



## **IOWA NOW STANDS ALONE.**

As of December 12, Iowa became the only state left in the union that permanently, for life, strips anyone with a felony conviction of their right to vote. An estimated 60,000 Iowans, or more, can't vote because of this law, and the number grows daily. It's a destructive, wrong-headed practice that goes against all modern thinking about rehabilitation and reintegration into society. How did Iowa end up here and how do we change this? **» SEE PAGE 6**

MARK STRINGER

# HERE WE GROW AGAIN



» From top right: We welcome **Damonte Stogner, Erica Barz, and Michael Hall** to the ACLU of Iowa to build our outreach and advocacy efforts.

**WHEN PRESIDENT TRUMP** promised he'd create jobs, he probably didn't expect that they'd be at the ACLU.

But since the 2016 election, the ACLU has been expanding like never before, and our Iowa affiliate is no exception. We've grown our office, increased the ways we inform and connect with our supporters, and, most importantly, added new staff positions to the team.

The biggest area of growth in Iowa has been in community engagement positions. Thanks to the investments of long-time donors and our newer contributors, we are better equipped than ever before to engage Iowans in protecting and advancing civil liberties.

In December, we brought on two new Community Engagement Associates. They will connect with our volunteers and

activists throughout the state, build our legislative Rapid Response Team, and offer Know Your Rights and other presentations.

**Damonte Stogner** most recently served with United Way of Central Iowa as a program manager, working with community groups and recently incarcerated people to build professional skills and find jobs.

**Erica Barz** comes from our valued partner organization, One Iowa, where she educated and mobilized volunteers to advance LGBTQ equality.

We're also welcoming national organizing specialist **Michael Hall**, who has joined our team to help end felony disenfranchisement. With political campaign experience from around the country, he'll collaborate with staff to encourage constituents to urge their state senators to pass Gov. Kim Reynolds' proposed constitutional

amendment to restore voting rights to those convicted of a felony. He'll also reach out to impacted Iowans, elevate their stories, and show this draconian law's devastating impact.

We are delighted to add all three to our team. If you'd like to be a part of their efforts, email them at [outreach@aclu-ia.org](mailto:outreach@aclu-ia.org).



THE DEFENDER IS THE NEWSLETTER OF THE ACLU OF IOWA AND THE ACLU OF IOWA FOUNDATION

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*Mark*  
**MARK STRINGER**  
ACLU of Iowa  
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# 1st amendment

## DEFENDING FREE SPEECH AND OPEN GOVERNMENT

The ACLU continues to be a leading advocate for the First Amendment in Iowa.

In October, we filed an amicus brief in federal court, defending the right of Des Moines man Daniel Robbins to videotape police in public. Police wrongly detained him and seized his phone and camera.

We've also taken legal action to appeal an Iowa Public Information Board decision regarding the Autumn Steele case in Burlington. That decision improperly indicated to law enforcement that it is okay to keep body camera footage (and other records) secret regardless of circumstances. We argued the case in December.

# vote for the 2020 Board of Directors

In March, cast your ballot online for statewide board members.

There are several openings for the 22-member statewide ACLU of Iowa Board of Directors. A slate of candidates will be made public in late February, and membership will then cast their votes March 8 through March 22.

### KEY INFORMATION

- Only ACLU of Iowa members may vote.
- You'll need your ACLU membership

number. It can be found with the mailing address of this newsletter, as well as on your ACLU membership card, if you have it.

■ During the voting period March 8-22, vote by going to [www.aclu-ia.org/boardelections](http://www.aclu-ia.org/boardelections).

■ If you have questions or prefer a paper ballot, email us at [info@aclu-ia.org](mailto:info@aclu-ia.org) or call 515-243-3988, ext. 112.



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 Because the ACLU works to support the rights of everyone, not just special groups or narrow populations.

