freedom of speech and association. He ordered the city to

reconfigure the protest zone to allow protestors closer to the convention and develop new permit procedures for park use and parades.

Nor did the fight to secure protestors' First Amendment rights end there. While convention organizers readied balloons and banners in air-conditioned peace at the Staples Center, protestors working on life-sized puppets and handmade signs in their ramshackle temporary headquarters blocks away found themselves targeted by heavy police surveillance and harassment. In coalition with other civil liberties attorneys, the ACLU-SC stepped in to obtain a temporary restraining order against the LAPD, prohibiting police from making pretextual intrusions into the protes-



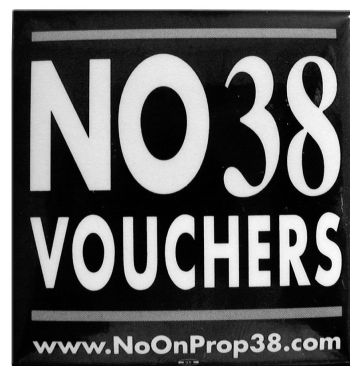
ACLU Staff Attorney Daniel Tokaji sought and won a restraining order against the LAPD that protected activists' headquarters and props during the convention



## Preserving Separation of Church and State in Public Education

As more and more members of the Religious Right set their sights on election to local school boards – and win – breaches of the Constitutional wall separating church and state are increasing. This year the ACLU-SC fought the unanimous decision of the Val Verde Unified School District school board to post the Ten Commandments in all Val Verde schools. After we filed suit on behalf of two families with children in Val Verde schools, arguing that the posting of the Ten Commandments on public school property violated their freedom of religion, the board rescinded its decision.

**Proposition 38**, California's school voucher initiative, posed perhaps the gravest threat to separation of church and state in public education to date, earmarking four thousand dollars a year per student to pay for private and religious schooling.



The ACLU-SC launched a full-scale public education campaign, mobilizing speakers, community leaders and activists against the initiative. The campaign stressed that since the vast majority of private schools in California are religious (85% of schools in America), the initiative essentially boiled down to government-sponsored religion. We also pointed out that private and religious schools accepting vouchers would be exempt from anti-discrimination laws and thus empowered to deny or grant admission on the basis of religion, gender, language ability, sexual orientation or special needs. We highlighted the fact that private, religious schools are exempt from the Americans with Disabilities Act and could thus neglect students with disabilities. The initiative was defeated at the polls, but it is probably not the last we'll see of vouchers. ★



*The ACLU-SC San Luis Obispo Chapter brought the story of Joe Cercedas to the ACLU's attention. Cercedas, a senior at Atascadero High, fought attempts to censor his submission of this protest photo as his senior picture in the high school yearbook. He researched California's Education Code, contacted the ACLU, and warned his school that he was within his rights and would stand up for them. His school backed away from its attempt at censorship.*

tors' headquarters and from confiscating their puppets and banners.

Police tactics during the convention once again required ACLU-SC intervention. In response to a disturbance by a handful of unruly protestors at the edge of an overwhelmingly peaceful demonstration, the LAPD declared an unlawful assembly and proceeded to attack the crowd with batons, rubber bullets, and pepper spray. Members of the media who attempted to record the LAPD's actions were also targeted. The ACLU-SC filed suit on behalf of several media members, charging the LAPD with violating freedom of the press. ★



## ***Fight for Educational Opportunity Continues***

Imagine trying to learn in a building infested with rats and roaches, in classes so crowded students have to sit on countertops, with courses taught by untrained teachers lacking any form of institutional support or guidance. This is the daily reality of many California students.

In an effort to remedy these unconscionable conditions, the ACLU-SC has begun an unprecedented series of cases challenging the unequal distribution of basic educational opportunities to California children, such as Advanced Placement courses, textbooks, instruction by trained teachers, classroom space and clean, safe buildings. The centerpiece of the ACLU-SC's educational opportunity litigation initiative is *Williams v. State of*

*California*, the most comprehensive lawsuit concerning the bare minimums required for education ever to be brought against a state.

