

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF IOWA  
CENTRAL DIVISION

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Jalesha Johnson, Louise Bequeaith, Brad  
Penna, Brandi Ramus, and Haley Jo Dikkers,

Plaintiffs,

v.

Stephan K. Bayens, Commissioner of the  
Iowa Department of Public Safety, *in his  
official and individual capacities*, Lieutenant  
Steve Lawrence, Iowa State Patrol District 16  
Commander, *in his official and individual  
capacities*, and Sergeant Tyson Underwood,  
Assistant District 16 Commander, *in his  
individual capacity*, Iowa State Patrol  
Trooper Durk Pearston (Badge Number 168),  
*in his individual capacity*, and Iowa State  
Patrol Trooper John Doe #1, *in his individual  
capacity*.

Defendants.

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Docket No. 20-306

**DECLARATION OF LOUISE  
BEQUEAITH**

I, Louise Bequeaith, declare as follows:

1. I am over the age of 18. I have personal knowledge of all the facts set forth in this declaration and would testify competently to those facts if called as a witness.
2. I was born and raised in Des Moines and resided there continuously until I began college in 2019. I am currently a sophomore at Macalester College and live in St. Paul, Minnesota. I continue to reside in Des Moines when I am not at school, and it remains my permanent address.
3. I feel passionately about the years of blatant injustices suffered by Black Americans and other people of color at the hands of police. I wanted to add my voice to

the demands for their right to exist and not to be senselessly murdered by the police, especially in light of the calls for white people to stand up for Black humanity.

4. I moved back to Des Moines in March 2020, once my college began virtual classes. I began volunteering with various organizations working on social justice issues in my community. I interned with the Iowa Coalition for Collective Change (ICCC) this summer. As part of that internship, I helped arrange access to free therapy for protestors. I also volunteered with the Supply Hive and helped the Des Moines Black Liberation Movement (“Des Moines BLM”) medical team, helping protestors who experienced tear gassing or other violence by police at protests.

5. I began attending the protests organized by Des Moines BLM on Friday, May 29, 2020, after the killing of George Floyd. The way that police responded to the protests with such force confirmed for me the importance of continuing to protest. That night I was part of a group of protestors who were tear-gassed and “kettled” by the police—which is when police block protestors from being able to leave, then order them to do so, and then use force against them, or arrest them based on failure to disperse, even though they have no way to disperse. I also witnessed the police use other weapons such as pepper spray, rubber bullets, and flashbangs at various protests throughout the summer.

6. Between May 29, 2020, and July 1, 2020, I attended protests regularly, averaging about three a week. I was motivated by learning more about how these issues were playing out in my own city and seeing the amount of work left to do in Des Moines on the issue of racial injustice.

7. On the afternoon of July 1, 2020, I attended a protest at the Capitol. The purpose of this particular event was to demand that the governor sign an executive order restoring

felon voting rights. I had attended similar protests at the Capitol in the week leading up to this one. Those had proceeded with no arrests by the police, and I was not expecting any issues at this protest.

8. When I arrived, I felt that the atmosphere at the Capitol on July 1, 2020, was different from prior protests I had attended. State troopers were walking around with a pamphlet that had photos of protestors. I wanted to leave. But as I was trying to leave the protest, I saw officers arresting a friend of mine for no reason that I could see, so I decided to stay as a witness to what was happening.

9. Later, other protestors told me that the police were using those pamphlets with photos to target and arrest individuals who had attended earlier protests.

10. As the protest continued, I saw the police arrest several other people. The group of protestors I was with followed the officers and tried to ask why they were arresting these individuals. The police never provided any basis for the arrests.

11. As we were chanting at the police, I decided to record the interactions on my phone, though I made sure to maintain distance and not touch the officers.

12. When I saw officers arresting yet another friend of mine, I again asked the police why they were arresting her. An officer from the Des Moines Police Department told me that I needed to back up. I did so, and continued filming them from a distance. The officer slapped the phone out of my hand and stopped the recording.

13. Then the officer handcuffed me and slammed me against a car. They arrested me and put in the back of a police car and held me there while they continued arresting other protestors.

14. I repeatedly asked why I was being detained and what I did wrong. The officer never gave me a response. While I was in the car, another officer came and opened the door. I again asked her why I was arrested. She simply laughed and said, “You know what you did.”

15. Then they put me in the paddy wagon with several other individuals. One of the Des Moines BLM leaders, Jalesha Johnson, was also in the paddy wagon with me. After some time, they drove us to the Des Moines Police Station. At the station, they took us inside to a conference room where we waited in handcuffs as they were completing the paperwork. At that point they told me I was being charged with disorderly conduct.

