Annual Report
2022
Americans United celebrated its 75th anniversary in 2022. It was a bittersweet time. While we were proud to mark three-quarters of a century of work defending the separation of church and state, we faced escalating challenges to that principle - in large part thanks to the U.S. Supreme Court.

On June 24, the high court overturned Roe v. Wade, the 1973 decision that protected the right to legal abortion. Blithely dismissing 49 years of precedent, the court majority declared that the matter would be left to the states - where many lawmakers immediately began imposing their personal religious views on everyone else by either banning abortion outright or enacting such onerous restrictions that the procedure is all but unobtainable.

A few days later, the far-right court majority ruled in favor of a high school football coach in Washington state who insisted he had a right to pray with students after games at the 50-yard-line. Disregarding what a lower federal court called a “deceitful narrative” in the case, the court insisted that the coach’s prayers were private - even though students said they felt pressured to join the prayers, which occurred under blazing lights and cameras in front of thousands of people in the middle of a football field. Americans United, which defended the school district in the case in the face of an aggressive attack led by a Christian Nationalist legal group, called the ruling in Kennedy v. Bremerton School District “the greatest loss of religious freedom in our country in generations.”

As if that were not enough, the high court also ruled in a case from Maine that, under certain conditions, states may be required to extend taxpayer funding to private religious schools.

Aside from these appalling rulings, we saw a host of other attacks on church-state separation nationwide from an emboldened Christian Nationalist movement, including religiously inspired book bans in public schools and an alarming escalation of assaults on the rights of LGBTQ+ people.

Yet Americans United also saw victories in 2022 and helped hundreds of Americans secure their religious freedom rights. During this 75th anniversary year, Americans United rededicated itself to shoring up and protecting church-state separation, as we are convinced that without this foundational principle, America’s democracy cannot survive.

We thank all our members, supporters, donors, activists, volunteers, and others - Americans from all walks of life - who labor with us to ensure that we all have the right to worship, or not, as dictated by individual conscience and not from government pressure.

# Financials

## Statement of Financial Position

September 30, 2022

### Assets

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<td><strong>Total Liabilities and Net</strong></td>
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Americans United is defending separation of church and state in the courts

The legal landscape is challenging, but in 2022, AU waged a wide variety of court battles to protect church-state separation and defend religious minorities, LGBTQ+ people, women, and other vulnerable groups against religion-based discrimination and deprivation.

Fighting discrimination in foster care

AU obtained a victory on behalf of Kelly Easter, who was initially barred by a religiously affiliated agency from serving as a foster parent for refugee children under a federal program because she is a lesbian. After we filed suit, the agency reversed course and allowed Kelly to take part in the program.

AU also filed a lawsuit on behalf of Elizabeth and Gabriel Rutan-Ram, who were denied an opportunity to adopt a child by a state-funded, religiously affiliated agency because they are Jewish.

Preserving civil rights and equality for all

AU fought to preserve the religious freedom of religious minorities, LBGTQ+ people, and other marginalized groups in a wide variety of other contexts:

★ After we convinced a federal court to block a Trump Administration regulation that would have given health care providers and employees broad privileges to refuse to provide health-care services on religious grounds, the Biden Administration proposed new regulations that would substantially improve protections for patients against religiously motivated denials of health care.

★ AU continued to defend the San Jose Unified School District against a lawsuit by a religious student club that seeks to discriminate against LGBTQ+ students in violation of a school-district policy.

★ We opposed an appeal by a religious childcare agency that aims to scuttle a settlement with Kentucky that protects children in the state’s care from religious proselytization, religious coercion, and mistreatment based on their sexual orientation or gender identity.

★ AU proceeded with litigation on behalf of Mark Janny, an atheist parolee who was returned to jail for refusing to participate in worship and Bible study at a rescue mission.

★ Through a Freedom of Information Act lawsuit, Americans United obtained documents shedding more light on the Trump Administration’s anti-Muslim travel ban.

We continued in 2022 to litigate two similar cases: One is on behalf of Aimee Maddonna, who was prohibited from serving as a foster parent by a state-funded evangelical Protestant agency because she is Roman Catholic. The other is on behalf of Fatma Marouf and Bryn Esplin, whom a federally funded Catholic agency excluded from serving as foster parents for refugee children because, as a married same-sex couple, they did not “mirror the Holy Family.”
Battling a radical Supreme Court

The increasing radicalization of the U.S. Supreme Court presented serious challenges to Americans United in 2022. Decisions that undermined church-state separation included:

- In *Shurtleff v. Boston*, the court forced Boston to fly the Christian flag over city hall, the same flag insurrectionists carried when they stormed the U.S. Capitol on Jan. 6, 2021.

