



**Americans United
for Separation of Church & State**

Annual Report 2019

AMERICANS UNITED: A NEW VISION

Under the leadership of AU President & CEO Rachel Laser, Americans United began a five-year roadmap that aims to ignite a national movement and elevate AU's profile as the premier organization ensuring the separation of religion and government and religious freedom. This new direction is mobilizing an even broader pool of supporters—including the next generation of leaders and an inclusive coalition of advocates—while maintaining AU's essential legal and policy expertise on church-state separation.

HIGHLIGHTS OF THE STRATEGIC ROADMAP



Position AU as the preeminent safeguard of the two religion clauses of the Constitution's First Amendment and help shape law to protect church-state separation.



Build a strong and effective network of influential voices across the country to enhance AU's advocacy work.



Expand and diversify AU's base of support.



Enhance AU's profile, brand, and visibility among policymakers, the media, and the public.



Ensure AU has the financial resources and organizational strength needed to thrive and be the influential leader in the fight for religious freedom.

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DEFENDING AGAINST RELIGIOUS DISCRIMINATION

FOSTER CARE

Americans United fought back against government authorization of faith-based foster care agencies turning away qualified parents who can't meet the child placement agency's religious test—an encouragement of religious discrimination with taxpayer dollars.

Maddonna vs. U.S. Dept. of Health and Human Services:

AU filed a lawsuit on behalf of Aimee Maddonna, a Catholic mother of three who was rejected by the largest taxpayer-funded foster care agency in South Carolina because she's the "wrong" religion for the evangelical Christian agency—despite being assessed a great fit to volunteer. As the chair of the Coalition Against Religious Discrimination (CARD), AU led coalition efforts to push back against the HHS waiver that uses the Religious Freedom Restoration Act (RFRA) to exempt taxpayer-funded foster care agencies in South Carolina from federal nondiscrimination protections. We also opposed the Trump Administration's proposal to strip the nondiscrimination rule entirely, which would allow this type of government-funded discrimination all across the country.

➤ **Discriminatory Legislation in Arkansas:**

AU fought back against a foster care bill in Arkansas that was ultimately defeated, submitting legislative testimony and coordinating a letter from over 35 local faith leaders and houses of worship opposed to the bill.

➤ **Every Child Deserves a Family Act:**

This bill would ensure that taxpayer-funded adoption, foster care, and child welfare agencies don't discriminate on the basis of sex, sexual orientation, gender identity, marital status, or religion—which AU helped ensure was included in the list of protections.

Do No Harm Act:

AU's Rachel Laser testified before Congress in favor of the Do No Harm Act, a bill introduced by U.S.

Reps. Joe Kennedy and Bobby Scott and Sen. Kamala Harris that would preserve RFRA's power to protect religious freedom while also clarifying that the Act may not be used as a sword to harm others. Thanks to AU's leadership in helping to craft and build support for this bill, it has 174 co-sponsors in the House and 28 co-sponsors in the Senate to date and more than 90 organizations—including faith-based, LGBTQ, reproductive justice, civil rights, labor, and healthcare groups—have endorsed the bill.



Rachel Laser testifies before Congress.

RELIGIOUS MINORITIES AND NONTHEISTS

Muslim Ban:

In addition to continuing to litigate four cases that challenge the Muslim Ban, AU voiced support for the No Ban Act that ensures that no one can ever again be banned from our country based on religion and puts in place vital protections against future discriminatory bans.

Williamson v. Brevard County, Fla.:

AU's successful litigation in this case, with the ACLU, ACLU of Florida, and the Freedom From Religion Foundation, was a victory for religious minorities and nontheists barred from offering invocations at county board meetings. The 11th U.S. Circuit Court of Appeals unanimously ruled that Brevard County, Fla., Commissioners' policy of using religious beliefs to determine who can offer invocations at public meetings is unconstitutional, discriminatory, and a violation of religious freedom.

ENSURING RELIGIOUS FREEDOM IS NOT MISUSED TO UNDERMINE REPRODUCTIVE RIGHTS AND LGBTQ EQUALITY

Religious freedom claims are being used to target LGBTQ people and dismantle hard-won victories for reproductive rights. Americans United fought vigorously against government funded discrimination that often impacts religious minorities and nonbelievers as well. Highlights of AU's work resonate across our issue areas, including foster care, workplace discrimination, healthcare, and government-funded services and programs.

