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**Artist Statement**

There is more that unites us than we think. While our cultures, our backgrounds, and our races may vary, we are all deserving of the same freedoms. My goal with this piece is to create something that anyone can look at and go, “Hey, that’s me in there. I’m a part of this. I can do something for my community.”

Niki Toney @kneesandkeysart

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**ACLU Northern California**

**Writers:** Pauly Pagenhart & Cori Stell

**Illustrator:** Niki Toney

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**Printer:** Sequoyah Graphics
You’ll find more online, including a video of ACLU NorCal staff and one of our clients talking about the impact you help make possible. Visit: aclunc.org/AnnualReport2023.
The “we” of “we show up” is not just the two of us, writing this letter to express
our gratitude to you. “We” also includes each dedicated member of the staff and
boards of the ACLU of Northern California.

“We” also includes you, as you read this letter and annual report.

And it includes over 100,000 of your fellow ACLU members, donors, volunteers, and supporters in Northern California. “We” includes our clients and community partners who often bear the brunt — and lead the way — on the civil liberties issues that we work together to address.

And what do we mean by showing up?

We show up in communities, from immigrant detention facilities in the Central Valley, to homeless encampments in the Bay Area, to tribal lands on the North Coast of California. We show up to gather facts, build relationships, and grow our power together.

We show up to exercise our First Amendment rights: to share our beliefs, to speak and to listen, to investigate and to publish, to gather a community in protest, and to seek redress, accountability, and justice from government officials and leaders.

And to seek redress, we show up in hearing rooms, from school boards to city halls and county boards of supervisors to the state legislature, state courts, and federal courts.

And we keep showing up. Since our founding in 1934, ACLU NorCal supporters like you have worked together for 90 years to to protect civil liberties in periods of backlash — and achieve significant strides forward in periods of progress.

And together we show up nationwide. With your support, the ACLU works in each of the fifty states, as well as Puerto Rico and the District of Columbia, to fulfill our vision of an inclusive Constitution that protects rights for all.

In many ways, for many reasons, united by our devotion to justice: we show up.

Yours,

Abdi Soltani
Executive Director

Adam Bailey
Chair of the Boards
ACLU NorCal shows up every day to advance freedom, equality, and justice. Making this commitment a reality takes our whole community: clients and staff, community-based organizations, volunteers, activists, donors, and funders.

Here are just some of the ways the ACLU community showed up in the last year:

• At ACLU NorCal, staff and management completed our first collective bargaining agreement, bringing home the organization’s legacy of empowering and protecting workers.

• ACLU staff from across the country traveled to Ohio, working with partners to knock on more than 10,000 doors and help secure the right to abortion in Ohio’s constitution.

• Hundreds of volunteers strengthened our impact, triaging calls and letters from people facing injustice, taking action on pressing local and statewide issues, and serving on boards and committees to ensure a robust organization for years to come.

• Although charitable giving was down for nonprofits nationwide, stalwart and new donors gave generously to ensure we could carry critical work forward.

• Through lawsuits, organizing campaigns, and public education efforts, we worked with clients, pro bono attorneys, and partner organizations to advance an incredible range of work — and you’ll find many examples in this report and its companion report online.

We each have our own story of what brought us to the ACLU and what keeps us here. The compounding impact of the Trump years, COVID, and ongoing attacks on democracy can be exhausting. But the ACLU is ready for whatever lies ahead. And we know that when we show up together, we make change happen.

Remember: sometimes the ways we show up feel big, and sometimes they may feel small. In this election year, what’s most important is that we keep showing up: join local organizing efforts, educate everyone we know about the issues at stake, and stay connected and informed.

Thank you for believing in the ACLU and partnering with us in our shared mission for justice.

In solidarity,

Cori Stell

Cori Stell, Director of Development
on behalf of the ACLU NorCal Development Department
Filed 71 new legal actions adding to 38 ongoing cases from 2022

Submitted 115 Public Records Act requests to support litigation, publish reports, and work with the media

Sent 57 advocacy letters and reports to local and state elected officials and agencies

Volunteer intake counselors responded to more than 2,500 requests for legal assistance through our Civil Liberties Intake program

Over 90,000 ACLU members active in Northern California
Volunteers’ lobby visits reached 100% of legislators who were swing votes on our priority legislation.