- In *Dobbs v. Jackson Women’s Health*, the court overturned *Roe v. Wade* and gave the green light to state legislators who began imposing their personal religious views on everyone by banning abortion in states around the country.

- In *Carson v. Makin*, the court forced Maine taxpayers to fund religious indoctrination at private religious schools.

- In *Kennedy v. Bremerton School District* - the case in which AU defended the school district and students’ religious freedom - the court adopted a “deceitful narrative” to hold that a public school football coach imposing prayer on other people’s children at the center of the field just after games was really offering a personal, private prayer.

In response to these radical decisions, AU began to prepare groundbreaking litigation in state courts to challenge abortion bans under church-state provisions of state constitutions. We filed briefs and sent letters explaining that core precedents protecting religious freedom and church-state separation remain standing after the *Kennedy* ruling. And we submitted filings explaining that the *Carson* decision does not apply outside the context of voucher-like programs.

In addition, in *303 Creative v. Elenis*, AU joined a friend-of-the-court brief in the Supreme Court opposing a lawsuit by a website designer that seeks a religious exemption from an anti-discrimination law so that it can refuse to provide services for weddings of same-sex couples.

Securing non-litigation solutions

Americans United’s Legal Department also wins cases outside of the courtroom. Here is just one example: In Arkansas, a public high school ended its practice of including prayers in its graduation ceremonies after we wrote to the school district to explain that the practice was unconstitutional. A complaint about the prayers was one of nearly 500 inquiries AU received in 2022 from members of the public reporting a First Amendment violation. Fortunately, we were able to resolve many of these violations without going to court.
Americans United advocates in Congress, state legislatures and local communities

Americans United works to educate legislators at all levels – including U.S. senators and House members, state lawmakers, and local elected officials – about the importance of church-state separation.

Mobilizing support for church-state separation in the states

AU tracked and analyzed more than 1,400 bills nationwide in the 2022 state legislative session, and we mobilized against a range of religious freedom threats, from private school vouchers to broad religious exemptions.

Here are just a few notable examples:

- **Oklahoma:** AU worked with in-state advocates to defeat a bill that would have created a new voucher program.

- **Nebraska:** AU helped stop a bill that would allow health care practitioners to use religion as an excuse to refuse to provide health care services, providing analysis and guidance for our in-state allies.

- **Louisiana:** AU worked with a coalition of national and in-state allies to secure a governor’s veto of a bill that would have exempted houses of worship from emergency orders.

- **West Virginia:** AU helped stop the legislature from enacting a Religious Freedom Restoration Act, which would have allowed people to use religion as a guise to discriminate against and harm others.

Working with the Biden Administration to advance and protect religious freedom

Shortly after President Joe Biden took office in January 2021, Americans United issued an “Agenda to Restore & Protect Religious Freedom” - a list of key steps we urged the new Administration to take to shore up religious freedom. In 2022, AU laid the groundwork for big changes that will rescind harmful Trump policies that foster discrimination and violate individual rights. AU staff members met with senior Biden Administration officials, led coalition efforts to advocate for new policies, and provided expert analysis to coalition partners and key Capitol Hill staff.

In addition:

- AU commented on proposed rules that addressed how to limit religious exemptions to laws barring discrimination in health care and education.

- We also looked ahead to 2023, when we anticipate the Biden Administration will propose new regulations to overturn Trump policies requiring public universities to allow religious student groups to discriminate; allowing health care providers to deny people health care services; and allowing employers and universities to deny people the Affordable Care Act’s birth control benefit.
Fighting taxpayer-funded discrimination

For more than two decades, Americans United has led the Coalition Against Religious Discrimination (CARD), a collection of more than 50 religious, civil rights, education, reproductive rights, labor, LGBTQ+, secular, and women’s organizations that advocate against government-funded religious discrimination.

For example, the House passed a bill to modernize a major social service program - the Community Services Block Grant (CSBG) - which had not been updated since 1998. AU worked with a range of allies in the CARD coalition to ensure that the modernized version of the bill dropped a harmful provision that allows taxpayer-funded employment discrimination and threatens the rights of beneficiaries who receive services under CSBG-funded programs, which had imperiled past attempts to update the program.

