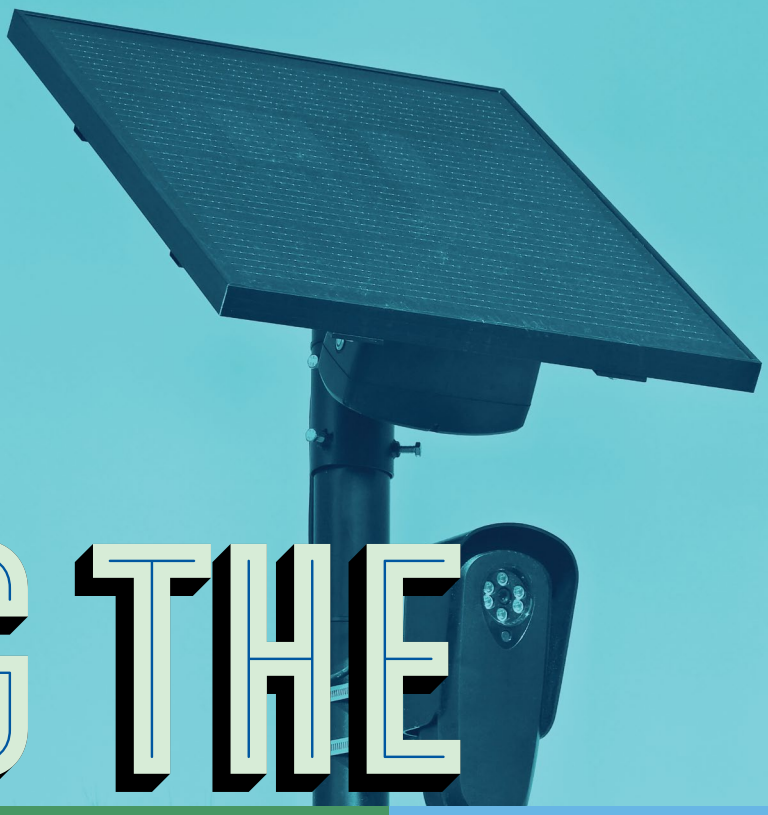
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the defender
2026

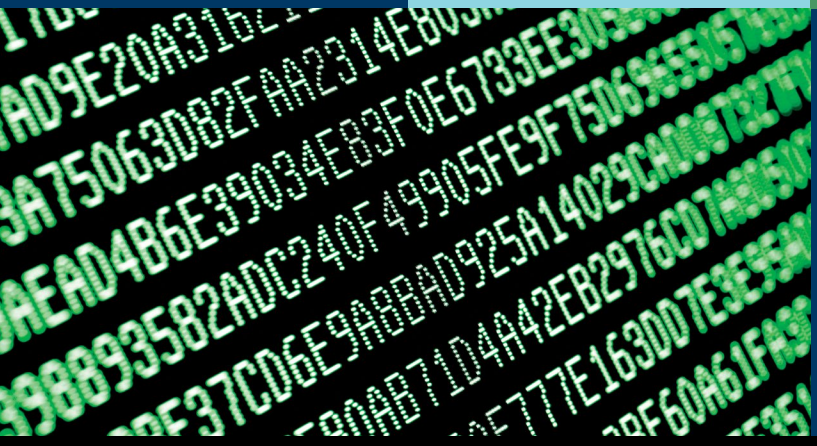






TAPPING THE BRAKES

on Automated License Plate Readers





NEWSLETTER OF THE AMERICAN CIVIL LIBERTIES UNION OF IOWA

“Our team is hopeful that these shifts will help slow the erosion of rights that the last decade has brought, which has required us to be on the defensive much of the time.”

ADAPTING TO A NEW POLITICAL LANDSCAPE



THE RECENT MIDTERM ELECTIONS WERE GROUND-SHAKING NATIONWIDE. Not only did the elections go off without major problems or complications, but voters showed up in record numbers to choose new leaders with the promise of more robust checks on power.

Here in Iowa, for the first time in my 10 years at the ACLU, one party will no longer have full control of state government. Our team is hopeful that these shifts will help slow the erosion of rights that the last decade has brought, which has required us to be on the defensive much of the time.

As challenging as these years have been, I'm proud of how the ACLU has stood our ground and made a difference. I've been buoyed by the courage of our clients and by the relationships we have built on both sides of the aisle and throughout our state.

