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## Statehouse Update - 1/14/2005

by Marty Ryan, Legislative Director

### Some Assembly Required?

The Iowa General Assembly is up and running. But it's still too early to predict what will or will not happen to civil liberties.

Historically, when so-called experts predict that the session will be a "do nothing session" (as this one has been labeled) it means that civil liberties will suffer. Legislators need to do something, and it doesn't take a lot of money to deny a defendant due process, deny a family some options in reproductive choices, or place the burden of funding the judicial system on the backs of those who can least afford it. The list goes on.

The ACLU-IA looks to its members to contact their senators and representatives this year more than ever. Lobbying at the Capitol becomes so much more effective when informed constituents communicate regularly with legislators who represent them. Any time you need information on an issue please do not hesitate to contact us. We will do our best to respond to you as quickly as possible.

{Batteries not included.}

Below are a few events with civil liberties-related topics. Enjoy!

### Mountain

DES MOINES - Frank Burnette proudly presents J.R. Walker in "**MOUNTAIN - The Journey of Justice Douglas**" at the Vaudeville Mews Jan 14 - 16 & 21 - 23.

**MOUNTAIN**, written by Douglas Scott, takes the audience on a dramatic journey through the very colorful life of William O. Douglas ( **J. R. Walker** ): as Justice on the U.S. Supreme Court where he was defender of civil liberties, personal privacy, and the

wilderness; as professor at Yale; his four marriages; his mountain climbing and globetrotting through such lands as Iran and the Himalayas; and his childhood in the Cascade Mountains of Washington State. It's real American history, told with salty humor, biting wit, and human relish by 'Mr. Douglas' himself. And the issues are as timely as today's headlines.

**MOUNTAIN** will be showing 7 pm January 14 - 16 & 21 - 23 at the Vaudeville Mews, 212 4th Street in Des Moines . Tickets may be purchased in advance for \$12 at [www.iowatix.com](http://www.iowatix.com) or at the door

for \$15. For more information head to the Vaudeville Mews web site at [www.vaudevillmews.com](http://www.vaudevillmews.com)

Contact: Frank Burnette  
(515) 243-3270  
[info@vaudevillmews.com](mailto:info@vaudevillmews.com)

## Liberty circle

“If an invading army were taking over, which five of these 10 freedoms would you keep - and which would you give up -- if you had to choose: speech, press, assembly, religion, the right to bear arms, the right to legal counsel, the right to jury trial, protection from self incrimination, protection from cruel and unusual punishment and protection from unreasonable searches and seizures?” Celebrating a sprit of '76 tradition – debate , Mzingo, Joe. The Miami Herald, Jul.5, 2003. Makes you think, doesn't it?

18 months ago 40 people in the Miami area divided into 5 groups and spent 15 minutes discussing this scenario. In the end, each group attempted to unanimously come to a conclusion. It was the beginning of “Liberty Circles” hosted by the League of Women Voters.

The League of Women Voters – Metro Des Moines and the LWV – Ames , along with the ACLU-IA, has teamed up to host a Liberty Circle in Ames on March 17 (St. Patrick's Day). The scenario chosen will involve Freedom of Speech; Freedom of Association; and Freedom from Unreasonable Searches. The Liberty Circle is free and open to the public. We encourage all central Iowa civil libertarians to attend. More detailed information, including possible car-pooling connections from Des Moines , will be provided in future *Updates* .

## 2005 Emma Goldman Clinic Choice Dinner - Next Saturday

Celebrate the landmark *Roe v. Wade* US Supreme Court decision making abortion legal in the United States with the Emma Goldman Clinic on Saturday, January 22, 2005 from 6-9pm in the second floor ballroom of the Iowa Memorial Union.

Keynote speaker is Rekha Basu, Des Moines Register columnist who will talk about the "power of the pen".

The Golden Speculum Award will be given to Dr. Jill Vibhakar who was a plaintiff and expert witness in the successful injunction against the abortion ban signed by President Bush.

A disco intervention will also be part of the festivities (come and dance with other members of the pro-choice community).

Tickets are \$40, \$25 for those living on limited incomes. Tickets are available at the Clinic, located at 227 N. Dubuque St. or through the web site, <http://www.emmagoldman.com>

### *The Exonerated*

#### **Reception, performance & guest speaker Penny Beerntsen**

**Wednesday, January 26, 2005**

**Reception: 5:30 p.m.**

**Performance: 7 p.m.**

The Des Moines Playhouse, 831 42nd Street

Cost: Block of six tickets (performance and reception) \$300

\$50 per person (performance and reception)

Performance only: \$25 per person; \$15 students

#### **Please RSVP by January 21**

Call Sara Bering, 515-271-1808 or 515-271-3851

[sara.bering@drake.edu](mailto:sara.bering@drake.edu)

The Exonerated is a critically acclaimed play that tells the stories of six innocent people who spent from 2 to 22 years on death row. Based on interviews, case files and the public record, the work has garnered a number of awards including an Outer Critics Circle Award and a 2003 Drama Desk Award. The Exonerated is produced by StageWest and the Des Moines Playhouse. Drake Law School is grateful for the support and collaboration from StageWest and the Des Moines Playhouse in designating the proceeds from this event to benefit the Drake Legal Clinic.

#### **Penny Beerntsen**

In 1985, sexual assault victim Penny Beerntsen misidentified Steven Avery as the man who assaulted and nearly killed her. As a result, Avery served 18 years in prison before being exonerated through DNA tests and the work of the Wisconsin Innocence Project. Beerntsen will discuss the ramifications of wrongful convictions and her advocacy for changing the way law enforcement officials show suspects to victims and witnesses.

## **"Issues of Eyewitness**

LEGAL PANEL TO PRECEDE THE PERFORMANCE.

## **"ISSUES OF EYEWITNESS IDENTIFICATION AND EXONERATION"**

Wednesday, January 26 from 1 to 4 pm .  
The Neal and Bea Smith Law Center  
Drake Legal Clinic  
2400 University Avenue

*Free and open to the public*

### Panelists include:

Gary Wells, ISU professor and internationally recognized expert on eyewitness testimony.

Keith Findley, co-director of the Wisconsin Innocence Project at the University of Wisconsin Law School.

Christopher Ochoa, convicted of rape and murder and later exonerated through DNA. He is currently a law student at the University of Wisconsin .

Don C. Nickerson, Drake Law class of 1977, a district court judge who has served as United States Attorney in the Southern District of Iowa and associate general legal counsel for Wellmark Blue Cross and Blue Shield.

For more information visit <http://www.law.drake.edu>