



ACLU

**AMERICAN CIVIL LIBERTIES UNION
of MASSACHUSETTS**



2014 ACTION REPORT AND 2015 ADVOCACY AGENDA

ACLU of Massachusetts client Clayton Gordon after being reunited with his family. Photo by Paul Shoul.

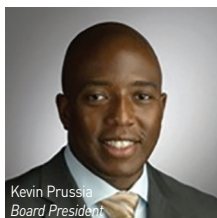
LETTER FROM THE EXECUTIVE DIRECTOR



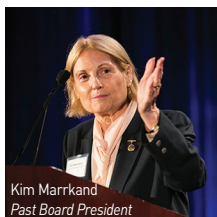
Fighting and Winning for Liberty and Justice, Advancing the Next Generation of Leaders

Increasingly the ACLU of Massachusetts is not just *fighting* for liberty and justice for all—we're increasingly *winning*.

We're doing this thanks to new generations of civil liberties leaders emerging throughout the organization, many of whom we feature in this Action Report. At the same time, we retain the experience of many veteran ACLU trailblazers who have long played leadership roles in the organization. Harnessing this intergenerational dynamic among our lay leaders, staff, cooperating attorneys, and volunteers is key to mobilizing energetic, wise, and effective advocacy, and helps reflect the diversity of our commonwealth and country.



The result is a stronger and more effective organization, as demonstrated in this Action Report. Through our Technology for Liberty and Justice for All initiative, the ACLU of Massachusetts is making an impact in each of our priority areas: privacy, racial justice, due process, rights of immigrants, voting rights, religious liberty, free speech, reproductive liberty, and equality. In 2014, we've won landmark victories for privacy rights and due process of immigrants. We're working on some of the toughest and most entrenched civil liberties problems of our time, including challenging racially biased policing. Nationally, the ACLU is at the forefront of efforts to bring full equality to LGBT people, and we're responding to a new wave of threats to women's rights, especially the right of every woman to make her own reproductive decisions without the interference of the state.



With our Centennial anniversary just around the corner in 2020, the ACLU not only remains true to core principles but also is investing in the next generation of ACLU leaders, who stand ready to keep the arc of history bending toward liberty and justice for all.



Carol Rose, Executive Director, ACLU of Massachusetts

PRIVACY & TECHNOLOGY



ACLU of Massachusetts Technology for Liberty project director Kade Crockford testifies for privacy legislation at a packed State House hearing, alongside state Sen. Robert Hedlund (R), lead sponsor of the Drone Privacy Act.

ACLU wins landmark privacy decision in Massachusetts Supreme Judicial Court

Our Technology for Liberty project won a landmark court ruling on privacy this year, when the Massachusetts Supreme Judicial Court held in *Commonwealth v. Augustine* that state and local police need a warrant before they track cell phones in Massachusetts. Significantly, the court held that police require a warrant even if they obtain cell phone location data from the cell phone service provider rather than from the cell phone user.

In the legislature, we advanced a robust privacy agenda, including warrant requirements for phone, internet, and location tracking. We are also calling on state lawmakers to regulate the use of drones and automatic license plate readers, and to end police surveillance of political activity.

Add your voice to this effort. Sign up for our action alerts at aclum.org/alerts.

WAR COMES HOME

The Excessive Militarization of American Policing

POLICE DE-MILITARIZATION

The national ACLU and ACLU of Massachusetts released reports in June on the increasing militarization of police—just weeks before the world saw evidence of such military equipment and tactics deployed in Ferguson, Missouri.

ACLU reveals dangerous national and state trend toward greater police use of military equipment and tactics

The ACLU has criticized the “wars” on drugs, terror, and dissent for their misguided approaches and their disproportionate targeting of the poor and people of color—and now, for fueling militarization of law enforcement.

In June, the national ACLU and ACLU of Massachusetts documented the increasing militarization of local police forces—just weeks before the world saw evidence of such military equipment and tactics deployed in Ferguson, Missouri. But it’s not just Missouri: Massachusetts police departments have received more than 1,000 military weapons—including fully automatic M-16 machine guns, semi-automatic M-14s, grenade launchers, and “peacekeeper armored vehicles”—through the military’s 1033 program, which gives used Department of Defense items to state and local law enforcement for free and without public oversight.