REPRODUCTIVE RIGHTS

Irish 4 Reproductive Health v. U.S. Department of Health and Human Services:

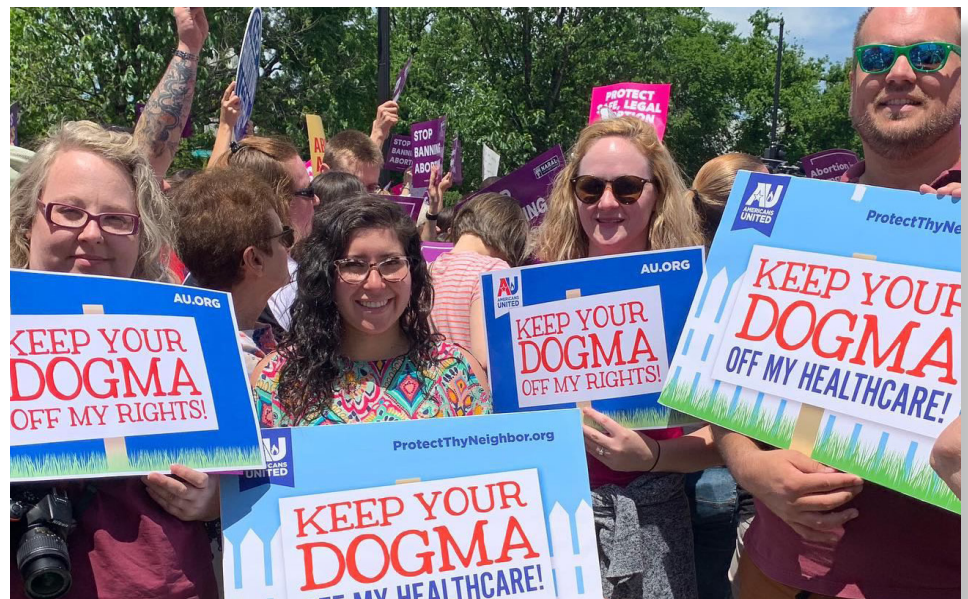
AU, joined by the Center for Reproductive Rights, National Women's Law Center, and the law firms Macey Swanson LLP and Fried Frank, represent a group of students at the University of Notre Dame who lost access to reproductive healthcare. The suit challenges the Trump Administration rules that would allow employers and universities to use religious beliefs to deny workers and students health insurance that includes birth control as guaranteed by the Affordable Care Act.

"Today's attacks on church-state separation are putting the lives and freedom of countless women at risk."

—Rachel Laser, Chicago Tribune op-ed, May 27, 2019

Building Support on the Ground and in Coalition:

AU networks in the states engage their communities on the church-state issues impacting them most. In the last year, local leaders hosted events on abortion-ban efforts and state legislative updates as well as reaching thousands of people through outreach tables at local events such as the Women's March, pride celebrations, and other festivals. The AU policy team also provides sound leadership alongside our allies on legislation and rulemaking involving religious freedom and reproductive rights.



AU Staff members attend the Stop Abortion Bans Supreme Court rally on May 21, 2019.

LGBTQ EQUALITY

County of Santa Clara v. U.S. Department of Health & Human Services:

Americans United helped block nationwide the Trump Administration's Denial of Care Rule that would have allowed healthcare workers to use their religious beliefs to refuse to treat patients, even in emergency situations—putting all our lives at risk. The rule was designed principally to allow healthcare workers to turn away members of the LGBTQ community and deny reproductive healthcare services. AU, along with our partners at the Center for Reproductive Rights, Lambda Legal, Mayer Brown LLP, and the County of Santa Clara, California, sued the Trump Administration—and won.



Employment Discrimination:

As the chair of the Coalition Against Religious Discrimination, AU led efforts to oppose a rule that would allow taxpayer-funded government contractors—who employ one-fifth of the workers in the country—to discriminate in employment on the basis of their religious teachings and tenets. This rule impacts not only LGBTQ people but also religious minorities and the nonreligious. We organized a coalition letter signed by 79 organizations and our coalition collectively produced more than 90,000 comments opposing the rule.

➤ **Title VII:**

AU also joined more than 50 civil rights organizations in a friend-of-the-court brief urging the Supreme Court to uphold Title VII protections against sex-based employment discrimination for LGBTQ people.

