

## STORIES OF JUSTICE

### ANNUAL REVIEW 2015-2016

This was an incredible year full of victory and justice made possible by donors to the ACLU of Colorado. We are so grateful and hope you are as inspired by our community's shared commitment to protect everyone's civil liberties and civil rights as we are! As you read through these stories, it is so clear that we can't do this work alone. So thank you to ACLU donors for making all of this – and more – possible this year!



**The ACLU of Colorado's mission is to protect, defend, and extend the civil rights and civil liberties of all Coloradans through litigation, education, and advocacy.**

## DARSEAN KELLEY

Darsean was tased in the back by Aurora police just as he said, "I know my rights." He had done nothing wrong, but police charged him with disorderly conduct anyway. "The Aurora police violated my constitutional rights when they tased me and threw me in jail after speaking up for myself and asserting my rights. Since the night I was assaulted, I have become much more wary of police officers in general."

**"The Aurora police...tased me and threw me in jail after speaking up for myself..."**

New ACLU supporters, Lane Harlow and Will Paterson, are deeply committed to criminal justice reform and made an investment in ACLU's work to challenge the broken, two-tier justice system. Their support was instrumental in allowing staff attorney, Rebecca Wallace, to defend Darsean in court and get his unjust charges dropped. Darsean shared, "I am glad to have the ACLU provide me legal representation against this kind of police brutality."

*Supporters, Lane Harlow and Will Paterson  
Staff Attorney, Rebecca Wallace*



The ACLU of Colorado sued federal Immigration and Customs Enforcement (ICE) challenging a practice of withholding critical documents that immigration lawyers need to advocate for their clients. Legally, ICE can only deny a records request based on one or more of nine specific exemptions. In Jennifer Smith's case, ICE did not provide any legal justification for denying access to her client's

immigration file. "After facing insurmountable challenges presented by the U.S. government, we turned to the ACLU because we wanted experienced and passionate civil rights lawyers who care about immigration issues and Marta's right to access information about her own case. Without access to the government records, we cannot assess the best way to obtain legal status for Marta. For example, she was in immigra-

tion court proceedings held entirely in English (which isn't her first language) and she cannot relay details of the proceedings to us. I need access to her records to provide her with appropriate legal services. Currently, Marta's son has a green card, her family has legal status, but she is left in limbo without the possibility of even getting a work permit until this issue is resolved."

ACLU of Colorado Board member and donor, Loretta Martinez, is providing the kind of critical support we need to not only file suit for release of Marta's files (which we did in August of this year), but is supporting our Legal Director, Mark Silverstein's goal of ending ICE's illegal practice of denying records grounded on a justification that has no basis in law. \*We are not using Marta's last name to protect her privacy.