Filed on behalf of over two hundred parents and students predominantly from poor Latino and African-American neighborhoods, *Williams* attempts to establish minimum standards for education and educational environment. The *New York Times* hailed the case as central to education reform efforts in California, noting that "the depositions taken for this suit from teachers and students should be required reading for every Californian."

As part of the same litigation initiative, ACLU-SC filed a class action suit against the Los Angeles Unified School District on behalf of children attending Rosemont Elementary school in a poor, predominantly Latino neighborhood of Los Angeles. The

*Many plaintiffs in the Williams case report that they cannot use their school restrooms; one plaintiff suffered from a urinary tract infection as a result*







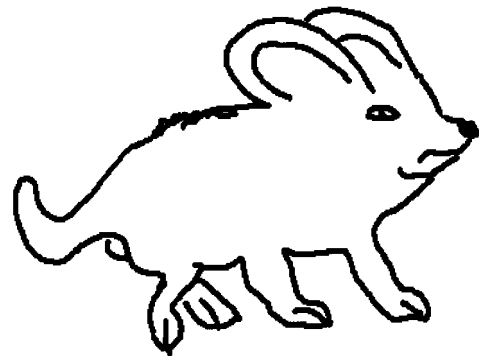
*Daisy, plaintiff, describes the crowded conditions at her elementary school*

suit alleged that the five separate classes of students housed simultaneously in the school auditorium without sound barriers or floor-to-ceiling visual barriers were being deprived of their right to equal protection under the law. Within ten days, the school district provided Rosemont with four new portable classrooms. Only one class remained in the auditorium.

The ACLU-SC also sued the University of California Regents for inadequately implementing the "Enrollment in the Local Context" program, which guarantees admission to the University of California to students who rank in the top 4% of their graduating class. Hundreds of outstanding students were bitterly disappointed to discover their under-resourced schools had not provided the appropriate documentation to secure them the spots they had earned in the state's top university system. The program, heralded as opening the doors of opportunity to students from poor communities of color, relies on schools to complete the necessary paperwork and does not provide students any recourse

## RATS

I saw a rat in room 28. The room smelled very bad and it made me sick to my stomach. There was blood all over the place.



*"Rat sightings" became a classroom assignment for one group of students in the Los Angeles Unified School District*

if their schools fail to do so. The University responded immediately by extending the deadline for all schools that failed to file the necessary paperwork. ★



## Racial Profiling Campaign Builds Momentum

Albert Lovato, a professional musician and preschool teacher, was followed through city streets for over two miles by the LAPD, ordered out of his truck at gunpoint, forced to lie face down on the ground, handcuffed, searched and accused of being a gang member – all before the officers even asked for his driver's license and vehicle registration. Carlos Gonzales, a public school math teacher, and Timothy Campbell, a realtor and building contractor, were both followed by police, ordered out of their cars, and told they had been stopped because the officers suspected they had stolen their vehicles.

These are three of the plaintiffs in a federal lawsuit filed this year by the ACLU-SC, charging the LAPD with racial profiling – stopping and searching nonwhite motorists based on the color of their skin. Every year, thousands of people of color are subjected to the humiliating and terrifying experience of being treated like criminal suspects during traffic stops on California roads. Along with ACLU affiliates across the country, the ACLU-SC is committed to putting an end to this pernicious law enforcement practice.

The ACLU-SC public education campaign to end racial profiling launched in 1999 continued in 2000 with a massive lobbying effort to win passage of SB 1389. In its original form, SB 1389 required mandatory data collection on traffic stops by police, but this all-important provision was removed in an eleventh hour deal between the bill's sponsor and Governor Gray Davis. Though the bill was ultimately signed into law, the remaining language merely declared racial profiling to be illegal (repeating the state and federal constitutions), provided for more diversity training, and authorized a study of voluntary local data collection efforts.