Equality Act:

AU supported this legislation, which would provide clear, consistent protections for LGBTQ people across all walks of life and ensure that religious freedom is not misused to create loopholes to undermine vital legal protections.

Marouf v. Azar:

AU joined Lambda Legal to represent a same-sex married couple in Texas who was denied the opportunity to foster refugee children because their marriage doesn't "mirror the Holy Family."



Rachel Laser leads a chant at the Title VII Supreme Court rally on October 8, 2019.

PROTECTING RELIGIOUS FREEDOM IN PUBLIC SCHOOLS

Does v. Bossier Parish School Board:

AU reached an historic settlement with the Bossier Parish School Board. Parents reported violations such as school-sponsored prayer at pep rallies, pastor-led team prayer, and Bible readings over school intercoms and loudspeakers. As a result of our lawsuit, the school district was required to stop these practices in order to protect religious freedom for all students regardless of their beliefs. Most notably, the settlement created an oversight committee, modeled on those used to monitor constitutional violations in the context of race discrimination in public schools, to address future violations.

Community Reports of Church-State Violations:

As part of AU's nonlitigation efforts, we investigated complaints from community members who've been subjected to or have witnessed potential church-state violations—623 reports from 47 states in 2019. We sent letters, provided resources, made phone calls, and used other methods of informal advocacy to protect the public from the improper intrusion of religion into government. The overwhelming majority of reports concern keeping religion and government separate in public schools.

Pikeville, Kentucky—AU sent a demand letter challenging a staff-sponsored prayer locker. Rather than voluntary, student-led religious activity, it reflected a school-sponsored form of religion in public schools not permitted under the Constitution. The locker was removed after AU's advocacy – a victory that later drew President Trump's attention at an Oval Office press event.

- **Moon Township, PA**—AU stopped a coach from praying with students at school activities.
- **Murfreesboro, TN**—A school replaced prayer with a moment of silence as a result of AU advocacy.



A Bossier Parish football coach joins students in prayer before a game.



PREVENTING GOVERNMENT FUNDING OF RELIGION

Since the country's founding, the First Amendment prohibits the government from using taxpayer funds for religious activities. Americans United is ensuring that government services, voucher programs, and other government-funded actions do not run afoul of religious freedom principles.

**PRIVATE SCHOOL
VOUCHERS =
TAXPAYER-
FUNDED
RELIGIOUS
EDUCATION**



Voucher Programs:

Taxpayer dollars should be used to strengthen our country's underfunded public school system, not diverted to pay for religious education that has free rein to discriminate against children and families for being LGBTQ, having a disability, or not following a school's religious tenets.

- As co-chairs of the National Coalition for Public Education (NCPE), AU continued to fight back against Education Secretary Betsy DeVos' proposal to create a private school voucher program that would funnel up to \$5 billion of taxpayer money away from public schools into private, mostly religious education.
- AU's analysis for Georgia legislators was critical in defeating a voucher bill on the Senate floor, and we shared guidance with the ACLU of West Virginia to help defeat a voucher bill there.

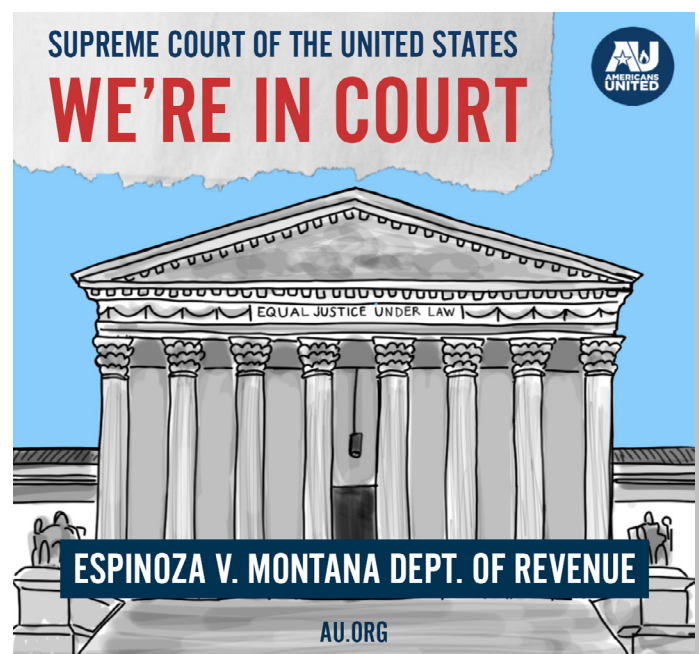
Espinoza v. Montana Department of Revenue:

This case involves the state's private school voucher program where the outcome could impact long-standing religious freedom protections in three-quarters of state constitutions. AU's leadership on this issue was vital for mobilizing a strong coalition to protect our public schools.