Learn more in our report *Our Homes Are Not Battlefields*, at aclum.org/swat



OPEN GOVERNMENT

Government agencies too often respond to ACLU public records requests by sending documents that are almost entirely redacted. ACLU attorneys like Jessie Rossman fight back against this kind of secrecy.

ACLU sues for public accountability over Massachusetts participation in federal investigations and SWAT teams

We shouldn't have to sue to know what government agencies do in our name, with our money—but when we have to, the ACLU will.

In April, we sued the FBI and U.S. Attorney Carmen Ortiz to learn about Massachusetts participation in secretive federal-state-local teams known as “Joint Terrorism Task Forces,” and these teams’ role in the death of Ibragim Todashev, an associate of Tamerlan Tsarnaev killed while being interrogated by a Boston FBI agent and two Massachusetts state police officers.

In June, we sued the North Eastern Massachusetts Law Enforcement Council—a group of 58 police and sheriff departments in Essex and Middlesex counties—to learn about its SWAT team and other law enforcement activities. Claiming it is a private, nonprofit organization, NEMLEC had refused to answer our public records request, even though it receives government grants and taxpayer dollars to carry out law enforcement operations using high-tech, military-style equipment.

Staff attorney Carl Williams speaks at a rally at BPD headquarters after the unrest in Ferguson.



RACIAL JUSTICE

ACLU urges reform to ensure fair and effective policing

The ACLU has long focused on protecting the rights of people of color, but this summer's events in Ferguson, Missouri, turned the nation's attention to the need for racial justice in the context of law enforcement.

In September, we issued a report detailing racial disparities in the Boston Police Department's encounters with civilians. The data shows that, even after controlling for crime, BPD officers targeted both communities of color and people of color at far greater rates than white communities or white people. We helped launch the Boston Coalition for Police Accountability and have called on the BPD to use body-worn cameras to record encounters with the community, to issue receipts to people when such encounters occur, and to release data on this problem regularly.

Read about more findings and our suggested reforms in our report *Black, Brown and Targeted*, at aclum.org/stopandfrisk



Jury awards \$15,000 to ACLU client in wrongful arrest suit against Worcester police officer

Wakeelah Cocroft (left) gathered with her husband and sister outside the federal court house in Worcester, just after a jury in March awarded her \$15,000 in a wrongful arrest suit against a Worcester police officer.

WOMEN'S RIGHTS



ACLU of Massachusetts legal fellow Miriam Mack addresses the crowd at the “Supreme Rally” on Boston City Hall Plaza just after the high court struck down the Massachusetts clinic buffer-zone law, upheld the right of employers to deny insurance coverage for reproductive health services. Photo by Marilyn Humphries.

ACLU fights for women’s rights and reproductive freedom

The ACLU has always stood for full equality for women, and for the right of every woman to make her own reproductive decisions without government interference. After the Supreme Court’s decisions against contraceptive coverage in the *Hobby Lobby* case, and in other cases against buffer zones around abortion clinics and the rights of home health workers (most of whom are women), we rallied with other organizations in solidarity. ACLU of Massachusetts legal fellow Miriam Mack addressed hundreds gathered at Boston City Hall, telling them, “We cannot be silent about our use of contraception, we cannot be silent about seeking abortions, and we shall not be silent about our right to participate equally in the labor market.”

In July, the ACLU and other civil rights groups sued on behalf of women civilly committed for addictions to drugs or alcohol to MCI-Framingham, arguing that their imprisonment is unconstitutional and unlawfully discriminates based on disability.



FREE SPEECH

In 2014, the ACLU of Massachusetts hired Vira Douangmany Cage (left) as our organizer in Springfield, shown here at a “Justice for Mike Brown” rally in August. Photo by Joe Oliverio.

ACLU asks Supreme Court to overturn Worcester anti-panhandling laws

The ACLU has always defended free speech, and today, we’re relying on a Supreme Court ruling that invalidated Massachusetts buffer zones around reproductive health clinics.