18 volunteer chapters, from Trinity to Tulare counties, tackled issues impacting some 10.6 million Californians across more than 34,000 square miles.

More than 3,000 people viewed our video “California’s Hidden History of Slavery: The Case for Reparations,” because reparations are not only just but necessary.

Over 400 complaints logged in our California Immigration Detention Database, a new resource for immigration practitioners, journalists, and advocates to identify patterns of abuse, inadequate conditions, and constitutional violations.

Monitored 490 bills (see page 7 for more on ACLU-sponsored bills signed into law).

Supported or co-sponsored four bills strengthening voting access which were signed into law (learn more about our Voting Rights work on page 6).
Strengthening Californians’ access to the vote is a priority for ACLU NorCal year in and year out. Below you’ll find highlights of how our work is making a difference in this election year.

- **Over 25 million new or updated voter registrations** have been enabled by the New Motor Voter Act (NMV) since its 2018 launch. This result came about because of litigation we brought against the Department of Motor Vehicles (DMV), when it failed to comply with its voter registration obligations under federal law. We’ve been closely involved in its implementation ever since, serving on the NMV Task Force, and co-sponsoring legislation in 2022 (AB 796) which strengthened it further.

- **Over 1.1 million 16- and 17-year-olds** have been pre-registered to vote since 2016 — primarily as a result of the NMV system at the DMV.

- **2,356 people with disabilities** were protected from being wrongfully purged from the voter rolls during the first three months of 2024 thanks to a bill (AB 2841) we co-sponsored.

- **176,854 ballots were cast** in November 2020 using same-day voter registration. This was the first general election after a bill which we co-sponsored (SB 72) expanded same-day registration to all voting locations statewide. Roughly 1% of all ballots cast now come from voters who used same-day registration, enfranchising thousands of voters who would not have been able to vote otherwise. Voters who use same-day registration are disproportionately lower income, youth, new citizens, and/or Black, Indigenous, and People of Color.

- **Nearly 50,000 people on parole** had their right to vote restored upon passage of Prop 17 in November 2020. In advance of the 2024 general election, ACLU NorCal is providing more than 50,000 postcards and 12,000 posters in six languages to elections officials, public defenders, jail staff, probation departments, and parole offices across the state as part of our Let Me Vote education and outreach project for system-impacted voters. (Visit letmevote.org for more.)

- We continue to actively support or co-sponsor **six bills strengthening voting access** that were introduced in 2023 and carried over into the 2024 legislative season.
Of the 3,030 bills introduced in the California Legislature

- We monitored 490 bills
- We supported 114 bills
- We opposed 54 bills

We sponsored 16 bills
- 3 went to the governor; 3 were signed into law
- 1 will be on the November 2024 ballot
- 9 remain active in the 2024 legislative session

ACLU-Sponsored Bills Signed Into Law

- Protection from ICE’s probation ruse (SB 852): This law prohibits Immigration and Customs Enforcement (ICE) officers from exploiting a person’s probation status for the agency’s operations, as was a regular practice.

- Keep students in school (SB 274): This law prohibits suspensions and expulsions based on so-called “willful defiance” — applied disproportionately to Black, Indigenous, People of Color, and disabled students — instead encouraging school personnel to use positive interventions and supports.

- Strengthen the Fair Maps Act (AB 764): Applying lessons from 2020, when we last re-drew voting district maps, this law: removes automatic protections for incumbents; increases transparency and opportunities for public participation; extends Fair Maps Act provisions to other districts, like educational districts, which lack even basic criteria; and creates a clear legal process for addressing violations claims.