Despite the fact that 82% of African American Californians and 65% of Latino Californians believe racial profiling is widespread, our state has yet to undertake a systematic evaluation of the problem. Our governor is the only sitting governor to have vetoed data collection legislation already enacted in eight states. The ACLU-SC's lobbying and public education efforts will continue until we obtain passage of a bonafide data collection bill to determine the scope of racial profiling in California ★





## Pressure for LAPD Reform

In 2000, the Rampart scandal widened – the district attorney estimated more than two hundred cases would be tainted, and the public defender, more than four thousand. But even as the magnitude of the scandal became more evident, the police chief and the mayor continued a policy of containing and minimizing the crisis. The ACLU-SC pressed for an independent civilian commission to investigate the full extent of the LAPD's troubles and to propose and oversee the implementation of meaningful reforms.

Chief Parks, backed by the mayor, rejected the ACLU's proposal, insisting that the department's own investigation could get to the heart of the problems at Rampart. "Let the system work" was also the refrain of the LA Police Commission, which announced the creation of its own panel to review the department's report and discuss possibilities for reform.

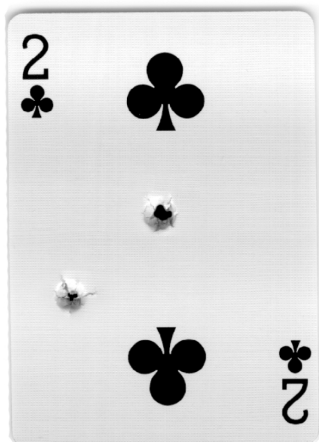
Revelations soon surfaced that the FBI, brought into the investigation by the LAPD and frequently cited as evidence of the department's good faith effort, was itself

implicated in illegal deportations initiated by CRASH officers. The ACLU-SC immediately launched a newspaper ad campaign renewing its call for Mayor Riordan to stop resisting reform.

Soon after, the U.S. Department of Justice (DOJ) weighed in on Rampart, announcing that it intended to file a civil rights lawsuit against the LAPD to eliminate the department's pattern and practice of "excessive force, false arrests and unreasonable searches and seizures." On behalf of civil rights groups and individuals who had experienced abuse at the hands of the LAPD, the ACLU-SC asked to be a party to the resulting consent decree between the City of Los Angeles and the DOJ.

The consent decree awaits approval, but the work of the ACLU on Los Angeles police reform is by no means finished. We consistently maintain that only a permanent outside review body with ample resources and complete autonomy can bring about true reform and re-establish public trust in the LAPD. ★

*Excerpt from an ACLU-SC appeal for police reform as it appeared in the New York Times and other newspapers*

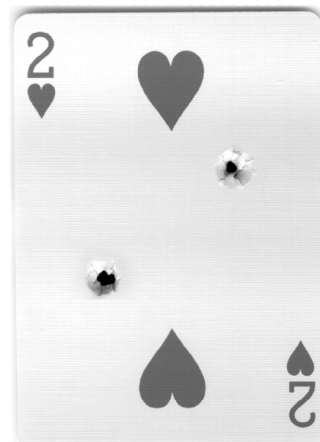


"We give plaques [of playing cards] out when you get involved in shootings. If the guy dies, the card is a black number two. If he stays alive, it's a red number two."

*"Is it more prestigious to get one that is black than red?"*

"Yeah. I mean, you know, the black one signifies that a guy died."