Arguing that this ruling protects speech for everyone, rich or poor, the ACLU of Massachusetts filed a petition in October asking the Supreme Court to block Worcester ordinances against panhandling. We argue that, since the Supreme Court struck down buffer zones around abortion clinics, it should not uphold hundreds of buffer zones targeting poor people who are exercising free speech rights near restaurants, bus stops, and other locations.

We are asking the Court to rule that poor people have the same speech protections as anti-choice activists, and to protect the right to ask for money as robustly as it has protected the right of corporations to spend it.



VOTING RIGHTS

Governor Deval Patrick signed ACLU-backed voting rights reforms in 2014, and ACLU legislative counsel Gavi Wolfe (right) and allies attended the ceremony. Photo by Eric Haynes.



Governor Patrick signs ACLU-backed election reforms

It's not every day that you read about an expansion of voting rights in the United States. Lately, we've witnessed what seems like an endless wave of attacks on the freedom to vote, from the Supreme Court's major blow to the federal Voting Rights Act to the calculated political strategy of enacting voter ID requirements to deter eligible voters.

Massachusetts bucked this trend in June, when Governor Patrick signed into law a set of important measures that the ACLU fought for, including early voting, online voter registration, pre-registration for 16-year-olds, and post-election audits to make sure every vote is properly counted. Collectively, these reforms represent a major step in the right direction for the freedom to vote, and they make a fitting legislative upgrade for the commonwealth that calls itself the birthplace of American democracy.



IMMIGRANTS' RIGHTS

Legal fellow Adriana Lafaille with client Clayton Gordon after the ACLU won his release from immigration detention.

ACLU wins release of dozens of improperly detained immigrants, and the right to bond hearings for hundreds more

In a ruling that could enable more than 100 Massachusetts detainees a year to argue for their freedom, a federal appeals court in October rejected the U.S. government's practice of preventing certain noncitizens from requesting release on bond during immigration proceedings against them. Many of these immigrants are longtime lawful permanent residents put back into detention by immigration authorities on the basis of old criminal convictions. The decision is part of an ACLU class action lawsuit filed in 2013, and at least 30 people have already been released from custody as a result of this case.

ACLU staff counsel and community advocate Laura Rótolo (right) watches as Somerville Mayor Joseph Curtatone announces an executive order limiting local police cooperation with Immigration and Customs Enforcement (ICE). Photo by Gabe Camacho.



ACLU OF MASSACHUSETTS ADVOCACY AGENDA

TECHNOLOGY FOR LIBERTY

DEMOCRACY AGENDA To foster a free and open society by protecting freedom of speech and the press, and to ensure government transparency and accountability.

- Open Government
- Free Speech

LIBERTY AGENDA To protect individual privacy rights and ensure that all people are free to determine the course of their lives based on who they are and what they believe, free from discrimination and unreasonable government constraint.

- Privacy & Technology
- Police De-Militarization

JUSTICE FOR ALL

JUSTICE AGENDA To reduce dramatically the number of people swept up in the criminal justice system, to address ongoing racism in our criminal justice system, and to defend due process rights for everyone.

- Racial Justice
- Immigrants' Rights
- Sensible Drug Policy

EQUALITY AGENDA To ensure equal rights and equal access to opportunity and democracy for all people, focusing on securing the rights of traditionally targeted and underserved people and communities.

- Voting Rights
- Women's Rights
- Equal Rights for All



Learn more about all our work as it develops.

Follow us on Facebook at aclum.org/facebook or Twitter @ACLU_Mass, and listen to weekly episodes of our Civil Liberties Minute™ podcast: aclum.org/podcast

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YOU ARE THE ACLU!

The ACLU depends on the support of almost 20,000 people in Massachusetts and over 500,000 across the nation who believe deeply in our core principles of liberty, justice, equality, and democracy.



Together, you and the ACLU work to create a free and just society, in which the concept of “liberty and justice for all” is made real—one challenge at a time. This report highlights some of our work in the past year, and some of our priorities for the coming year. All of this work—indeed, everything the ACLU does—is made possible by your support.



Support the ACLU: aclum.org/give

Thank you for being a champion of liberty and justice for all!

For more information about the ACLU’s work in Massachusetts, visit our home page at aclum.org. For more information about ACLU of Massachusetts supporters and finances, visit aclum.org/2014.