**JOAN MANNHEIMER**  
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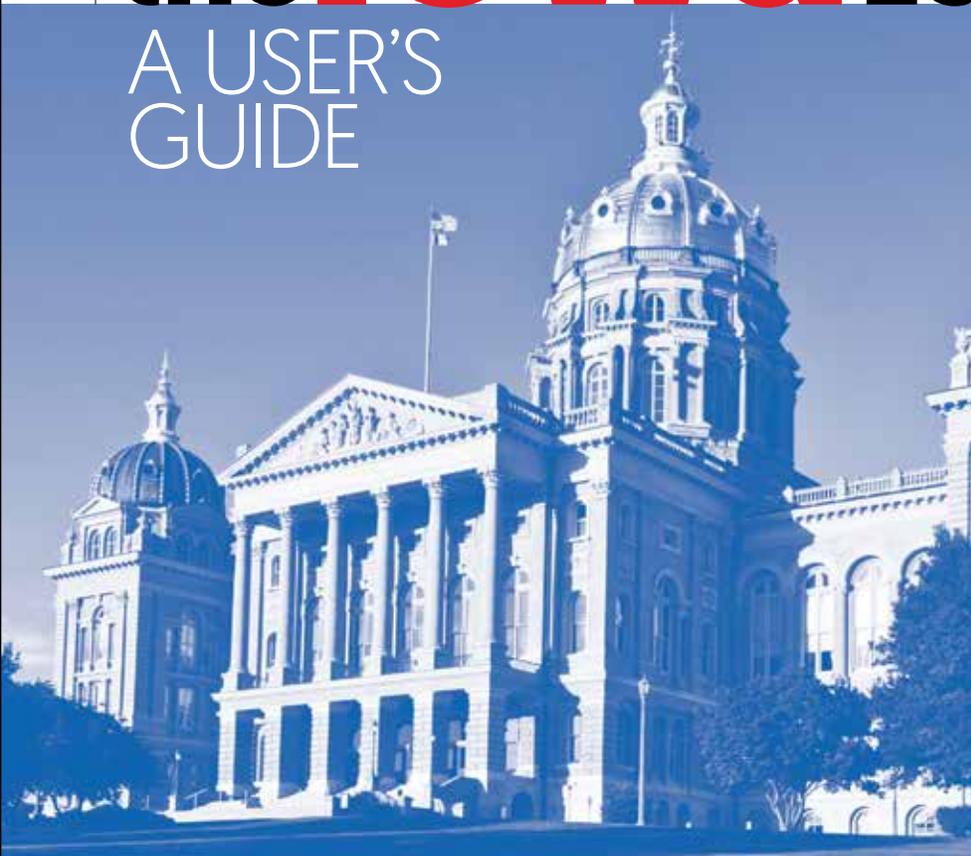
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**Make your gift online:** Visit [www.aclu-ia.org/donate](http://www.aclu-ia.org/donate)

Contributions to the ACLU Foundation of Iowa, a 501(c)(3) organization, are tax-deductible to the extent of the current tax code.

# the **Iowa** Legislature

A USER'S  
GUIDE



**THE IOWA LEGISLATURE RECONVENES JANUARY 13.  
IT'S ONLY AS RESPONSIVE AS WE, THE PEOPLE, MAKE IT.  
THIS YEAR, LET YOUR VIEWS BE KNOWN AND HAVE  
AN IMPACT ON OUR STATE'S MOST CRUCIAL ISSUES.**

Each year, legislators collectively introduce hundreds of bills into the Iowa Legislature. Here are some of the key issues we're facing in in the 2020 session.

### **RACIAL PROFILING**

Last year anti-racial profiling legislation went nowhere, but

we will continue to work—along with partner organizations such as the NAACP—to pass meaningful statewide legislation. We simply must stop Iowa law enforcement from targeting people of color.

Such legislation should explicitly ban racial profiling, including pretextual

stops. These are made on the pretense of one reason—like a driver going slightly over the speed limit—but are really made for a different reason, like an officer deciding merely that a driver's race, location, or car looks "suspicious."

Legislation to stop racial profiling also should require annual

data collection and analysis of traffic stops and arrests, create an advisory board, and require annual training for law enforcement on racial profiling and discriminatory policing.

### **REPRODUCTIVE FREEDOM & ABORTION**

The Iowa Senate last session passed SF 513, which would make it easier for people to get birth control

by allowing them to get up to a year's supply at an Iowa pharmacy. This bill is still alive for 2020.

This session we're also prepared for a potential constitutional amendment that would take away Iowans' fundamental right to an abortion

**169**  
THE NUMBER  
OF BILLS  
**PASSED IN 2019  
BY THE IOWA  
LEGISLATURE**

“You may never know what results come of your actions, but if you do nothing, there will be no results.”

MAHATMA GANDHI

## IOWA LEGISLATURE 101

The session meets from January through April or May.

There are 100 Iowa House of Representative districts, with each district containing about 30,000 people.

There are 50 Iowa Senate districts in Iowa, with each state senate district made up of two state house districts, or about 60,000 people.

That means each Iowan has two representatives in the Iowa Legislature: One in the Iowa House of Representatives and one in the Iowa Senate. Google them and find out more about them both!

work in this country. It would require *all* businesses in Iowa to use E-Verify to confirm employment eligibility.