– testimony of Los Angeles  
Police Officer Rafael Perez

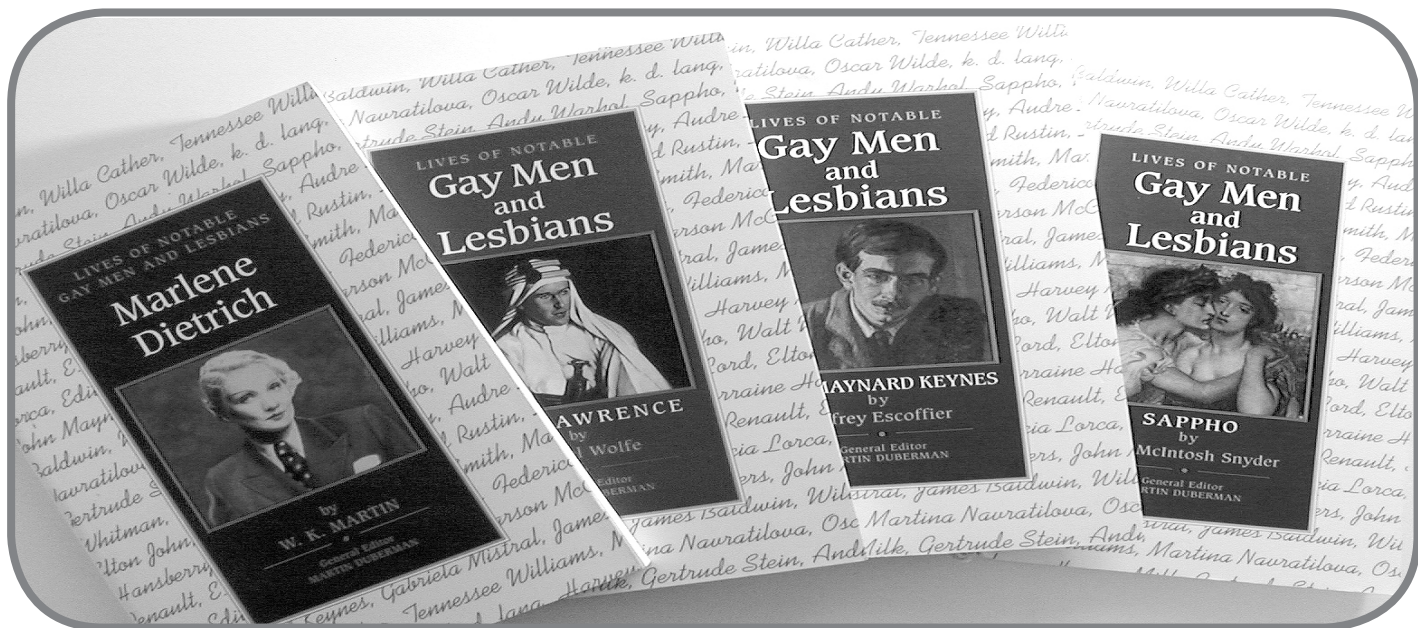


As the recent LAPD scandal makes clear, Los Angeles police officers have been allowed to play fast and loose with the law for some time. So far, over 70 LAPD officers are under investigation for committing crimes or helping to cover them up. Evidence planting, false arrests and beatings – often in retaliation for complaints against officer misconduct – have been described as routine. A pattern of unjustified shootings has also come to light, including one in which LAPD officers intentionally delayed calling an ambulance until they had planted a gun near the fatally wounded victim and cooked up an elaborate story to explain the shooting.

Corrupt officers have thrived in a department that resists public scrutiny at every turn, leaving them free to gamble away lives and taxpayer dollars – an estimated \$125 million in settlements to parties wronged by the LAPD – with impunity. And yet, in the face of a scandal of unprecedented proportions, Mayor Riordan is telling the people of LA to let the system work.

**Mayor Riordan: the stakes are too high to sit this one out. The time has come for real reform.**





## JUSTICE

### Gay and Lesbian Rights Project Acquires New Support

The ACLU-SC's work on behalf of gay and lesbian rights received a major boost with the creation of the Bohnett Attorney, a staff attorney position that will focus on gay and lesbian civil rights litigation. It is the first dedicated position to be funded by the year-old David Bohnett Foundation, created by Internet entrepreneur and Geocities founder David Bohnett.

Bohnett's generous support enabled the ACLU-SC to file a federal suit on behalf of two students at Orangeview Junior High School whose free speech rights were violated by the Anaheim Union High School District's removal of biographies of gay and lesbian figures from their school library. The books were part of a series written for youths fourteen years old and up, entitled "Lives of Notable Gay Men and Lesbians." The series includes biographies of tennis player Martina Navratilova, economist John Maynard Keynes, and writers Willa Cather and James Baldwin, which emphasize the important contributions they have made to sports, economics and literature.