ACLU-Sponsored Bill on the November 2024 Ballot

- Right to Marry (ACA 5): Proposition 8’s ban on same-sex marriage was overturned at the state level in 2013, and marriage equality was extended nationally by the U.S. Supreme Court in 2015. But a key vulnerability has lingered: Prop 8’s language remains in the California Constitution. If we’ve learned anything in our nine decades of advocacy at ACLU NorCal, it’s that any injustice left dormant can revive under unfavorable circumstances. So this fall, California voters will have the opportunity to weigh in on a constitutional amendment: repeal Prop 8 and affirm that the right to marry is fundamental to all Californians.
WE SHOW UP FOR RACIAL JUSTICE

The landmark 2020 Racial Justice Act (RJA) set out a bold mandate: to eradicate racial disparities in the criminal legal system and provide remedies for all those whose proceedings are found to be tainted by racial bias. One of its key levers is to ensure that the public can access “all relevant evidence” in seeking remedies. Yet over the course of the multiple RJA cases we’ve litigated, we’ve found that gaining access to prosecutorial records has been cumbersome, time-consuming, and met with stiff resistance.

With the support of BraunHagey & Borden LLP, we’ve spent years submitting Public Records Act requests to every District Attorney (DA) in the state. Many responded promptly. Others ignored us or acknowledged woefully inadequate data collection systems. Most concerning were DAs who asserted that they do not collect, nor did they intend to produce, any information about the race of the accused or other key information.

To those DAs who have willfully defied the RJA, our response has been unequivocal: we’ll see you in court. In 2023, we filed cases in four counties challenging DA noncompliance. Two successfully resolved in settlement; two remain ongoing. The information we have secured has become the basis of an unparalleled resource for open-source advocacy: a publicly available database of thousands of records to ensure that we the people have a critical tool to empower our pursuit of equal justice.

WE SHOW UP FOR FIRST AMENDMENT RIGHTS

This year we investigated a wide range of legal requests, in many cases neutralizing threats before they escalated into an issue for the courts or the front page. We sent nearly a dozen demand letters that led to satisfactory resolution or ongoing litigation in defense of Californians’ First Amendment rights, ranging from El Dorado County’s preferential religious resolution, to San Mateo’s censorship of a public art program, to Fresno’s library book censorship ordinance.

Whether it’s K–12 curriculum addressing racial injustice or LGBTQ+ people, or college and university events and protests, the need for informed guidance regarding free speech on campus is clear. We’ve been monitoring closely as issues unfold, responding to requests for guidance and actively clarifying the law and how it should be applied. Throughout, we continue to develop and promote our online hub of First Amendment and free speech resources for students, activists, educators, and public officials alike.
WE SHOW UP FOR THE CONSTITUTIONAL RIGHTS OF HOMELESS PEOPLE

With our partners the Lawyers’ Committee for Civil Rights of the San Francisco Bay Area and Latham & Watkins LLP, we filed *Coalition on Homelessness v. City and County of San Francisco* to stop San Francisco from unlawfully citing or arresting homeless people who had no other place to go, and destroying their property. Filed in 2022, we won an injunction in federal court, so San Francisco cannot criminalize those in need of housing when it offered no alternative. In 2023, we successfully defended this ruling at the Ninth Circuit Court of Appeals. But the City’s misleading framing of the issues has become politically popular.

Politicians and public figures have blamed the City’s problem on the court decision itself, rather than the unconscionable lack of affordable housing or alternative shelter. We’re tackling the media inaccuracies and engaging a wider range of stakeholders in direct conversation through San Francisco Solutions, our project to advocate for evidence-based solutions to homelessness — solutions that protect everyone’s constitutional rights, advance racial justice, and directly address the need for greater economic opportunity. The U.S. Supreme Court’s opinion on a case from Grants Pass, Oregon will impact how we continue to litigate this case. But regardless of the Court’s decision, our commitment to addressing the root issues will remain.