- AU's friend-of-the-court brief joined by 17 civil rights and religious freedom organizations, outlined why forcing taxpayers to fund religious education is a fundamental violation of religious freedom.
- AU led efforts to educate NCPE members on the legal issues at stake and recruited allies to submit friend-of-the-court briefs. We also organized a briefing on the Hill to advise congressional staff on key legal points in the case to strengthen their messaging.

ACLU of New Jersey v. Hendricks:

AU, along with the American Civil Liberties Union of New Jersey and the national ACLU, sued to prevent the state of New Jersey from awarding taxpayer-funded grants to an Orthodox Jewish yeshiva and a Presbyterian seminary. Both have withdrawn their applications for funding, a success in this litigation.



FIGHTING A RELIGIOUS EXTREMIST STATE LEGISLATIVE AGENDA

PROJECT BLITZ

Project Blitz is a coordinated movement by religious extremists to transform the U.S. into a Christian nation and pass model laws at the state level to incrementally redefine religious freedom and undermine the separation of religion and government. AU tracked as many as 75 Project Blitz bills at a time and engaged with state legislators and advocates on the ground to stop dozens of harmful bills in their tracks—only a few bills passed in 2019, including “In God We Trust” legislation in Alabama, Kentucky, and South Dakota and Bible course bills in Alabama, Arkansas, and Georgia.



MOBILIZATION IN THE STATES

AU’s oversight of state-level legislative activity helps us move quickly when troublesome laws emerge.

- In addition to Project Blitz’s In God We Trust and Bible course bills, we fought against a growing push in the states to pass Religious Viewpoint Antidiscrimination Act (RVAA) legislation. These bills, which often fail to include basic First Amendment safeguards, purport to protect public school students’ religious expression, but rather encourage students and teachers to pray and proselytize in public schools.
- AU is an active collaborator and leader working directly with advocates and legislators on the ground. We organize letters, prepare talking points, share resource materials, and stay connected via listservs including AU’s own Project Blitz listserv and networks. This allows us to coordinate with civil rights organizations, community groups, and faith and secular leaders to successfully block bad policies from becoming the law of the land.

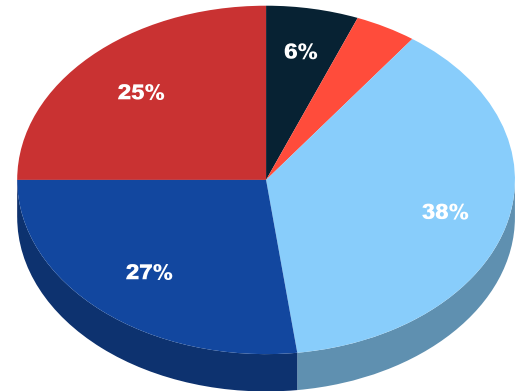
FY2019 FINANCIALS

Statement of Financial Position September 30, 2019:

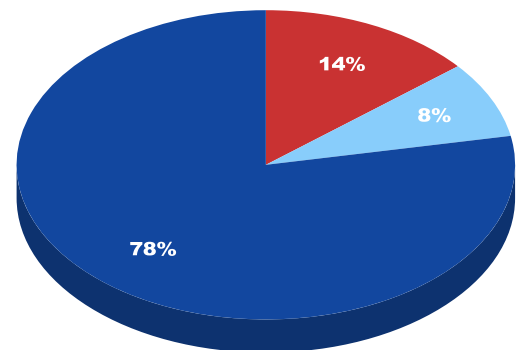
<u>Assets</u>	
Current Assets	\$12,454,159
Property and Equipment	781,245
Other Assets	4,539,608
Total Assets	<u>\$17,775,012</u>
<u>Liabilities and Net Assets</u>	
Current Liabilities	\$2,141,427
Long Term Liabilities	5,295,172
Total Liabilities	<u>\$7,436,599</u>
Net Assets	
Without Donor restrictions	\$2,290,668
Without Donor restrictions - Board designated	7,939,733
With Donor restrictions	108,012
Total Net Assets	<u>\$10,338,413</u>
Total Liabilities and Net Assets	<u>\$17,775,012</u>