Under the First Amendment to the U.S. Constitution and the California Constitution, schools can ensure that library books are age-appropriate and have educational value, but

they cannot ban books because of disapproval of the viewpoints or ideas expressed in the books. The ACLU-SC argued the censorship of the biographies was clearly viewpoint-related, noting that the Anaheim USD allowed over fifteen other biography series profiling the lives and achievements of African-Americans, Latinos and Latinas, Asian-Americans, women and persons with disabilities to remain on the shelves.

The ACLU/SC continued to struggle for gay and lesbian equality in its public education campaign against Proposition 22, the anti-gay marriage initiative, by developing and distributing public education materials, placing opinion pieces, and participating in the campaign steering committee. ★





## Chapters

Following the coast from Orange County to San Luis Obispo and stretching as far inland as Riverside and San Bernardino Counties, the fifteen chapters of the ACLU/SC span the vast region of Southern California.

Chapters are the lifeline that connects the larger organization to its members. Serving as the eyes and ears of the affiliate, chapters give voice to local concerns that affect individual communities.

Led by local civil rights and civil liberties activists, chapters function in many capacities, monitoring local government bodies, lobbying their legislators and educating community residents on important issues of the day.

Each year, the ACLU/SC recognizes one particular chapter activist for her outstanding contribution to the organization. In 2000, Kathy McConn was honored for her two decades of service to the Lesbian and Gay Rights Chapter. ★



### Garden Party

The Rampart police department scandal was first reported by Los Angeles Times reporters Matt Lait and Scott Glover (pictured below with Ramona Ripston) who were among those honored at this annual June event held at Betty & Stanley K. Sheinbaum's home in Brentwood. Actor Bill Schallert hosted the program, which included comedian Paula Poundstone.



## EVENTS



### Law Luncheon

Awards were presented to attorneys providing invaluable assistance on ACLU cases: Louis Cohen, Glenn Rothner & Ellen Greenstone, Glen A. Smith, and a team from Morrison & Foerster. Special awards also went to Judge James Warren, Shari Leinwand and Gary Williams. Author Richard North Patterson delivered the keynote address.



### Bill of Rights Dinner

Actress Sigourney Weaver was on hand to present an award to filmmaker Gary Ross ("Pleasantville") at this annual December event, held at the Beverly Wilshire hotel. Music executive Howie Klein received his award from Antonio Villaraigosa, and Ramona Ripston presented the Eason Monroe Courageous Advocate Award to longtime ACLU Foundation Board member Shirley Magidson.



### Torch of Liberty Dinner

Filmmaker Frank Darabont ("The Green Mile," "Shawshank Redemption") and entertainment attorney Donald Passman received awards at the event. Actor James Whitmore presented Darabont's award. Darabont and Passman are pictured here with Ramona Ripston and State Assembly Speaker Emeritus Antonio Villaraigosa.



# Financial Report

Considerable financial resources are necessary to successfully pursue the wide-ranging legal, public education, lobbying, and public policy efforts of the ACLU and ACLU Foundation of Southern California. Two separately incorporated nonprofit organizations, each with distinct boards of directors and separate budgets, the ACLU and ACLU Foundation depend upon dedicated supporters to provide funds that enable the organizations to mount a comprehensive defense of constitutional rights.

## ACLU MEMBERSHIP

By joining the ACLU, you add your voice to the 275,000 members represented by our lobbyists in Sacramento and Washington, D.C. All members of the ACLU/SC are also members of the National ACLU office located in New York. With a membership base of almost 25,000, the ACLU/SC is among the largest membership organizations in the Southland and plays a leadership role among the 53 ACLU affiliates nationwide. Membership in the ACLU costs just \$20 annually for an individual and \$30 for a joint or family membership. Because ACLU membership supports our lobbying work, contributions are not tax-deductible. To become an ACLU member or to receive additional information regarding membership, please call the ACLU office at (213) 977-9500 x216.