Watch client Jenny Friedenbach, from the Coalition on Homelessness, talk about this case on our video at aclunc.org/AnnualReport2023

continued →
WE SHOW UP FOR IMMIGRANTS IN DETENTION

Separating our state’s prison system from federal immigration enforcement is a meaningful way to limit immigration detention, which is unnecessary and cruel. In 2023, with partners Asian Americans Advancing Justice — Asian Law Caucus and Munger, Tolles & Olson LLP, we filed a lawsuit on behalf of incarcerated and formerly incarcerated Californians — such as plaintiff Roth Chan, above — alleging that the state prison system illegally discriminates against people suspected of being born outside the United States.

In Asian Prisoner Support Committee v. California Department of Corrections and Rehabilitation (CDCR), we found that CDCR’s own documents and policies, as well as the testimony of those impacted, showed staff systematically — and illegally — referred people to federal immigration officials based on their perception of someone’s place of birth, race, ethnicity, or how well they speak English.

This results in wrongful exclusion from critical resources like rehabilitative programs which reduce time in custody; alternative-to-custody programs; lower-security housing placements; and educational and vocational programs that help people transition back to their communities. Year after year, this collusion with Immigration and Customs Enforcement places hundreds of people — who’ve earned their freedom — at the risk of being re-incarcerated in immigration detention centers and then deported.

“I would cry knowing that I wasn’t earning credits for an earlier release just based on my appearance. I still have a hard time sleeping.”

— Plaintiff Roth Chan

Watch Immigrants’ Rights Senior Staff Attorney Bree Bernwanger talk about this work on our video at aclunc.org/AnnualReport2023
WE SHOW UP FOR A JUST DIGITAL AGE

We live digital lives and our fight for justice must include the technology realm. Modern surveillance technology — like automated license plate readers (ALPR), face surveillance, and drones — fuels high-tech profiling and perpetuates systems of biased policing. It facilitates deportations, invades privacy, chills speech, and imperils the rights of those who are Black, Indigenous, or People of Color; activists; and people who need reproductive and gender-affirming care. In 2023, an extensive investigation of ALPR use by California policing agencies uncovered that over 70 agencies in 22 counties were not only collecting sensitive information about people, but also sharing it with out-of-state agencies, including in six states with abortion restrictions. We notified these California agencies that they were violating state law and undermining the rights and safety of community members. We demanded they end these practices. California’s Attorney General also issued a bulletin about ALPR law. Many agencies have since stopped their dangerous sharing practices. Some are still failing to follow the law, and so our work continues. So long as they’re watching us, we’ll be watching them and fighting to defend and advance rights in the digital age.

WE SHOW UP FOR LGBTQ+ AND NONBINARY YOUTH

For lesbian, gay, bisexual, transgender, queer, and nonbinary students, school is often a place where they can explore or express their identities — before they are ready to do so at home. California law recognizes this important aspect of a student’s right to privacy: that schools should not “out” students to their parents. Yet, at least ten school districts adopted “forced outing” policies in 2023; another five were considering them. In response, we moved to develop legislation to strengthen existing law against forced outing. Wherever lawsuits have been brought in defense of students, we crafted the amicus strategy, ensuring courts heard the most effective arguments from the right experts. (Amicus briefs allow those not party to a case, but with a strong interest in it, to add expert analysis to the argument.) One notable case was in Chino Valley’s Unified School District, where the California Attorney General won a preliminary injunction suspending the district’s newly instituted forced outing policy. Here, we led an amicus brief, joined by 22 other LGBTQ+ and educational rights partners, highlighting the harms LGBTQ+ students would experience if the court failed to halt the policy. Opponents vow to appeal this as far as the U.S. Supreme Court, and we’ll stay with the case as far as necessary.
**2023 HIGHLIGHTS NATIONWIDE**

**U.S.-Mexico Border**
Won historic settlement on behalf of nearly 5,000 children and parents forcibly separated by Trump administration.

**Blocked enforcement of sweeping ban on gender-affirming health care for trans youth.**

**Won injunction removing ban on family-friendly drag performance.**

**Won court decision requiring abysmal Los Angeles jail conditions be corrected with proper mental health care and alternatives to incarceration.**

**Blocked unconstitutional law that sought to ban people from recording police at close distance.**

**Battled Gov. Greg Abbott’s Operation Lone Star, a grotesque and life-threatening distortion of immigration control.**
Helped ensure the Pretrial Fairness Act was upheld, making Illinois the first state to abolish cash bail.