But the E-Verify system has serious problems. It threatens privacy, opens the door to employer discrimination and abuse, and is riddled with errors that could delay qualified individuals' ability to work.

It also doesn't allow for adequate due process for companies or individuals to correct problems when a person is wrongly labeled as ineligible to work.

### REDUCED MARIJUANA PENALTIES

SF 378, which has bipartisan support, would reduce the penalty for first-time possession of 5 grams or less of marijuana from a serious misdemeanor to a simple misdemeanor. It's still alive for the 2020 session.

### BODY CAMERAS AND POLICE RECORDS

For all practical purposes, in Iowa, body camera footage remains entirely secret unless police want to disclose it. Iowa's Open Records law doesn't explicitly address the issue, so we'll continue to push for legislation that addresses the privacy, transparency, and accountability issues surrounding body cameras.

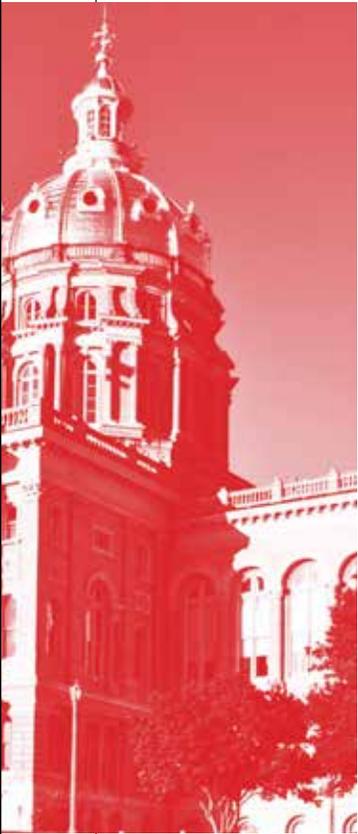
### FAIRNESS FOR PREGNANT WORKERS

Iowa needs a law with straightforward, predictable rules to ensure that pregnant workers receive reasonable accommodations from employers.

The Pregnant Workers Fairness Act would provide needed protections for pregnant and nursing workers.

150

APPROXIMATE NUMBER IN 2019 OF BILLS MONITORED BY THE ACLU OF IOWA



under the Iowa Constitution.

There will also likely be continued attacks on Planned Parenthood and its essential work providing basic health care for low-income Iowans, including mammograms, pap smears, and affordable birth control.

### E-VERIFY

SF 516 is a misdirected attempt to verify that potential employees are authorized to

## 6 Pro Tips

Your voice is more likely to be heard if you follow these tried and true tactics used by activists throughout the state:

### 1 EDUCATE YOURSELF

Being informed about issues is key. Do what you can to stay up on current events. Subscribe to a newspaper. Set up news alerts from a highly reliable news source. Create a Google alert with keywords of issues important to you.

### 2 EMAIL

Sign up for emails from your state senator and state representative. You can do so on their websites. Also sign up for ACLU of Iowa email updates and action alerts at [www.aclu-ia.org](http://www.aclu-ia.org).

### 3 CALL

In this era of electronic communications, phone calls get special attention. Simply pick up the phone and call your legislator. A staffer will take a message or you can leave a voice mail. State the issue and what you want them to do about it. State senators are at 515-281-3371. State representatives are at 515-281-3221. Or get specific contact information by going to [www.legis.iowa.gov/legislators/find](http://www.legis.iowa.gov/legislators/find).

### 4 MEET IN PERSON

Locally, keep an eye out for town hall meetings or voter and legislative forums. Come prepared with a question and be sure to introduce yourself afterwards. Out of session, when legislators have more time, set up a meeting in your area and bring like-minded friends.

### 5 VISIT THE IOWA CAPITOL IN SESSION

During session, visit your legislators at the Iowa Capitol. Contact them in advance to improve your chances of talking with them directly.

### 6 FOLLOW A BILL

Find a bill on a particular topic or track a bill's progress through the Legislature online: [www.legis.iowa.gov/legislation/billTracking](http://www.legis.iowa.gov/legislation/billTracking).

# CONT. restore the vote

[Continued from page 1]

For almost a decade, the ACLU of Iowa and other advocacy groups have been working to change Iowa's felony disenfranchisement law. Now, with Gov. Kim Reynolds making changing it a legislative priority, the issue is finally getting the bipartisan support it needs to move forward.