Record voter turnout resulted in a new crop of leaders and the promise of more robust checks on power.

I'm inspired by our careful strategizing and by our principled truth-telling. And I'm grateful for the savvy and skill of our staff and for the contributions of our Capitol Corps activists.

Even when we haven't been able to defeat the worst policies and actions of our government, we have been successful in at least delaying or diluting them. And, thanks to our supporters and volunteers, we are now more effective and influential than we have ever been.

As a nonpartisan organization, the ACLU has the same mission regardless of the political party or people in power. We will not stop paying attention and playing the long game as we work in the streets, the courts, and the statehouse to uphold the rights of everyone.

The journey to defend and advance our fundamental rights is not without its disappointments and delays. This has always been the case. It's what gave birth to the ACLU nationally more than 100 years ago and to the ACLU of Iowa in 1935. And it's why we are needed in the days to come.

Yes, there is much to undo and repair. But there is even more to imagine and bring to life.

We are ready, and we know you are, too. Thank you for standing with us and for ensuring through your support that we continue to be active and influential no matter who is in charge. The future is uncertain. The political landscape is continuing to shift. But our commitment to you, to the Constitution, and to the promise of a more perfect state and union is unwavering.

Mark

MARK STRINGER
ACLU of Iowa
Executive Director

P.S. On the back page we feature a former client, Rusty Martin, who in the 1980s was prosecuted for his refusal to register for the draft.

His activism continued throughout his life, culminating in his decision this past August to choose a legal death with medical assistance in Switzerland rather than slowly succumb to Alzheimer's disease. While not the choice for everyone, we honor Rusty's commitment to living and dying on his own terms and extend our condolences to his family.

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AMERICAN CIVIL LIBERTIES UNION
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THE DEFENDER IS THE NEWSLETTER OF THE ACLU OF IOWA AND THE ACLU OF IOWA FOUNDATION

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DEFENDING RELIGIOUS FREEDOM

The Satanic Temple Iowa must be allowed to hold a public holiday event at the Capitol.

In November, our federal lawsuit on behalf of The Satanic Temple (TST) Iowa delivered a win for religious freedom: The U.S. District Court for the Southern District of Iowa issued a preliminary injunction that ordered state officials to allow TST Iowa to hold its family-friendly holiday event in the Iowa Capitol rotunda, alongside other religious displays.

REPEAT DENIALS FOR EVENTS

In 2023, TST was allowed to have a winter event. Then in 2024 and continuing through 2026, the state repeatedly denied and delayed TST's applications and follow-up communication. The display would have included singing carols, coloring pages, creating make-and-take ornaments, and a Krampus costume contest.

ACLU of Iowa Staff Attorney Shefali Aurora said, "It is a foundational principle that the government cannot restrict speech in this way, favor one religion over another, or discriminate against religious groups because they don't agree with them. That means if the state allows, for example, a Christmas or Hanukkah event, it cannot then deny the same right to other religious groups."

The state has appealed.

Co-counsel in the case is the Kezhaya Law Firm and Hasso and Wilson.

Meanwhile, the lawsuit continues and we hope for a final decision that includes a permanent injunction, as well as declaratory relief and damages.

ALSO SEEKING OPEN RECORDS

In a separate lawsuit, the ACLU of Iowa is representing the Iowa Atheists and Freethinkers in a public documents case related to the state's denial of TST's event request. That litigation is ongoing in the Iowa District Court for Polk County.



Artists Sundie Geisler-Ruppert and husband Brad Ruppert in front of their sculptural felt artwork.

Why I Give

"I support the ACLU of Iowa because for years I sat on the sidelines just thinking it was someone else's responsibility to fix things that weren't right. No one is coming to save us. It is up to each of us to step up and make a difference wherever we can."

SUNDIE GEISLER-RUPPERT
Norwalk

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Mail to: ACLU of Iowa, 505 Fifth Ave. #808, Des Moines, Iowa 50309-2317.

Make your gift online: Visit *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.

TAPPING THE BRAKES

THESE SURVEILLANCE CAMERAS ARE FEEDING A POWERFUL NATIONAL DATABASE THAT TRACKS EVERYONE WHO DRIVES BY— INCLUDING YOU.