Public education and vouchers

Americans United is a leading voice for ensuring that public schools remain inclusive for all students as they have increasingly become targets of religious extremists. In the wake of the Supreme Court’s ruling in the Maine private school funding case, AU stepped up its work in opposition to private school vouchers. We explained that while the ruling was a disappointment, it did not require any states to establish a voucher plan.

States remain free to fund only public schools – and AU supports that position. To protect public school funding, AU serves as co-chair of the National Coalition for Public Education (NCPE), which mobilizes more than 50 member organizations to ensure public money goes only to public schools and not to private schools through voucher schemes.

One of NCPE’s top priorities is to eliminate the Washington, D.C., school voucher plan, the nation’s only federally funded voucher program, and until that time, ensure the vouchers do not fund discrimination. In 2022, for the first time, both the U.S. House of Representatives and Senate proposed to add civil rights protections for students who are in the D.C. voucher program.

AU is determined to ensure that no one faces discrimination in a taxpayer-funded program.

AU worked to raise awareness about the connection between right-wing attacks on public education and private-school vouchers at a hearing held by U.S. Rep. Jamie Raskin (D-MD). The hearing examined curriculum sabotage and classroom censorship, and we refuted the false claims that vouchers are a solution to these manufactured education controversies.

THE DO NO HARM ACT

The Do No Harm Act, which helps ensure that religion cannot be misused to discriminate or cause harm to people, was first introduced in Congress in 2015. Since then, Americans United has led efforts to pass this crucial legislation.

The House version of the bill, H.R. 1378, was introduced by U.S. Reps. Bobby Scott, Steve Cohen, Jamie Raskin, and Mary Gay Scanlon; in 2022, it had 206 co-sponsors.

The Senate version is S. 2752. It was introduced by U.S. Sen. Cory Booker and had 35 co-sponsors.

The Do No Harm Act has been endorsed by 100 leading civil rights, LGBTQ+, reproductive rights, health, labor, religious, and secular organizations.

AU President and CEO Rachel Laser speaks with Sen. Raphael Warnock’s staff about the importance of the Do No Harm Act.
Americans United is mobilizing activists across America

Through outreach and engagement, Americans United works to empower Americans nationwide – of all faiths and none – to support and defend separation of church and state.

Engaging faith communities

AU’s Faith Advisory Council (FAC) is composed of faith leaders who publicly champion church-state separation and work with AU to deepen our relationships within different religious and spiritual communities. In 2022, Americans United provided the FAC with in-depth updates on three key Supreme Court cases and their potential impact on our work: Carson v. Makin, Dobbs v. Jackson Women’s Health Organization, and the Kennedy case.

Members provided important feedback and ideas on how we could engage faith communities to respond to these and future cases being decided by an increasingly hostile court. We also took initial steps to brainstorm what a National Recommitment to Church-State Separation campaign could look like and specifically how faith communities could contribute and be activated.

The FAC in 2022 welcomed the Rev. Douglas Avilesbernal, executive minister of the Evergreen Association of American Baptist Churches in Washington state and one of the local faith leaders who was instrumental in our work on the Kennedy v. Bremerton School District case.

Raising up a new generation of leaders

Members of AU’s third cohort for the Youth Organizing Fellowship (YOF) continue to collaborate, publish, present, and organize to advance the church-state separation movement alongside the many other values it touches. Through this program, the fellows participate in workshops and activities about AU messaging, public speaking, advocacy, leadership, and goal setting. It was an important milestone for the program and for the fellows to build strong connections and work on plans to advocate for church-state separation in their communities. This flagship program joins our new Legal Academy launched in 2022 to help the next generation of civil rights and public-interest litigators create and defend a democracy that truly benefits and includes everyone.

FROM LEFT TO RIGHT: AU employees Kate Duis and Brian Silva, guest Michael Freeman, David Norr Youth Activist Award Winner Ramya Sinha, AU employees Alicia Johnson and David Morris

AU was proud to name Ramya Sinha, who stirred up some good trouble at her school, the recipient of our David Norr Youth Activist Award for 2022. The Youth Activist Award is named in honor of the late David Norr, who staunchly backed the principle of church-state separation and generously supported Americans United for more than 25 years.
Educating about the Supreme Court

Prior to the release of the *Kennedy v. Bremerton School District* ruling, AU’s Outreach and Engagement Department undertook a number of educational efforts to inform people about the case and its possible impact.

These included:

- Developed a Toolkit for Activists that provided an easy-to-reference guide about the case, how it affects everyday people, and frequently asked questions.

- Led a story collection call to action for students, parents, and educators about their experiences with religion in public schools.

