



ACLU-OR Strategic Plan 2010-2014 Approved January 22, 2011

Mission

The ACLU of Oregon is a nonpartisan organization dedicated to the preservation and enhancement of civil liberties and civil rights. We believe that the freedoms of press, speech, assembly, and religion, and the rights to due process, equal protection and privacy, are fundamental to a free people. We advance civil liberties and civil rights by activities that include litigation, education and lobbying. (September 1988)

Vision

Oregon is a place where we value and stand up for the basic rights of everyone. (2004)

The ACLU's role is to be a principled visionary – not just to respond to crisis but also to create openings for change, to imagine and build a future that is better than what came before.

Introduction

The ACLU of Oregon works to defend, preserve and advance civil liberties and civil rights in Oregon through our four program areas:

- *Litigation*, including direct representation, *amicus* briefs, pre-litigation advocacy, ballot title comments, pre/post-election challenges on ballot measures;
- *Legislation*, including lobbying local, state, federal elected and administrative entities, ballot measure campaigns, service on state and local work groups;
- *Communications and Public Education*, including website, newsletter, media, news releases, editorial boards, action alerts, creating and distributing brochures and backgrounders, speakers, community events, advertisements, investigations and subsequent reports; and
- *Field and Coalition Work (F&C)*, including creation of and participation in coalitions, local chapters and action networks, membership involvement, ballot measure campaigns, community events.

In all of our activities the ACLU of Oregon works to extend rights to those of our population that have traditionally been denied their rights, including, but not limited to, people of color; native Americans; women; lesbian, gay, bisexual and transgender individuals; students;

prisoners; and people with disabilities. The National ACLU accurately states that “If the rights of society's most vulnerable members are denied, everybody’s rights are imperiled.”

Our mission is broad, but our resources are limited. Throughout the planning process, we focused on identifying the most critical issues that could significantly advance civil liberties and civil rights in Oregon over the next few years. We face more issues than we have resources to effectively address. We also recognize that we have a foundation of activities and commitments that must be sustained, including reacting to ongoing threats to civil liberties and civil rights and working with partners throughout the state.

The Strategic Planning Process

We began the planning process by looking internally and externally at our resources, strengths and challenges. We gathered additional information through meetings, surveys and interviews with Affiliate and Chapter board members, donors, volunteers and staff members. This input coupled with earlier planning efforts and internal reports helped identify the core issues that our stakeholders believed critical to advancing our mission over the next two to five years. The issues most frequently identified were:

Church/State
Digital Privacy
Free Expression
Immigrant Rights
LGBT Rights

Police Practices
Prisoners’ Rights
Racial Justice
Reproductive Freedom

We examined these issues through a set of criteria developed by the Committee and vetted by the Board and staff (see Appendix I). Internal criteria examined governance, management and evaluation aspects while external criteria looked at our current and potential stakeholders, geographic diversity, external threats and vulnerable populations. This closer examination as well as Board discussion eventually divided the identified issues into three categories - long-standing, or “core,” issues, priority issues and issues of concern.

Core Issues

Church/State
Free Expression
LGBT Rights
Reproductive Freedom

Issues of Concern

Prisoners’ Rights
Racial Justice

Priority Issues for 2011-2014

Police Practices
Digital Privacy
Immigrant Rights

Our **core issues** are those that the ACLU of Oregon long has addressed through identified strategies that have advanced, defended and strengthened those civil liberties and civil rights in Oregon. The ACLU of Oregon will continue to defend and respond to these issues at both the local and state level. We will also continue to take actions to support National ACLU priorities as opportunities arise in Oregon.

The **issues of concern** resonated with stakeholders, yet our resources limit the organization's response to them. Board members recognized that there were Racial Justice aspects to both the Immigrant Rights and Police Practices issues as presented. When we did outreach to coalition partners in communities of color about ten years ago, both immigration and criminal justice issues were among the top three issues of concern. The third issue of concern was education. We will continue to follow-up on the recommendations of our 2010 report on the School to Prison Pipeline in Oregon. Other Racial Justice issues will be pursued as resources permit when opportunities arise.