There's a new acronym that's become part of the public discussion: ALPRs.

Automated license plate readers, sometimes generically referred to as Flock cameras, are not speed cameras. They are not red-light cameras. Those require a perceived violation to trigger the surveillance. Instead, ALPRs, in contrast are posted along roads and streets—sometimes several dozen in a small community—and take a photo of every single vehicle that goes by, often hundreds in an hour and thousands a day. A rapid and dangerous expansion of this network, all across the state and country, is creating a convenient way for law enforcement and others to track the daily movements of millions of people in our state.

Not Just Another Tech Privacy Issue

There are non-objectionable uses for ALPRs, such as checking license plates against lists of stolen cars, to assist in AMBER Alerts, or collecting tolls. But even then they must be deployed and used fairly. They must also be subject to proper checks and balances.

Sometimes people compare ALPR tracking to the tracking capacity in people's phones. But unlike your phone, on which you can adjust privacy settings or even just leave at home, you have no choice with ALPRs. Also, a warrant is required for the government to access your phone data. That's not so with ALPRs.

Fortunately, in recent months, community concern about these cameras has skyrocketed, in part because stories of the misuse of these cameras have been made public.

Concerns include:

- The technology is deployed with little oversight and sometimes little understanding of who is accessing it and how it is being used.
- One out of 10 ALPR "hits" are inaccurate, leading to innocent individuals experiencing terrifying and dangerous law enforcement stops.
- Law enforcement often isn't transparent with the public about ALPRs' use.
- Government officials approving the devices sometimes have little idea of what they are approving.

Iowa ALPR Legislation Needed

As of November, several Iowa law enforcement agencies have canceled their ALPR contracts because of privacy and security concerns. That's a good first step, but no local fix can solve this problem for our state.

Concerningly, there is no meaningful state law that governs the use of ALPRs. That needs to change. This invasive network has been built up across Iowa without any guardrails.

Legislation should, at a bare minimum, do the following:

- Require a warrant to access people's past location information.
- Shorten the current 30-day data retention period for ALPR-collected information to seven days.
- Restrict ALPR data sharing to only vehicles on the national "hotlist," which limits data sharing only for specific, identifiable crimes.
- Require that search terms used by officers or city personnel are public records.

If this minimal legislation can't be passed, the state should impose a moratorium on ALPRs until critical legislation can be passed to protect Iowans from these devices of mass surveillance.

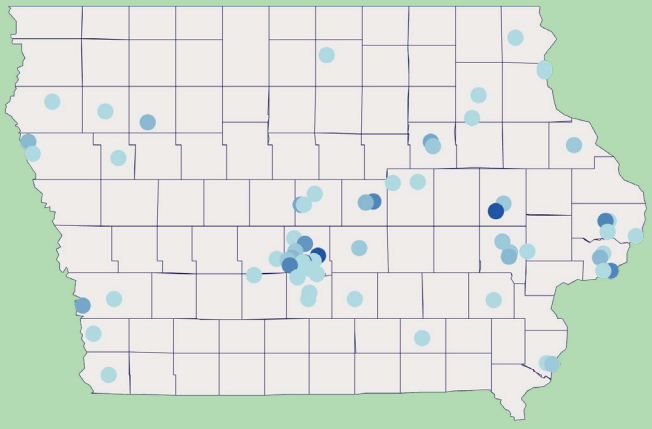
IOWA TOWNS DROPPING ALPRS

In the last 18 months, these communities have canceled their ALPRs because of privacy and security concerns: Coralville, Clinton County, Indianola, North Liberty, Osceola, and Waukee.

Not all ALPRs Are Flock Cameras

The term "Flock cameras" is often used interchangeably with ALPRs, but Flock is just one of the largest vendors of ALPRs. Flock is often used as a casual reference term. To be clear, other vendors, such as Axon and Motorola, also pose the same problems as Flock.

Iowa Communities That Have ALPRs



on Automated License Plate Readers in Iowa

STORIES OF ABUSE

Reports of ALPR misuse abound

Camera vendors are misleading and downright lying to local law enforcement and communities. Data access is being abused to track women. ALPRs' high error rate means that numerous people have been wrongly stopped at gunpoint.