*Supporter, Loretta Martinez  
Legal Director, Mark Silverstein*

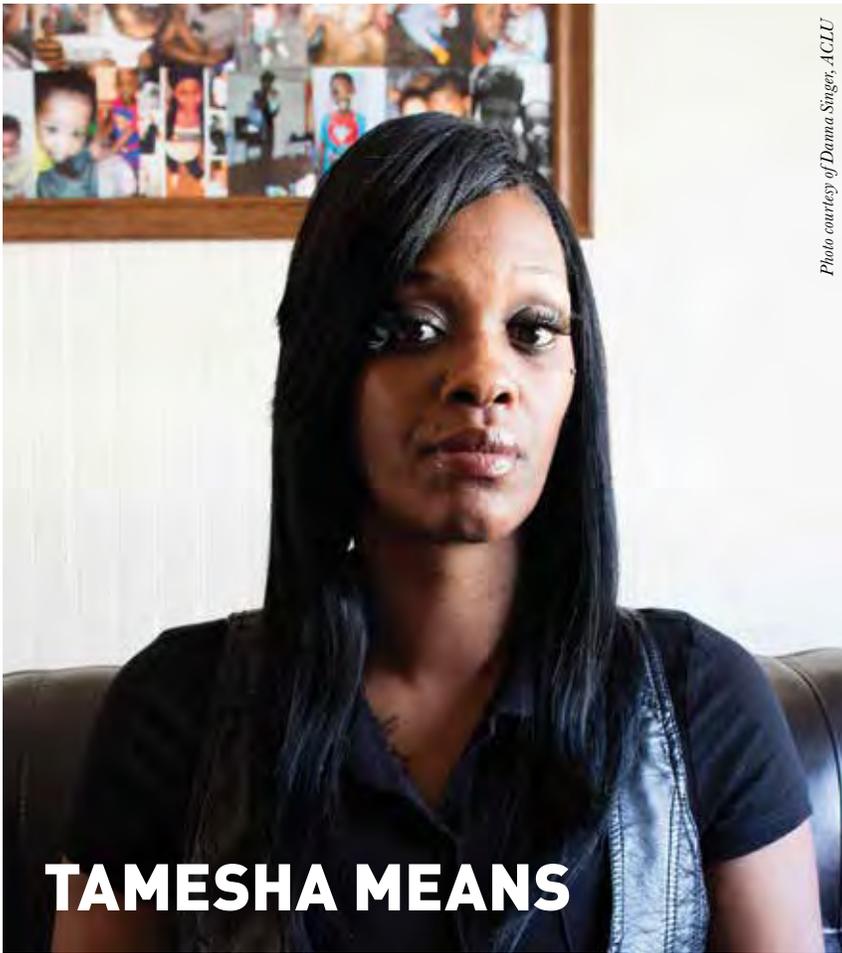


Photo courtesy of Daania Singer, ACLU

Tamesha was 18 weeks pregnant with her third child when her water broke. She rushed to the nearest hospital, operated by Catholic-run Mercy Health Partners in Muskegon, Michigan. Because she was only 18 weeks along, the pregnancy was not viable. Ending the pregnancy would have been the safest course of action, but the hospital's religious policies forbade it—so they gave Tamesha two Tylenol and sent her home without telling her that there was virtually no way she could give birth to a healthy baby. Unbelievably, despite complaining of bleeding, severe pain and showing signs of infection, Tamesha was turned away repeatedly, until eventually she went into labor during her final visit and the hospital finally provided her care. Tamesha's baby died within hours. Tamesha and many other women living in communities across the country and here in Colorado are being forced to accept substandard care at Catholic-run hospitals.

**“Ending the pregnancy would have been the safest course...the hospital’s religious policies forbade it.”**

Louise Pearson has been a steadfast partner of the ACLU in demanding that religion not be allowed to dictate women's healthcare, particularly when a woman's life or health is in jeopardy. Louise's generous support of our work nationally has allowed our staff attorney, Sara Neel, to help Colorado women suffering similar barriers to the full range of reproductive health care services that every woman should be given access to, no matter what hospital they live near.

Supporter, Louise Pearson  
Staff Attorney, Sara Neel



## SHAWN HARDMAN

Shawn was jailed for 90 days by the City of Colorado Springs because he couldn't afford to pay fines for panhandling, even though all he did was hold a sign, an action that is not only legal but also protected by the First Amendment. "I was trapped in a cell that it seemed like I could never get out of. I was told over and over that I either had to pay or go back to jail. I was homeless and jobless, so the cycle kept repeating."

Bob Connelly, former ACLU board member, made a multi-year pledge to increase our ability to challenge the criminalization of poverty through strategic litigation, policy reform, and public education. In fact, thanks to the investment made by Bob and other ACLU donors, we were able to hire Alejandra Garza, who has spearheaded our efforts to do advocacy, education, and mobilization campaigns all across the state. This Spring, we were able to secure a landmark \$100K settlement with Colorado Springs, compensation for Shawn and dozens of other poor and homeless individuals who were wrongly jailed.

Shawn reflected, "I am thankful for this settlement, because it will help me keep a roof over my head, something I have wanted for a long time. Even more, I am proud that the settlement will protect other people living on the streets in Colorado Springs from going through what I went through – being jailed just because I was poor."



Supporter, Bob Connelly  
Field Coordinator, Alejandra Garza

# FABIAN QUINTANA & ANTOINETTE SALAS



An ACLU investigation found that children like Fabian had been locked in solitary confinement for weeks at a time as punishment in Colorado youth facilities. Solitary confinement is inhumane and severely damaging, especially for children. Fabian's mom, Antoinette, reflects

**“With no voice to speak out, I knew I had to be his voice.”**

on how it has impacted her son, “Solitary made him hard. He actually really felt like he was nobody...He just wasn't Fabian anymore, he was empty. With no voice to speak out, I knew I had to be his voice. When a mother sees their child in such pain it bears a toll upon her heart.”

Tricia Nichols, long time donor to the ACLU of Colorado, has provided incredibly generous support and passionate partnership in ending solitary confinement. In fact, Tricia's support made it possible for Denise Maes, ACLU of Colorado's Public Policy Director,

to work with the legislature in 2016 to pass new bipartisan safeguards to protect children from solitary confinement in Colorado. Antoinette said, “When I told Fabian people were advocating for him, he was very excited, not only for himself but for so many other youth in the system.”