Prisoners' Rights issues are currently being pursued in a more limited way, including: a) our response to litigation and other requests received from prison and jail inmates; b) possible litigation to challenge mail restrictions in Oregon jails; and c) our ongoing investigation of conditions in the Jackson County Jail. These efforts will continue.

For the three **priority issues**, the ACLU of Oregon will commit resources to address the outcomes and strategies described below.

Priority Issues

DIGITAL PRIVACY

Cutting-edge technology often intersects with civil liberties. The ACLU of Oregon actively promotes the responsible uses of technologies that enhance privacy and freedom, while opposing those that undermine our freedoms and move us closer to a surveillance society.

Advances in technology far outpace the law, nationally and locally, with respect to protecting privacy rights and ensuring that technology is not used in ways that chill our ability to access other rights. Because the U.S. Supreme Court's standard for privacy protection is based on "reasonable expectation", technologies and practices that diminish the public's privacy expectations result in fewer and fewer privacy rights under the Constitution. Nevertheless, the Oregon Supreme Court has defined the state constitution as protecting the "privacy to which we have a right." ACLU is **the** leading voice on these issues in Oregon and the time has come to develop a comprehensive strategy for advancing digital privacy rights in Oregon.

Digital Privacy Outcome: Over the next 2-5 years, the ACLU of Oregon will work to establish and maintain meaningful protections for digital privacy.

Objectives:

1. Document what is and is not protected by U.S. and Oregon law regarding digital privacy rights, as well as the implications of emerging technologies for digital privacy.
2. Develop agreed upon standards and criteria to protect digital privacy in the private and public sectors.
3. Monitor and lobby on relevant digital privacy issues before the Legislature and policy boards.
4. Identify litigation opportunities to strengthen digital privacy protections.
5. Engage and recruit the next generation to monitor, lobby and defend digital privacy.

IMMIGRANT RIGHTS

Introduction

The ACLU begins with the premise: No human being is illegal. The Constitution guarantees the fundamental rights and civil liberties of every *person* in this country. Upholding the rights of the politically disenfranchised is vital; when the government has the power to deny legal rights and due process to one group of people it puts all our rights in danger.

Everyone agrees that our nation has the authority to control its borders and to regulate immigration. But it is the ACLU's job to insist that our government exercises the power to exclude or deport immigrants in ways that are consistent with the U.S. Constitution, international treaties and human rights guarantees.

While immigration policy and law are created at the federal level, immigrants live in every state, in every community. For more than two decades Oregon law has reflected the notion that to have effective public safety in our communities, all residents must feel safe to contact local police when necessary. ORS 181.850 prevents state and local law enforcement agencies from targeting people based on their race or ethnic origin when those individuals are not suspected of any criminal activity.

Yet, Oregon is not isolated from the growing contentiousness regarding immigration. We see an increase in troubling practices that will further marginalize immigrants – those lawfully present in this country and those who are not – as well as people perceived as immigrants.

Immigrants' Rights Outcome: Over the next 2-5 years, the ACLU of Oregon will work to ensure that immigrants' human rights are protected by state and local governments.

Objectives:

1. Identify and prioritize for ACLU action the human rights and civil liberties challenges facing immigrants in Oregon.
2. Increase the racial/ethnic (cultural) competency of the ACLU of Oregon board and staff members.
3. Advocate for appropriate limits on government agents acting as, or in conjunction with, Immigration and Customs Enforcement (ICE).
4. Identify litigation opportunities to protect the human rights of immigrants' in Oregon.
5. Develop and implement a plan to increase public awareness of the human rights implications of immigration policies and practices.