STORY COUNTY, IOWA, IS MISLED ABOUT DATA SHARING An internal audit by Story County officials found Flock gave outside law enforcement agencies in Oklahoma City; Kent County, Missouri; Ankeny; and West Des Moines unauthorized access to their data. The access breach has been a topic of continuing discussion at Story County Supervisors meetings.

TEXAS POLICE TRACK WOMAN WHO HAD AN ABORTION In Texas, police used their access to ALPR networks to search 83,000 cameras nationwide to track down a woman who had an abortion in Illinois, where abortion care remains legal.

CORALVILLE CANCELS CONTRACT AFTER CONTROVERSY In May 2025, the Coralville City Council approved signing a contract with Flock as part of the overall city budget. Two city council members later expressed concern about lack of information about the cameras and said they didn't understand that they were approving the contract. Community members became vocal in their opposition to the cameras. In September, the council added a policy prohibiting use of the cameras for immigration enforcement, and then the Iowa attorney general challenged that policy. Public opposition grew, and in February 2026, the council voted to cancel the contract.

INNOCENT FAMILY HELD AT GUNPOINT In Colorado, Brittney Gilliam and her family, including four children, were pulled out of their car and held at gunpoint after an ALPR misidentified their car as a stolen vehicle. Even the youngest, a 6-year-old girl wearing a pink tiara, was forced to lie on the ground, and Gilliam was placed in a patrol car in handcuffs. The ALPR system had mistaken Gilliam's SUV with Colorado plates for a motorcycle with Montana plates.

KANSAS POLICE OFFICERS STALK EXES In 2023, the former police chief in Sedgwick, Kansas, used Flock to track his ex-girlfriend and her new partner. He ran a total of 228 searches to track both of their vehicles. Two years earlier, an officer in nearby Kechi used Flock data to stalk his estranged wife, who had expressed concerns to the authorities that she was being followed.

FLOCK REINSTALLS CAMERAS AFTER EVANSTON, ILLINOIS, CANCELS CONTRACT In August 2025, the city council voted to terminate its Flock contract after it learned that, unknown to them, Flock was giving access to their data to federal immigration enforcement. They canceled the contract and Flock removed its cameras. But then, without consent from the city, Flock reinstalled cameras. Evanston had to send a cease-and-desist letter to order Flock to get them out.

ACLU REPORT TRACKS THE TRACKING

A SURVEY OF

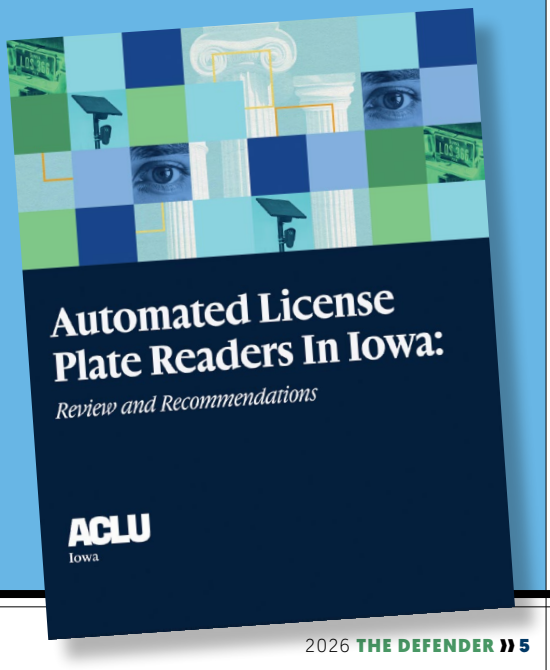
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LAW ENFORCEMENT AGENCIES FINDS DISTURBING TRENDS