That's important in part because of racial disparities. Systemic racism in our criminal justice system, combined with this law, means that currently one in 10 adult Black Iowans can't vote.

It used to be that only Iowa, Florida, and Kentucky had such oppressive voting laws. Then last year Florida changed its law. And in December, Kentucky's governor restored voting rights for those with felonies in that state.

Gov. Reynolds could, like governors before her, sign an executive order to instantly restore voting rights. But then it would be subject to the whims of future governors. Instead, she has proposed the more lengthy but more permanent, systemic fix of a constitutional amendment, which the ACLU supports.

In the meantime, the Governor's Office has made the application process for individual voting rights restoration less difficult.

The clock is ticking on moving forward with a Constitutional amendment. To keep proposed legislation on track, the Legislature must pass it this session [see details on the facing page].

One concern is that legislators will try to make voting rights dependent on repaying all restitution, fees, or fines. But some Iowans are on payment plans for such fees that will take the rest of their lives to pay off. And basing voting rights on repayment would mean that people with money can vote, while people who don't have money can't vote.

That's no way to run a democracy.



**ERIC HARRIS**  
Working to rebuild a life in his community

Eric Harris of Iowa City did time because of a non-violent drug conviction. Now, the father of four is employed and just purchased his first house.

He wants to have a say in who is elected locally and nationally, impacting his and his children's lives for years to come. But he still can't vote.

Eric is concerned about making voting contingent on repaying all fees, because that means he wouldn't be able to vote for a long time

He is on a payment plan to slowly repay \$900, "and I can't see taking groceries out of my children's mouths in order to pay that off so that I can vote."



**DEANNA SEMPLE**  
No jail time served, but still stripped of her voting rights

Deanna Semple of Sioux City was convicted of marijuana charges. She was able to avoid prison time and serve in a work-release program instead.

She questions the reasoning behind taking away her vote.

"You've done your time. You've done all the things that you're required to do, but somehow that's not enough?" she asks. "There's all this talk about rehabilitation and reintegration, and moving forward and moving on, but those are just empty words if you don't also give people back the right to participate fully in society."



**ERIC VAN KERCKHOVE**  
An Iowa mayor was listed as unable to vote

Yet another problem with Iowa's felony disenfranchisement laws is that it's created an error-riddled bureaucracy.

Eric Van Kerckhove, mayor of Palo, was convicted of a felony for buying steroids and lying to the FBI. His right to vote was restored under the 2005 executive order [see below] but he was erroneously on the Iowa Secretary of State's list of people who may not vote because of a felony conviction.

Although he was able eventually to get his name removed, it highlights the system's ongoing problems.

## a timeline

For well over a decade, the ACLU has been fighting to restore voting rights for those with a criminal conviction.

**2005**

Gov. Tom Vilsack issues an executive order, restoring voting rights once people have completed their sentences. An estimated 115,000 Iowans now can vote.

**2011**

Gov. Terry Branstad rescinds Gov. Vilsack's order, making Iowa one of the few states left that permanently strips citizens of voting rights.