Statement of Financial Activity September 30, 2019:

Revenues, Gains and Other Support	
Contributions	\$4,313,467
Bequests	3,143,772
Other Revenue, including Donated Services	2,853,648
Foundations	697,946
Investment Income, Net of Expenses	409,008
Total Revenues, Gains and Other Support	<u>\$11,417,841</u>
Expenses	
Program Services	\$8,014,879
Management and General	846,698
Fundraising	1,457,787
Total Expenses	<u>\$10,319,364</u>
Change in Net Assets before other items	1,098,477
Other Items	175,861
Change in Net Assets	<u>\$1,274,338</u>
Net Assets at Beginning of Year	9,064,075
Net Assets at End of Year	<u>\$10,338,413</u>



- Foundations
- Investment
- Contributions
- Bequests
- Other Revenue



- Fundraising
- Management/General
- Program Services

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Guardians of Freedom are generous donors who contributed \$1,000 or more during the 2019 fiscal year.

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\$1,000 to \$2,499

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 Carole & John Wooldrik
 G. W. & Mary Pamela Zerba
17 wish to remain anonymous.

Foundations, Funds & Trusts

The following foundations, funds, & trusts also provided Americans United with financial support during fiscal year 2019:
 Susan Flicop & Christopher Hill
 J. N. Johnson Trust Fund No. 2
 Emanuel & Judith Klein Family Foundation
 The Next Culture Initiative
 The Strausman Family Fund, Inc.

Madison Society

In fiscal year 2019, 1,862 households supported AU through the Madison Society, our monthly

giving program. We thank them for their generous ongoing support.

In Memory

We honor the following dedicated members who remembered AU in their estate plans during fiscal year 2019. We extend our condolences to the families & loved ones they have left behind:

Bettie C. Hannan
 Joel Berson
 Robert R. Biemer
 Philip & Sylvia Borkat
 Furman Brigman
 Sidney Allen Ellis
 Ray E. Giebel
 Ruth I. Gordon
 Allen Greenstein
 Bettie C. Hannan
 Bernice & Wendell Jeffrey
 Martin Karan
 John & Wanda Kremer Gregory
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 Terry Wayne Noe
 Beverly Rosenfeld
 James Smith Rudolph
 Louise R. Sanders
 Lila Sedlar

Richard Wade Sheasley
 Dr. Allen J. Simonson
 Maurice R. Sternberg
 Stephen Fields Wallace
2 wish to remain anonymous.

Jefferson Circle

The following dedicated members have joined AU's planned giving program by setting up charitable gift annuities, creating bequests, or by making other planned gifts during fiscal year 2019:
 David Beck & Debra Robins
 Esther D. Curtwright
 Mona Field
 David L. McKay
 Sallie Ann Satagaj & Walter Reinhard
 Charles R. Webster
1 wishes to remain anonymous.



Rachel Laser speaks at the #Honor Them All Supreme Court rally on February 27, 2019.



AU client Aimee Maddonna and her children.



Rachel Laser on NPR's Houston Matters in June 2019.



AU staff Allison Kimble and Maggie Garrett at Pride DC.



AU staff Mandy Caceres and Elise Aguilar at the Title VII SCOTUS Rally.



Artist Rachel Beck and Rachel Laser.

BY THE NUMBERS:

12
LAWSUITS



72
PRE-LITIGATION
DEMAND LETTERS



623
CHURCH-STATE
VIOLATIONS
INVESTIGATED



47
STATES REPORTING
VIOLATIONS TO AU


ADVOCACY
ACTIONS TAKEN:
17,913
MESSAGES
SENT



11
COALITION
LETTERS LED



60%
INCREASE IN
INSTAGRAM
FOLLOWERS



230
BLOG
POSTS

COMMENTS
ON FEDERAL
REGULATIONS

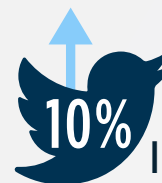
2,597



2,597
NUMBER OF PEOPLE
WHO TOOK ACTION



10%
INCREASE
IN TWITTER
FOLLOWING



603
BILLS
TRACKED

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