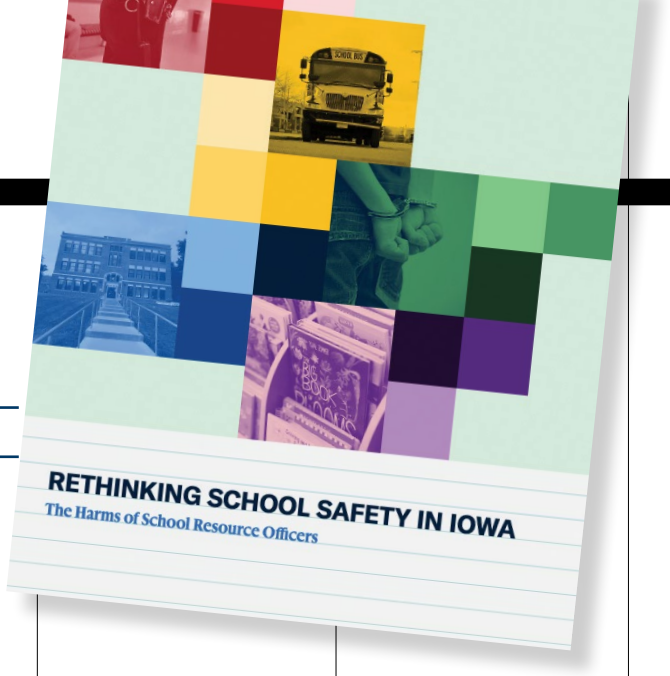
To better understand the rise in ALPRs, we worked with the University of Iowa Technology Law Clinic to conduct independent research on these devices and their use in Iowa.

Law students sent open records requests to a broad cross-section of 48 law enforcement agencies across the state. They also identified 62 Iowa communities that have accessed other Iowa cities' or counties' ALPR databases, whether they have their own ALPRs or not. Key findings of the 61-page report include:

- There are vast inconsistencies in the use and regulation of ALPR data in Iowa, including how data is retained, deleted, shared worldwide, and what information is publicly available, and who can access the data.
- Iowa has no meaningful laws that limit the collection and use of ALPRs and a person's access to the data being collected on them.
- Government officials are often not well-informed about ALPRs.



RETHINKING POLICE IN IOWA SCHOOLS



An ACLU of Iowa report finds the growing number of SROs disproportionately harms Black students and students with disabilities.

The ACLU of Iowa recently conducted a deep dive into the presence of school resource officers (SROs), hiring Legal Fellow Jacob Sarasin to conduct a one-year study. The findings, outlined in a 37-page report released in July, are disturbing:

- Between 2018 and 2021, the number of SROs nationally increased by 23 percent.
- In Iowa, there are at least 130 SROs in 78 Iowa school districts, including at the elementary and middle school levels.
- Today, about one-fourth of all Iowa school districts have at least one SRO.

This despite the fact that there is little to no credible evidence that SROs keep students physically safer. But there is indeed data that show that this constant police presence in school harms students, especially those who are Black or have a disability.

STUDENTS WITH DISABILITIES ARE "REFERRED" OR ARRESTED AT 2.3x THE RATE OF STUDENTS WITHOUT DISABILITIES.

BLACK STUDENTS IN IOWA ARE ARRESTED AT A RATE OF 3.7x HIGHER THAN THAT OF OTHER STUDENTS, EVEN THOUGH OTHER STUDIES FIND THAT THEY DO NOT MISBEHAVE AT A HIGHER RATE.

Overpolicing Our Youth

Sarasin sent detailed open records requests to 87 school districts and 67 corresponding law enforcement agencies. He also analyzed data collected from school districts by the U.S. Department of Education Office for Civil Rights (OCR). The findings include:

- SROs often discipline students, including those in elementary school, for minor infractions traditionally handled by school officials. (See examples below.)
- Police hired as SROs often have little to no training in dealing with children in a school environment.
- Too few policies exist to make sure parents and guardians are notified when their child is questioned by an SRO.

The report also describes instances of SROs interacting with students, as young as six, in ways that unnecessarily escalate the situation or violate state law or the Constitution.

Not Keeping Students Truly Safe

ACLU of Iowa Legal Director Rita Bettis Austen says, "The research shows while SROs are usually placed in schools to benefit school safety, that, unfortunately, isn't borne out in outcomes."

More at https://tinyurl.com/IowaSROs

GIRL SENT VIDEO, THREATENED WITH CHILD PORN CHARGE

A 14-year-old girl received a video from a girlfriend showing the friend having sex. She was interrogated and threatened with child pornography charges—all before a parent could get to the school, in probable violation of Iowa law.

SRO BROUGHT IN TO DISCIPLINE YOUNG CHILDREN

In Perry, in two separate incidents, the SRO was called in to handle a 7-year-old boy "who was running through the hallway and becoming agitated with staff." In another, the SRO intervened because a 6-year-old girl was "trying to destroy classroom" and "being physically disruptive."