## ACLU FOUNDATION SUPPORT

The ACLU does not receive, nor does it seek, any government funding. It is contributions from individuals and a few corporations and private foundations that enable the Southern California affiliate to pursue legal remedies to countless threats to civil liberties and civil rights. The ACLU Foundation is a 501(c)(3) organization underwriting the entire legal program as well as public policy and most public education efforts. Contributions to the ACLU Foundation are tax-deductible as provided by section 170 of the Internal Revenue Code. For more information about giving to the ACLU Foundation, please call (213) 977- 9500x 254.

## CONTRIBUTIONS MAY BE MADE BY:

**Cash, Check or Credit Card:** The ACLU and ACLU Foundation welcome your donation at any time. Monthly, quarterly or annual pledges are appreciated and contributions may be charged to your VISA, MasterCard or American Express.

**Tribute Gifts:** Many donors like to give a gift mem-

bership in the ACLU or make a larger tax-deductible contribution to the ACLU Foundation to commemorate a birthday or anniversary or to send condolences. The ACLU Foundation will send an attractive announcement card to your designated recipient and will send you a thank-you letter confirming your gift. Checks or credit cards may be used for tribute gifts ordered over the phone. Please call (213)977-9500 x226.

**Workplace Giving:** Many donors make payroll gifts via the United Way or the combined federal campaign. Please check your workplace giving campaign.

**Gifts of Stocks, Bonds or Real Estate:** You can often avoid capital gains tax if you contribute these assets. For more information, please call (213)977-9500 x 226.

## ESTATE PLANNING: LEAVING A LEGACY OF SUPPORT

The battle to defend individual rights and equal justice for all people is ongoing. Donors who plan for the ACLU through their estate plans provide the resources critical to protecting liberty and justice for this generation and the next.

### Arrangements to consider are:

**Insurance:** You can name the ACLU or ACLU Foundation as the primary or secondary beneficiary of all or part of your life insurance.

**Bequests:** In your will or trust, you can designate the ACLU or ACLU Foundation as a beneficiary of all or part of your estate.

**Life Income Gifts:** In exchange for your gift of cash, securities or real estate of \$5,000 or more, the ACLU Foundation can pay you income for the rest of your life. Significant income and estate tax advantages can result from these types of gifts.

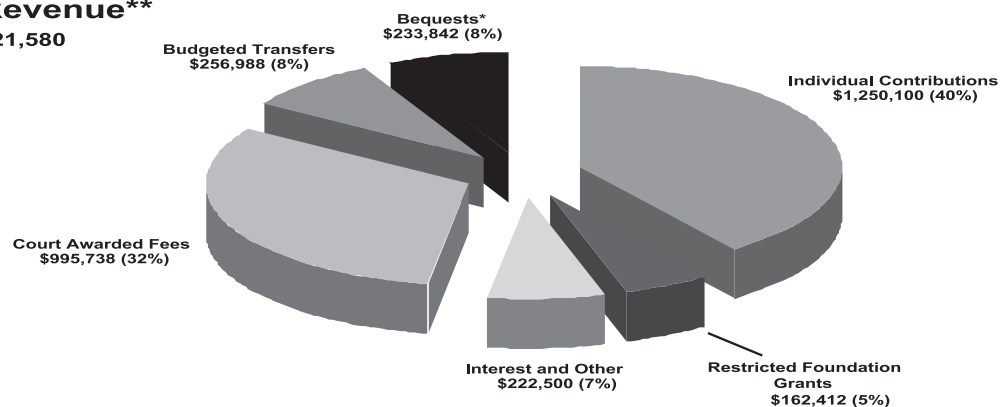
For more information about charitable estate planning ideas, please call our director of gift planning at (213) 977-9500, x226.

**Sharing:** All contributions and memberships are shared between the National ACLU in New York and the ACLU/SC and ACLU/SC Foundation according to a financial formula. A portion of the contributions is allocated to other, smaller affiliates throughout the United States, especially those located in parts of the country where there is little support for defending civil liberties and civil rights.