POLICE PRACTICES

Introduction

Police officers have a unique role and position within our society. Law enforcement agencies are given extraordinary powers, yet police conduct continues to be a major concern, particularly in poor communities and communities of color throughout Oregon. Everyone needs and deserves effective and humane law enforcement in our communities and courtrooms, yet there is no leading voice in Oregon on this issue. The ACLU of Oregon can be that voice and take actions that will lead to improved policing techniques and enhanced protection of civil liberties and civil rights when police interact with the public.

The ACLU of Oregon has been an advocate of police policies and practices that respect constitutional values, prevent racial and ethnic profiling, limit the use of Tasers, and promote tactics and training designed to prevent the need for officers to use force – especially against vulnerable populations. Our goal is to consolidate our advocacy efforts into a comprehensive strategy to bring about positive changes in police practices in Oregon.

Police Practices Outcome: Over the next 2-5 years, the ACLU of Oregon will work to ensure the adoption of police policies and practices that value and protect the civil liberties and civil rights of all individuals.

Focus area: Reduce police use of force on vulnerable populations.

Objectives:

1. Lobby for Taser policies in Oregon consistent with ACLU of Oregon policy.
2. Develop a litigation strategy to challenge excessive force related to the use of Tasers on vulnerable populations.
3. Work with stakeholders to promote implementation of ACLU model policies, practices and training that will reduce the use of force and change law enforcement culture/mindset.
4. Educate vulnerable populations and others of their rights when contacted by law enforcement.

Focus Area: Reduce racial profiling by law enforcement in Oregon.

Objectives:

1. Lobby for changes to policies and practices that cause the disparate treatment of minorities by law enforcement, such as pretext stops and discretionary searches.
2. Develop litigation strategy to challenge policies and practices that result in racial profiling.
3. Work with stakeholders to promote implementation of ACLU model policies, practices and training and to change law enforcement culture/mindset.
4. Educate minority communities and others of their rights when contacted by law enforcement.

Appendix I



Strategic Planning Priority Setting Criteria

Introduction

Conceptually, applying criteria to sort among strategic alternatives seems like a logical, straight forward process. A number of complex numerical planning applications can provide cumulative, risk weighted factors to strategic alternatives designed to maximize predetermined values. More simply, taking a list of strategic criteria and using some method to assign relative weight to each seems precise and logical. However, a significant weakness of numerical approaches is the tendency to consider only what can be quantified and to consider the outcome as a single quantity, thereby losing the interplay among criteria.

A three step process helps to mitigate this weakness. First, each criterion is applied to the issue and its associated desired outcome or outcomes. Second, this analysis is evaluated as a whole, taking into consideration how the criteria interrelate for that specific issue. Finally the three to four leading priority issues are evaluated as a whole considering, for example, how together the desired outcomes would make a significant contribution to civil liberties in Oregon, including both liberty and equity issues.

Internal Criteria

Governance

- Consistent with the ACLU of Oregon mission
- Fits with National's priorities.
- Presents an opportunity to transform a key civil liberties issue.
- ACLU is the major or only voice on the issue.

Management

- Utilizes ACLU resources effectively.
- Presents opportunities for all programs (legal, legislative, education, and field) to collaborate to maximize the opportunity to achieve the strategic outcome.
- Builds coalitions and partnerships in ways that will increase our reach and effectiveness.

Evaluation

- Enables achievable, measurable and concrete results.

External Criteria (Expands and engages diverse audiences)

Current stakeholders

- Engages and mobilizes current ACLU members, donors and other supporters.

Geographic diversity

- Expands our impact and visibility – and engages potential supporters – in geographic parts of the state where we have traditionally had fewer members.

Young people

- Recruits and mobilizes the next generation of civil liberties activists.

External threat

- The issue is targeted by state or national anti-civil liberties political efforts.

Vulnerable populations

- Affects individuals who are unable to mobilize their own defense.

Affirmative Action Groups

- Engages diverse groups in the work of the ACLU-OR.