**2014**

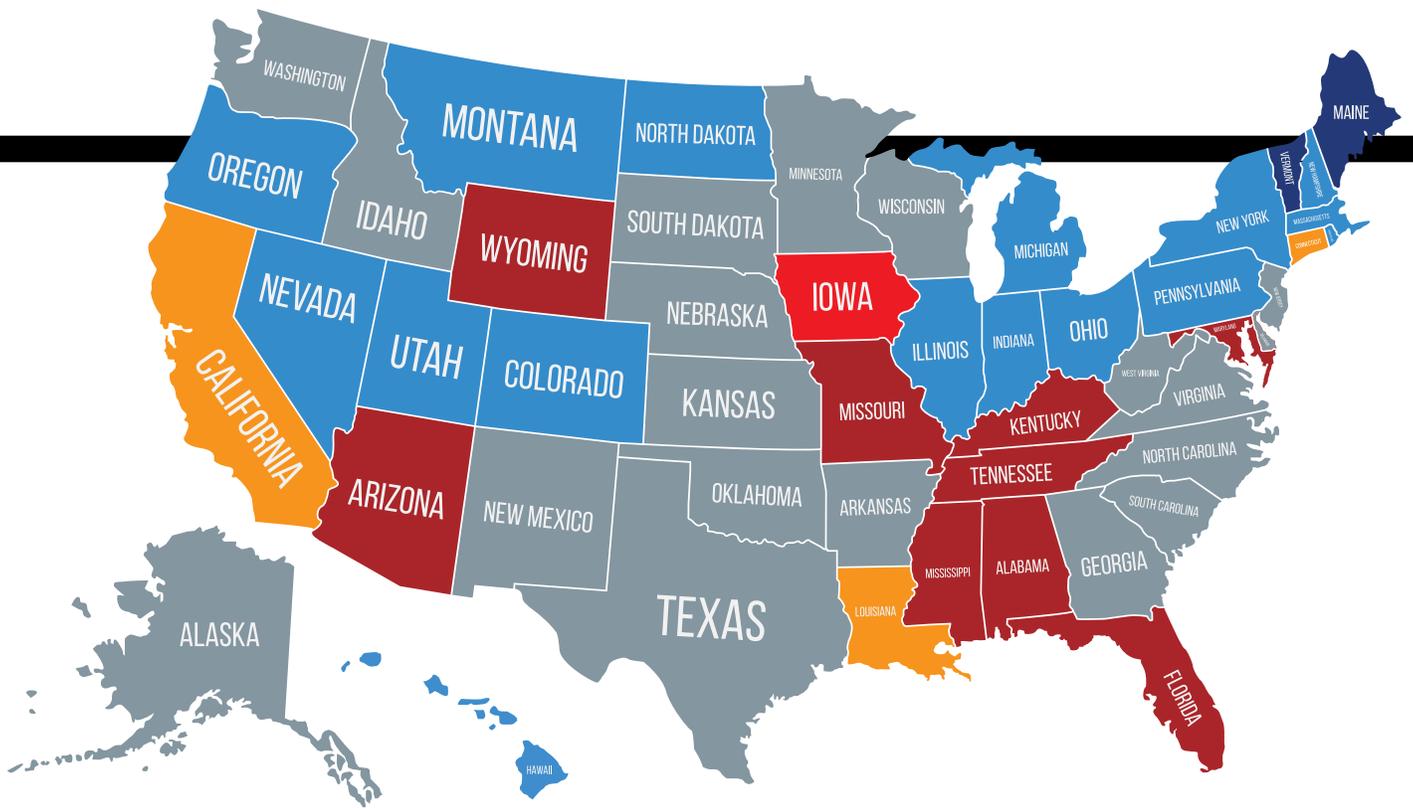
The ACLU of Iowa files an amicus brief in *Chido v. Section 42.24 Panel*. The Iowa Supreme Court then restores voting rights to those with aggravated misdemeanors.

**2016**

The ACLU of Iowa files a lawsuit on behalf of Kelli Jo Griffin, arguing that she should not lose her voting rights because of a non-violent drug felony conviction. The Iowa Supreme Court ultimately does not rule in her favor.

**2018**

In November, Florida votes to restore voting rights to approximately 1.5 million people with felony convictions. That makes Iowa and Kentucky the last states left to not do so.



## CRIMINAL DISENFRANCHISEMENT LAWS ACROSS THE UNITED STATES

- **Permanent disenfranchisement for all people with felony convictions**
- **Permanent disenfranchisement for at least some people with criminal convictions**
- **Voting rights restored upon completion of sentence, including prison, parole, and probation**
- **Voting rights restored after release from prison and discharge from parole (people on probation may vote)**
- **Voting rights restored after release from prison**
- **No disenfranchisement for people with a criminal conviction**

Source: The Brennan Center For Justice

### The Path to a Constitutional Amendment

The most permanent way to fix felony disenfranchisement is with an amendment to the Iowa Constitution. It's a long path, but it's an effort that finally has strong bipartisan support.

**STEP 1** Pass legislation by the end of one General Assembly—which is two legislative sessions, in this case 2019-2020.

**STEP 2** Pass the same legislation by the end of a second, consecutive General Assembly—the 2021 and 2022 sessions.

**STEP 3** Win the approval of a majority of voters in an election.

**1 in 10**  
**Black adult Iowans can't vote** because of a felony conviction in their background.

#### 2019

Gov. Reynolds publicly states support for a constitutional amendment to restore voting rights for Iowans with felony convictions. The Iowa House overwhelmingly passes HJR 14, 95-2.

#### 2020

HJR 14 must now pass the Iowa Senate. Then legislation must pass through the Iowa Legislature again in the next General Assembly. And then the matter goes to a public vote.

### do something about it

Unlike so many pieces of legislation, restoring voting rights to Iowans has broad bipartisan support. So your legislator hearing from you will have a big impact.

- **Call** your state senator by calling the Senate switchboard at 515-281-3371.
- **Or find** your state senator and their email at <https://www.legis.iowa.gov/legislators/find>
- **Urge** them to support HJR 14 to restore voting rights to Iowans with felony convictions.