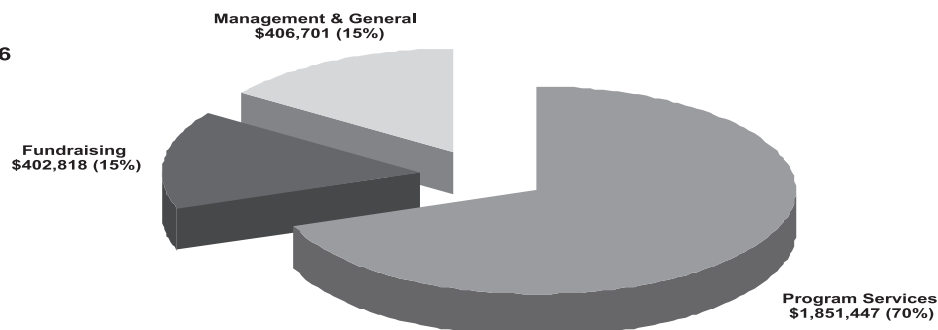
## Support & Revenue\*\*

Total: \$3,121,580



## Expenses

Total: \$2,660,966

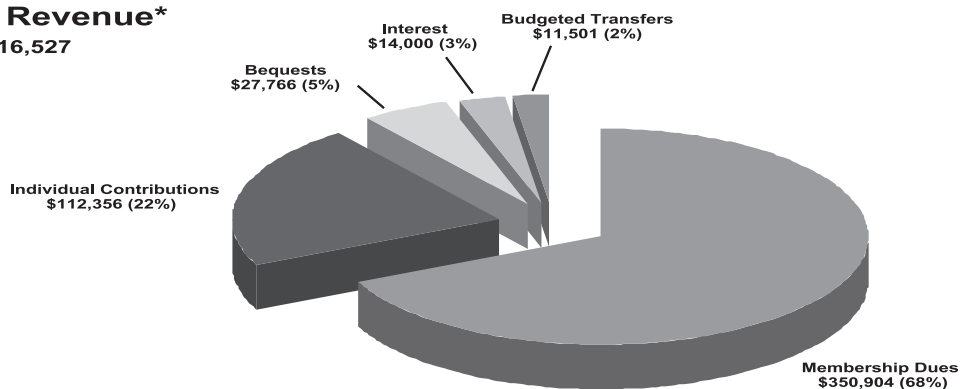


\* an additional amount of \$233,842 in bequests was restricted by the Board of Directors to our long-term fund.

\*\*represents net of sharing with the National ACLU of contributions and bequests. The National ACLU share totaled \$556,189.

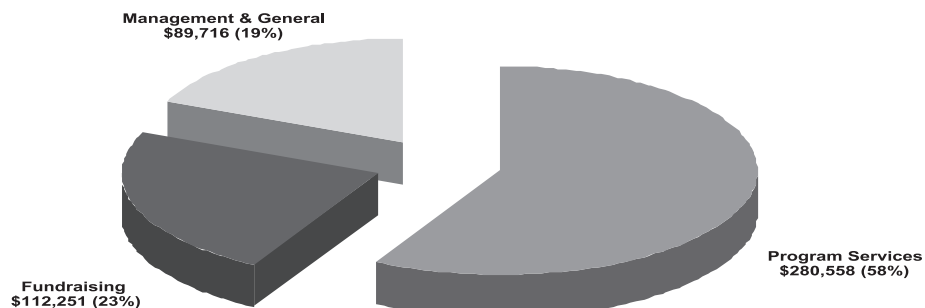
## Support & Revenue\*

Total: \$516,527



## Expenses

Total: \$482,525



\* represents net of sharing with the National ACLU of dues, contributions and bequests. The National ACLU share totaled \$412,502.

Note: All figures provided are unaudited at time of publication. Complete audited financial statements for the year ending December 31, 2000 by Engel, Kalvin, et al. may be obtained by writing to the ACLU, 1616 Beverly Blvd., LA, CA 90026



**The ACLU and the ACLU Foundation** are very grateful to the thousands upon thousands of people who contribute year in and year out to making our defense of liberty and justice possible. There are a few, however, whose extraordinary support has enabled us to grow and become one of the leading ACLU affiliates in the country, expanding our impact throughout the community and the nation. We wish to pay special tribute to these guardians of freedom for their commitment to protecting "liberty and justice for all."

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