*Supporter, Tricia Nichols  
Public Policy Director, Denise Maes*



## YOU BROUGHT JUSTICE TO COMMUNITIES THROUGHOUT THE STATE OF COLORADO THIS YEAR...

**Frontier Airlines** forced pregnant pilots to take 8-10 weeks of unpaid leave and refused to make legally-required accommodations for pumping breast milk when they returned to work. We are representing four pilots in their fight for equality in a 95% male profession.

Adams State University agreed to lift a ban on **Danny Ledonne**, a former professor who publicly criticized the school's administration, from its campus and to pay \$100,000 to settle a lawsuit we filed that alleged the university violated Danny's free speech and due process rights.

**James Fisher** was cited for having an open container, his drivers' license was suspended and multiple warrants were issued for his arrest. Even though he paid double what he owed, he

still owed the court even more money. We are working to end debtors' prisons, to stop the criminalization of poverty, not only for James, but for thousands of Coloradans trapped in an unjust, two-tier justice system.

The Colorado State Supreme Court in April affirmed an appellate court ruling won by the ACLU of Colorado that **Masterpiece Cakeshop** violated Colorado's anti-discrimination law when it refused to sell Charlie Craig and Dave Mullins a cake for their wedding.

In a victory for separation of church and state, the ACLU of Colorado successfully won a ruling at the State Supreme Court striking down a **Douglas County school voucher program** that improperly diverted taxpayer money to private, religious schools.

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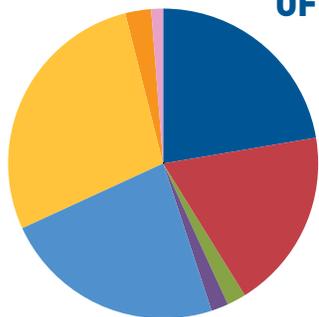
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APRIL 1, 2015-MARCH 31, 2016

## ACLU FOUNDATION OF COLORADO

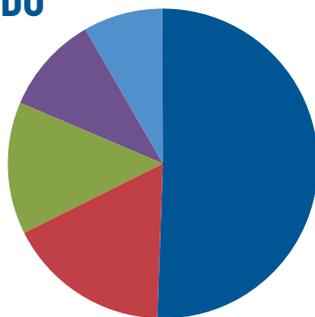


### Support and Revenue

- Contributions\*: \$563,557
- Donated Cooperating Attorney Services: \$479,450
- Events (Net of Costs): \$49,823
- In-Kind Contributions/Salaries: \$45,740
- Grants: \$590,596
- Court Awarded Fees: \$698,050
- Other Income: \$69,101
- Interest Income: \$33,875

**TOTAL:** \$2,530,192

\*National ACLU share of contributions: \$54,499

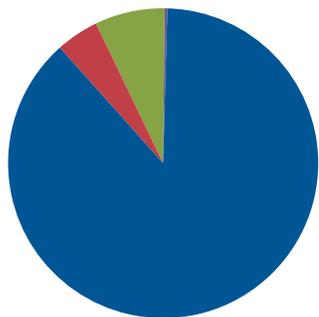


### Expenses

- Legal: \$1,134,826
- Outreach and Education: \$387,833
- Advocacy: \$308,564
- Fundraising: \$227,903
- Management and General: \$185,484

**TOTAL:** \$2,244,610

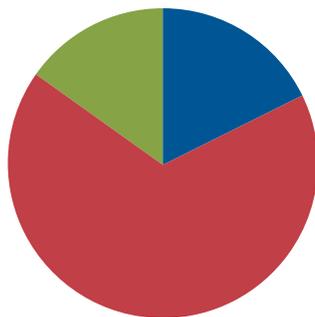
## ACLU OF COLORADO



### Support and Revenue

- Membership Dues: \$220,673
- Requests: \$9,218
- Grants: \$18,000
- Other and Interest Income: \$10

**TOTAL:** \$247,901



### Expenses

- Membership: \$41,247
- Lobbying: \$157,135
- Management and General: \$34,865

**TOTAL:** \$233,247

Source: Audited Financial Statements for the Year Ending March 31, 2016, by John Cutler & Associates. Complete copies available by writing ACLU of Colorado, 303 E. 17th Ave., Suite 350, Denver, CO 80203.

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Give online at [aclu-co.org/donate](http://aclu-co.org/donate).

Give a gift of appreciated stock.

Become a Guardian of Liberty and give a monthly gift.

Join the DeSilver Legacy Society by including the ACLU in your will or retirement plans or by setting up a Charitable Gift Annuity.

Make a gift in honor of someone with a Memorial or Tribute gift.

Have your employer match your gift through Workplace Giving.

Dec 6, 2016 is Colorado Gives Day. You can schedule a gift today at [coloradogives.org/aclu-co](http://coloradogives.org/aclu-co).