POLICE INVOLVED WITH BOY KICKING BALL AT GIRL

In Pella, an SRO became involved in the investigation of a 10-year-old boy kicking a ball at a 9-year-old girl and shaking a climbing net she was on. There was no evidence that the boy was even acting maliciously.

TAKING POPCORN LEADS TO THEFT THREAT FOR BOY

In Sioux City, a high school student taking a $5 bag of popcorn on his way out the door without paying for it became a police matter when the SRO threatened to charge him with theft unless he brought money the next day, which the boy fortunately was able to do.

LIMITS ON IOWA'S BOOK BAN/ DON'T-SAY-LGBTQ LAW

The court has restricted schools' use of this harmful law.

Ever since SF 496 was signed into law in 2023, it has created confusion. Iowa schools removed hundreds of books protected by the First Amendment, and teachers and students were afraid to speak openly about being LGBTQ and related topics. So we sued.

Now, three years later and after much litigation, the court has limited how this law can impact students, parents, and staff in our public schools.

Fortunately, this means that schools can continue to offer most of the books K-12 as they did previously, including books with LGBTQ characters or themes such as "All Are Welcome" and "Melissa." In most cases, schools can prohibit books only if they depict one of six very specific sex acts listed in Iowa law.

Students, staff, and others K-6 remain free to discuss and refer to LGBTQ matters, including Pride flags, Everyone Is Welcome Here signs, and sponsoring student extracurricular groups, as long as it's not part of the mandatory curriculum.

Get more details at https://tinyurl.com/IAbookbans



THE UI MUST RESPECT BLACK DONOR'S WISHES

The Iowa Supreme Court ruled that the University of Iowa can't simply redirect a scholarship that Dr. Ezra Totton created for Black science students to first-generation students instead.

Thirty years ago, Dr. Ezra Totton created a scholarship for Black physical science students at the University of Iowa. He was a distinguished chemist, a civil rights trailblazer in the Jim Crow South, and attended the University of Iowa after other colleges rejected him because of his race.

But after the landmark U.S. Supreme Court affirmative action case, *Students for Fair Admissions v. Harvard*, the UI sought court permission to repurpose the private scholarship of Dr. Totton, now deceased, into one for first-generation students instead.

While some Black students are also first-generation students, the two groups are not the same. At the University of Iowa, fewer than 3 percent of students are Black, while about 19 percent are first-generation. Changing the scholarship would have made it much less likely for Black students to benefit from it.

Fairer Modifications Needed

The UI lost before the trial court. It then appealed to the Iowa Supreme Court, which invited the NAACP and ACLU to file an amicus brief and present oral argument. In June, the court agreed with our arguments, ruling that the UI couldn't just repurpose the scholarship money. It sent the case back to district court with instructions to:

- Allow an advocate for the donor's intent to participate in proceedings.
- Consider the terms of Dr. Totton's will and other relevant evidence to ensure any changes to the scholarship are consistent with his wishes.
- Consider giving the money to another institution better able to distribute the money in keeping with Dr. Totton's wishes.



"DR. TOTTON WAS A REMARKABLE PIONEER FOR CIVIL RIGHTS AND AGAINST RACIAL SEGREGATION IN HIGHER EDUCATION. WE ARE GRATEFUL THE COURT RECOGNIZED THAT IN UPHOLDING HIS PURPOSE IN ESTABLISHING THIS SCHOLARSHIP."

— ACLU of Iowa Legal Director Rita Bettis Austen

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ACLU MOMENT

1982

Defending draft registration protesters

In 1982, two young men who publicly refused to register for the draft were singled out for prosecution precisely because they protested publicly about the requirement.