- Mobilized the Faith Advisory Council to develop and deploy an online letter signed by over 100 faith leaders in support of AU’s view of the case.

- Wrote an open letter for community members to sign and show similar support.

On the road again

2022 saw the return of some in-person events, with Americans United staff members traveling around the country to speak on church-state issues. Of course, a number of events were still held virtually.

Here are some highlights:

- AU President and CEO Rachel Laser spoke to an undergraduate class in person at Georgetown University on “LGBTQ Rights & Religious Freedom.”

- She also spoke in Santa Fe, N.M., on the topic “Fighting to Save Our Democracy: Why Maintaining the Wall Between Religion and Government is an American Imperative.”

- Adrianne Spoto, an AU legal fellow, moderated the panel for Greater Houston’s annual meeting event titled “Church-State Separation Affects Everyone.”

- AU Legal Fellow Alex Bodaken spoke on “The Current Status of Church and State” virtually at an event at the Venice Unitarian Church in Florida.


- VP of Strategic Communications Andrew L. Seidel guest lectured at his alma mater Tulane University for a class on Christian Nationalism and gave several talks around the country on his new book, *American Crusade: How the Supreme Court is Weaponizing Religious Freedom*.

Community education efforts

In 2022, the AU Action Network, a program AU launched in 2021 to give our supporters concrete actions they can take to help further the cause of church-state separation, reached 874 subscribers. AU has 17 chapters in 13 states and one network group.

Space precludes listing all the events held by AU chapters in 2022. Here are some highlights:

- The South Jersey network group hosted a virtual meeting titled “Public Schools: Rise of Church/State Violations” featuring AU Staff Attorney Ian Smith.

- The Nashville AU Chapter and AU Youth Organizing Fellows PY Liu, Indu Kumar, and Nicole Li presented a program titled “Defending Religious Equality in Tennessee.”
The Orange County, Calif., chapter hosted several events throughout the year, including a screening of the film “Call Me Kuchu” about the struggles of the LGBTQ community in Uganda, and a speech by Evan Clark, executive director of Atheists United, speaking on “How Atheist Communities are Reframing Separation of Church and State.”

The Central Savannah River, Ga., & Houston chapters jointly hosted a virtual event titled “Should Religious Gatherings Be Exempt from Public Health Restrictions?”

The Delaware Valley Chapter in eastern Pennsylvania and New Jersey hosted an event that featured Katherine Stewart who spoke on “The Dangerous Rise of Religious Nationalism.”

The Atlantic Coast Chapter in Florida hosted a panel discussion on “LGBTQ+ Rights are a Church-State Issue.”

The Maryland chapter tabled at the Hagerstown Pride Festival.

The Saint Louis chapter had a booth at the annual Pridefest celebration in Tower Grove Park.

The Greater Naples Chapter in Florida distributed AU materials in the Collier County high schools for Religious Freedom Day. The chapter also hosted a luncheon event where it presented the Turner Civic Award to the Rev. Tony Fisher and the Unitarian Universalist Congregation of Greater Naples for their social justice programs.

Americans United is reaching the media and the public square

Spreading the message of church-state separation is crucial to Americans United’s work. AU ensured that the American people and members of the media were informed about church-state issues.

Challenging a ‘deceitful narrative’

A major challenge for AU in 2022 was messaging around the Kennedy v. Bremerton School District case. Americans United represented the public school district in this case and had to work to set the record straight about what really happened in Bremerton and the “deceitful narrative” promulgated by the Christian Nationalist legal group that brought the lawsuit.

We worked cross-organizationally to mobilize the critical voice of faith leaders to speak out against coercive forms of religion in public schools. Media interest in this case was high, and AU President and CEO Rachel Laser traveled to Bremerton to do interviews on-site at the high school. The result was dozens of stories about the case in media outlets large and small. This joined a successful multiplatform earned and social media strategy that yielded hundreds of hits to shape the public understanding of this case.

Growing AU’s visibility

Internal media

To mark the 75th anniversary of Americans United, AU executed an organizational rebrand, giving AU a new look and new opportunities. We also added the tagline “Freedom Without Favor, Equality Without Exception.”

★ AU’s new website features more visual content, easier search functions and a streamlined look to keep visitors engaged.

★ *Church & State*, AU’s monthly membership magazine, ran a special series of 75th-anniversary articles in 2022 highlighting people who have been important to the organization for over 75 years.