16. While we were in the conference room, a trooper from the Iowa State Patrol came to take pictures of each of us, using his cell phone. In between taking pictures of everyone, the trooper stopped and told us that because of our actions at the Capitol, we were banned from the Capitol for one year. He told us if we were found at the Capitol we would be arrested and charged with criminal trespass. That is all the information he gave us.

17. Later we were taken to a holding cell at the Polk County Jail, where we met others who were arrested at the protest. They told us that they were also given the verbal warning, but unlike us, their ban was only for six months. I was in the holding cell until I was released around 8 pm that evening.

18. On July 15, 2020, the Iowa State Patrol sent me a letter, attached as **Exhibit A**, stating that I could not be present at the Capitol Complex grounds until January 1, 2021. Like the prior verbal ban, the letter provided no detail about what geographic areas are included in the Capitol Complex grounds that I am banned from.

19. The letter did not revoke or even address the one-year ban I was given.

20. As a result of these bans, I have been prevented from engaging in protests held at the Capitol.

21. There was an indigenous rights protest on July 4, 2020, at the Capitol. I had initially planned to attend this event but was unable to because of the ban.

22. There was also a protest at the Capitol that was organized specifically to ask for the charges against us to be dropped, and I was very frustrated that I could not attend that. I would have attended if it were not for the ban and the threat of arrest if I protested at the Capitol.

23. Because I am banned for one year, I will not be able to participate in the upcoming legislative session, which I otherwise would do when I was home from school during the Spring semester. Since I was in high school, I have attended lobby days held by advocacy organizations related to various issues. Lately, I have become much more informed about the legislative process in our state. As a result, I would also like to attend legislative debates and be vocal about the bills I am passionate about, such as those impacting police reforms, education, healthcare, and reproductive rights. I cannot partake in this time of advocacy anymore because of the ban for one year.

24. I also had to stop attending weekly yoga sessions that took place on the Capitol grounds. Going to those yoga classes was important to me because it allowed me to take part in a community event that allowed me to de-stress and engage with others.

25. I felt that the protests at the Capitol were some of the most powerful and effective of all the protests I attended this summer. Even with smaller groups, our voices were heard because we were in the presence of people who could make the changes we were asking for. At the Capitol, they had to pay attention to us. The ban has effectively silenced our

message by preventing many of us from using the Capitol grounds as a place to voice our opinions.

**I certify under penalty of perjury and pursuant to the laws of the state of Iowa that the preceding is true and correct.**

Executed this 02 day of October, 2020

A handwritten signature in black ink, appearing to read "Louise Bequeaith", written over a horizontal line.

Louise Bequeaith, Affiant

Kim Reynolds  
Governor  
Adam Gregg  
Lt. Governor



Stephan K. Bayens  
Commissioner

Louise Bequeaith  
1153 23<sup>rd</sup> St.  
Des Moines, Ia. 50311


July 15<sup>th</sup>, 2020

Dear Ms. Bequeaith,

As a result of your actions and/or behavior towards citizen(s) and/or employee(s) of the State of Iowa on July 1<sup>st</sup>, 2020, any continued and future presence on or about the property after the date of this letter will not be welcome or tolerated. Pursuant to Section 716.8(1) of the Iowa Code, you are hereby notified that you are to abstain from entering upon any portion of the property known as **1007 East Grand Avenue, Des Moines, IA 50319** including yards, parking areas, state owned streets and sidewalks, and all state owned facilities within the **Capitol Complex** grounds. Be advised that your entry upon any portion of the property after receiving this notice will constitute trespass, a criminal offense, and it will be reported to law enforcement for criminal prosecution.

This admonition is continuing and perpetual until January 1<sup>st</sup>, 2021, and cannot be withdrawn prior to January 1<sup>st</sup>, 2021, except in writing by the Iowa Legislative Leadership or other future management staff. Please govern yourself accordingly.

Sincerely,



#527

Sergeant Tyson Underwood #527

Assistant District Commander

Iowa State Patrol District 16

515-281-5608

cc: The Des Moines Police Department



**CERTIFICATE OF SERVICE**

I hereby certify that on this date, I electronically filed the foregoing paper with the Clerk of Court by using the CM/ECF system.

The foregoing paper will also be served along with the Complaint and Summons to all Defendants.

Date: October 5, 2020

/s/Rita Bettis Austen  
Rita Bettis Austen