Played major role in enshrining the right to abortion in the state constitution.

U.S. Supreme Court
- Defeated racial gerrymandering in Alabama, setting a precedent we’re using throughout the South.
- Helped strengthen voting rights: voters in line can be given food and water; birthdate not required on mail-in ballot envelopes; legislative maps discriminating against Black voters must be redrawn.
- Secured removal of all children — most of them Black boys — from nation’s largest adult maximum security prison.
- Blocked part of Stop W.O.K.E. Act, preserving discussions of race and gender in the classroom.

Visit aclu.org for more on work happening across the country.
Each year, hundreds of people volunteer their time with ACLU NorCal. Here we recognize some of the dedicated people who spent the most time with us in 2023.

CIVIL LIBERTIES INTAKE COUNSELORS
Angelica Aban
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Alejandra Cortez
Lynn Halcomb
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COOPERATING LAW FIRMS
We thank the following law firms that donated services in 2023. The ACLU community deeply appreciates your hard work and commitment.

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Sarah Valencia
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For a list of ACLU NorCal staff, including photos and biographies, please visit aclunc.org/about/staff.
Make a Gift Today

Thank you for all the ways you showed up for civil liberties over the past year. Whether you lobbied your legislator, joined an ACLU chapter, worked with us as a client or community partner, or gave financial resources, your contributions are valued and deeply appreciated. We look forward to our continued partnership in the year ahead.

You will find information on many ways to give now to ACLU NorCal, such as gifts of cash and by credit card, workplace giving, and gifts of stocks and securities, at aclunc.org/donate.

For information on ways to make a legacy gift to ACLU NorCal — such as through insurance and retirement accounts, gift annuities, charitable trusts, and estate plans — visit aclunc.org/donate/planned-giving.

For more information on these or other ways to support the ACLU, contact Director of Development Cori Stell at (415) 621-2493 or giving@aclunc.org.

About Sources of Income and How We Advance Work Here and Nationwide

The ACLU Foundation of Northern California (Foundation) and the ACLU of Northern California (Union) are separately incorporated nonprofit organizations operating in Northern California. The Foundation conducts litigation and public education programs in support of civil liberties. The Foundation is a 501(c)(3) organization, and contributions to it are tax deductible to the extent allowed by law. The Union conducts membership outreach and organizing, legislative advocacy, and lobbying. It is supported primarily by membership dues. It is a 501(c)(4) organization, which means that donations to it are not tax deductible.

The majority of funding for the Foundation and the Union comes from individuals like you. The organizations’ effectiveness and impact depend upon our full community of stakeholders, which includes those contributing financial resources: private donations, foundation grants, bequests, and membership dues from individuals and organizations that are dedicated to advancing civil liberties for all. Neither the Foundation nor Union accept government grants, though the Foundation may receive court-awarded attorneys’ fees from successful cases. The Foundation never charges clients for legal representation.

The ACLU is a federated organization, comprising both the National ACLU and affiliates in every state, Puerto Rico, and the District of Columbia. The National ACLU and ACLU NorCal share your generous donations made in our region. Recognizing differences in available local support, the ACLU makes additional investments in its affiliates around the country that otherwise would be unable to address the serious threats to civil liberties in their states. Due to the generous support of donors in Northern California, ACLU NorCal has allocated significant funds over the years to the National ACLU to make grants to other ACLU affiliates, most recently to protect voting rights in battleground states.
Note: For both the Foundation and the Union, the gap between Support & Revenue and Expenses was made up by transfers of funds from each organization’s reserves.

Source: The charts on this page are based on audited financial statements and underlying accounting data provided to the auditor, Leaf & Cole, LLP, for the fiscal year ending March 31, 2023. A complete copy of the Fiscal Year 2022–23 audited financial statements is available at aclunc.org/about/financial-info-reports or by writing: ACLU NorCal, 39 Drumm Street, San Francisco, CA 94111.