# ACLU

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## Iowa

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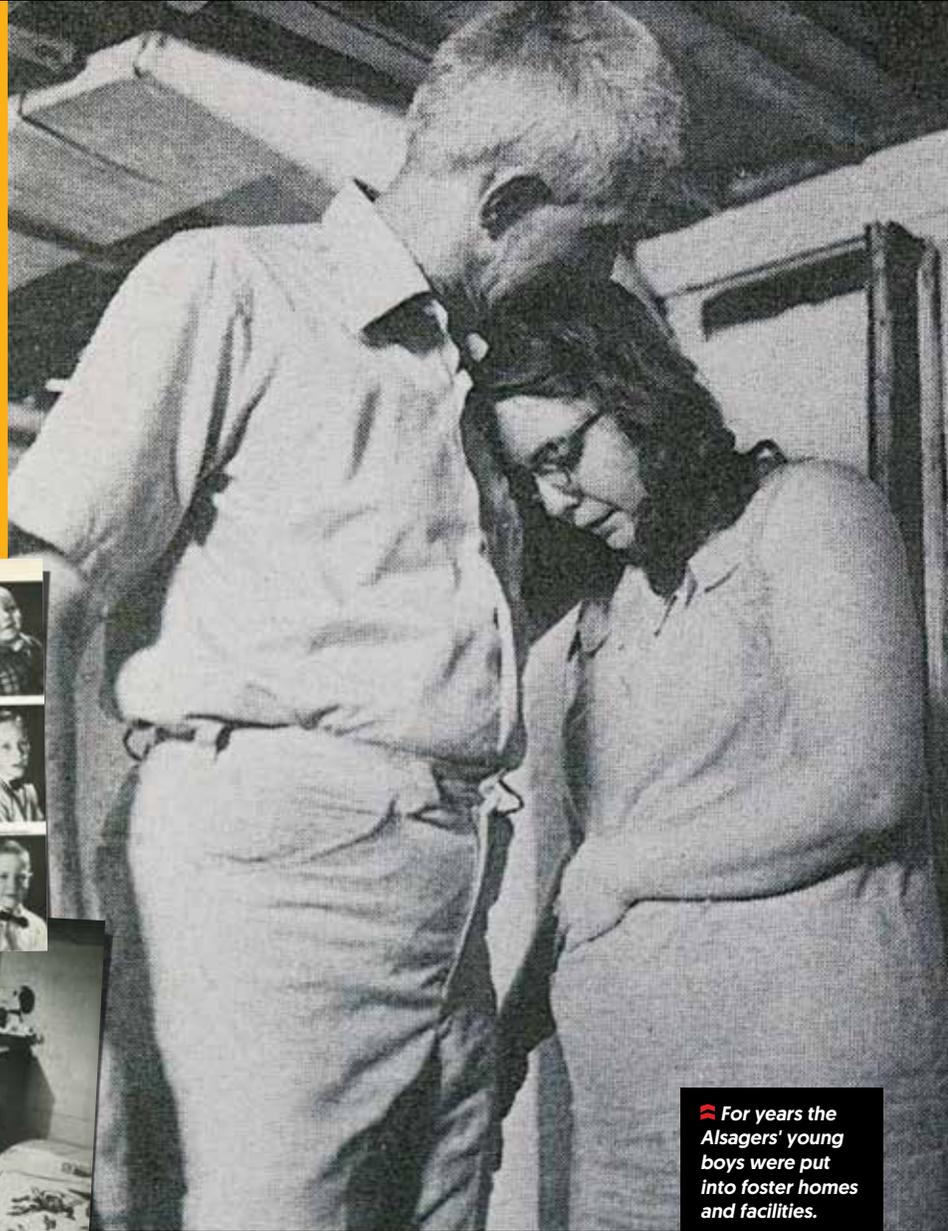
*Prizing liberty and  
maintaining rights  
since 1935*

### ACLU MOMENT

# December 19 1975

## FIVE CHILDREN RETURNED TO DES MOINES PARENTS

A federal judge ruled that the sons of Charles and Darlene Alsager were hastily and wrongly taken from them and put up for adoption. The children allegedly were dirty, roaming the neighborhood, and had little food in the refrigerator, but there was no sign of abuse. The ACLU of Iowa lawsuit resulted in more careful consideration by social workers before taking children from their parents.



**For years the Alsagers' young boys were put into foster homes and facilities.**