★ AU’s “Wall of Separation” blog informed readers about developments in church-state separation and promoted the work of Americans United. Posts are shared on social media platforms.

★ AU’s social media presence grew in 2022, as the organization boosted its presence on Facebook, Twitter, Instagram, and other platforms. AU greatly increased its visibility by joining TikTok; some of these short videos reached hundreds of thousands of people in 2022.
FY2022 Donors

We are pleased to recognize here our Guardians of Freedom. These are generous donors who contributed single gifts of $1,000 or more during the 2022 fiscal year, October 1, 2021 - September 30, 2022.

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Peter Armstrong
The Artist's Endowment of Coastal Community Foundation of SC
Patricia Smith

$2,500 to $4,999
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Robert A. Baker and Jacob I. Melamed
Allen J. Baum
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45 wish to remain anonymous.

Madison Society
In fiscal year 2022, 2,484 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 2022. We extend our condolences to the families and loved ones they have left behind:

Janet Burk
Laura H. Chapman
Naomi A. Cowen
David Egen
David Fuhrman
Roosevelt George
Barbara Gittings
Marjorie Holden, Ph.D.
Carole Karash
Daniel Lednicer
Robert Mondor
Lee Ormsbee
Constance J. Seward
Marilyn Shaver
Iris A. Steel
Lois M. Tandy
Jerald Stillwell Thompson
Earl Wunderli
Dr. Laurence R. Young
4 wish to remain anonymous.
Jefferson Circle

The following dedicated members have joined AU’s planned giving society by notifying AU during fiscal year 2022 of their planned gift intentions:

Dr. Will W. Adams, Jr
Lyric Y. Allen
Suzanne A. Ballard
Timothy M. Barnes
Deborah L. Beeksma
Benjamin H. Beierman
Raphael A. Bitton
Teresa R. Black
The Rev. Nancy E. Brink
Robert Brooke and Susan Ott
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Susanna C. Davis
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Chance Tyler Wimberley
Deborah L. Wise
Frank Wissler
Stephen and Lilian Wolfe
Nina Zasorin, MD
5 wish to remain anonymous.
Inspiring generosity: AU donor Barbara Meislin works to empower a new generation of church-state separation defenders

Known by many as the Purple Lady, Barbara Meislin is a force for light and a harbinger of hope. A proud octogenarian, she has learned to respond to the hardships of life with purpose and determination, seizing opportunities to explore language, art, music, community connections, and the healing of the world at every turn. One important way she does this is through her philanthropic work.

For the Purple Lady, philanthropy is a way to reach out to and empower others. She has long partnered with AU to do just that.

Currently, her fervent hope is to inspire others to support a new generation of energetic young leaders through the recently established Next Generation Fund.

As one of AU’s most consistent supporters, the Purple Lady has deep concerns about the ways in which growing currents of fear and violence threaten to turn back protections integral to our well-being. Even as she laments the challenges we face now - with growing religious and racial hatred and other forms of discrimination, dishonest and divisive political voices, global health issues, climate, and nuclear crises - she refuses to become discouraged or hopeless.

She chooses to act – not just on behalf of her own beliefs but on behalf of our children and grandchildren.

This is why in June 2022 the Purple Lady chose to honor AU’s 75th anniversary with a $250,000 matching gift to help kickstart a $750,000 campaign for our Next Generation Fund.

With every major gift, I have always asked myself “Will this donation make a real difference to the survival of our democracy?”

The answer to that question is a definite “yes” when it comes to AU. Without AU underscoring and protecting the core protections at the heart of our democracy, we would be in very dangerous territory.

My hope is with the younger generation. It’s through them that we will sustain and strengthen the experiment we call democracy.

Focused specifically on building a new generation of lawyers, advocates, and policymakers who will fight to advance and protect the separation of church and state, she believes the Next Generation Fund encourages and empowers a new generation of leaders to rise up and shine. She also hoped her gift would inspire other AU members to participate in the campaign.

We’re thrilled to report that it did. Within three months of launching the campaign, AU donors had donated over $250,000, unlocking her $250,000 matching gift. By December 2022, we had surpassed our goal of raising $750,000 to seed the Next Generation Fund.

Meeting this goal was simply the beginning, as we continue to raise money for our Next Generation Fund and equip the leaders who will drive AU and its work forward now and for at least the next 75 years.
Thank you to all our supporters.

Our work would not be possible without your generous investments. For more information, please visit our website at au.org.

Americans United for Separation of Church and State
1310 L Street NW, Suite 200 Washington, D.C. 20005