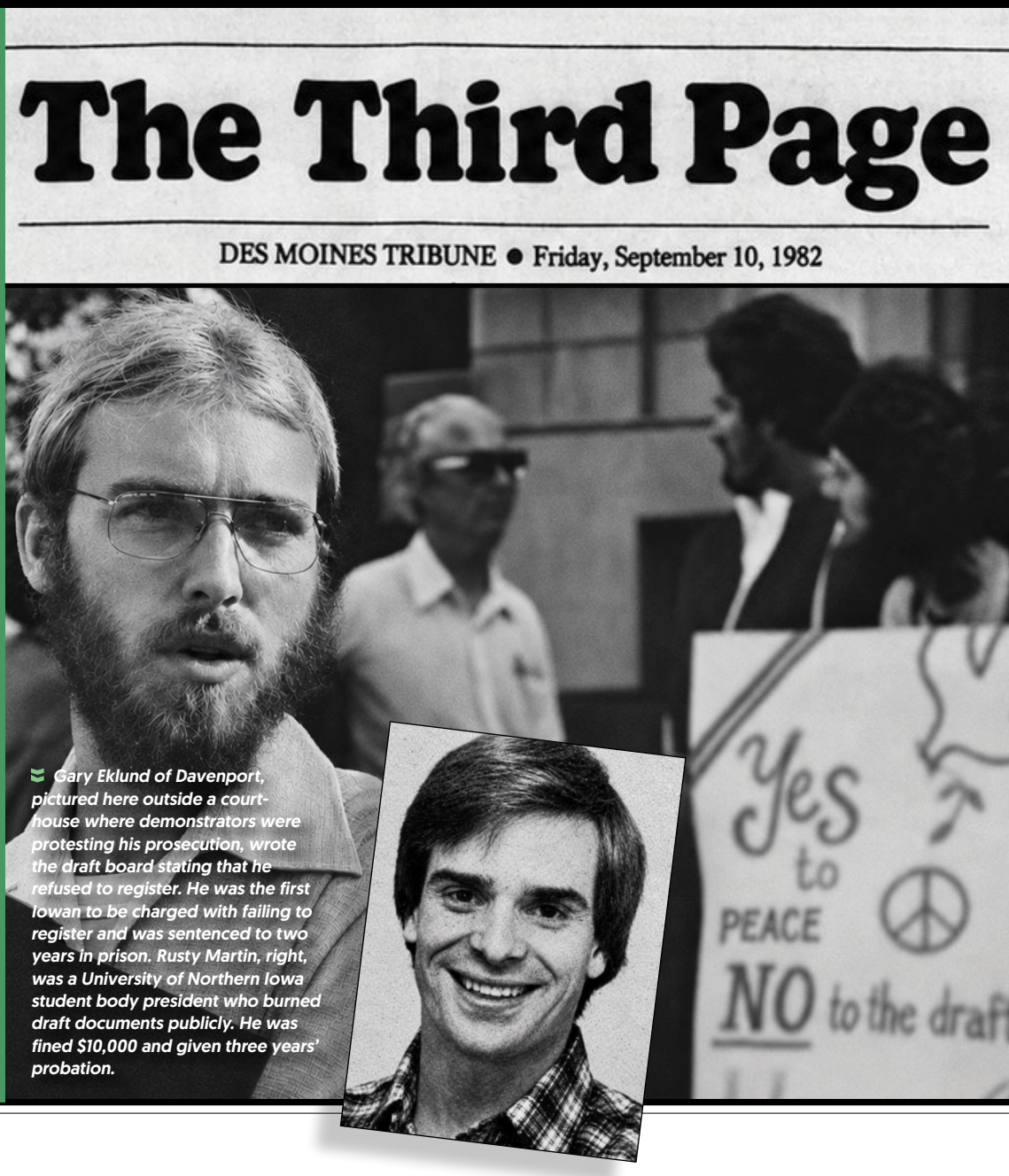
Rusty Martin and Gary Eklund were pacifists who opposed the mandatory draft registration of the time, even though there was currently no active draft.

They reported their opposition directly to the draft board in protest. They were then charged with failure to register.

The Iowa ACLU took up their case, arguing that the prosecution violated their fundamental right to protest. But the U.S. Court of Appeals rejected that argument, and the U.S. Supreme Court denied review.

It was an example of how even when we don't prevail in court, our commitment to defending fundamental freedoms continues.

Read more about Rusty Martin's activism on page 2.


The Third Page

DES MOINES TRIBUNE ● Friday, September 10, 1982

Yes to PEACE NO to the draft

Gary Eklund of Davenport, pictured here outside a courthouse where demonstrators were protesting his prosecution, wrote the draft board stating that he refused to register. He was the first Iowan to be charged with failing to register and was sentenced to two years in prison. Rusty Martin, right, was a University of Northern Iowa student body president who burned draft documents publicly. He was fined $10,000 and given three years' probation.