

# LEGISLATIVE REPORT

2020

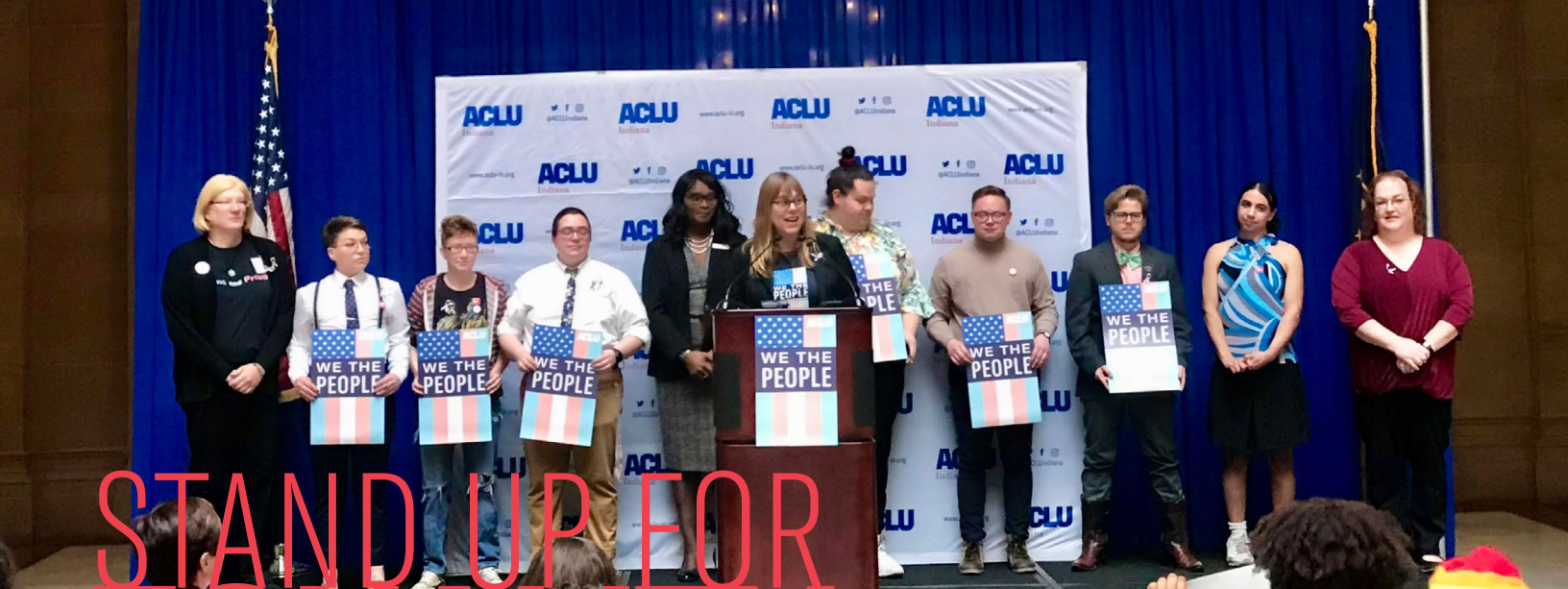
## The 2020 Legislative Session was a short session, lasting just 45 day.

In those 45 days, we saw many twists and turns inside the Indiana Statehouse. The ACLU of Indiana works hard to keep Hoosiers informed on key issues at the Statehouse and legislative votes affecting civil liberties. We constantly seek ways to hold politicians accountable to protecting your rights and supporting good public policy.

The 2020 legislation session saw several highs and lows, from hosting the first-ever LGBTQ Statehouse Day, keeping 12-year old kids out of adult court, and fighting efforts to exclude transgender athletes from participating in youth sports.

## BY THE NUMBERS

- 45** Legislative days in the 2020 session
- 150** Legislators in both the House and Senate
- 86** Bills tracked
- 20** Third house meetings tracked
- 18** Bills supported by ACLU
- 8** Bills opposed by ACLU
- 3,549** Messages sent to legislators



# STAND UP FOR EQUALITY

## LGBTQ STATEHOUSE DAY

Year after year, we fight to protect LGBTQ rights at the Statehouse. This year, we hosted the first-ever LGBTQ Statehouse Day in Indiana to bring together members of the LGBTQ community, service providers, community organizations, supporters, and lawmakers to discuss the experiences and needs of LGBTQ Hoosiers.

We were joined by  
**18 bipartisan lawmakers,**  
**17 community organizations,**  
**13 Indiana TEAP advocates,** and  
**over 200 community members** in attendance.

After working alongside our partners and lawmakers, every anti-LGBTQ bill introduced this session was defeated. The ACLU of Indiana LGBTQ Rights Project will keep fighting to ensure all Hoosiers are included in *"We the People."*

## VICTORY!

### GENDER IDENTITY ON IDS

Indiana legislators attempted to further single out the transgender community with Senate Bill 74 that targeted non-binary Hoosiers by preventing them from accessing driver's licenses and state IDs that accurately reflect their gender. This bill would have prevented the BMV from issuing driver's licenses with a neutral gender marker. **This measure was defeated!**

## TRANSGENDER ATHLETES

Excluding transgender athletes from participating in youth sports was the latest attempt to prevent transgender Hoosiers from living full and equal public lives. House Bill 1088 would have singled out trans girls for further exclusion by preventing them from participating on sports teams with their peers. Make no mistake, bills that single out transgender student athletes for discrimination violate constitutional guarantees of equal protection under the law.



After countless conversations and hundreds of messages sent to legislators, the debate was tabled. **We will remain vigilant of any oncoming attacks.**

## YOUTH JUSTICE

### Waiving Kids to Adult Court

This year the Indiana legislature proposed a step back for youth justice, again. In 2019, we fought against efforts to put 12-year olds in adult court. This year, we fought those efforts once again. Though most states are shifting toward the decriminalization of young children, Indiana lawmakers proposed legislation, in Senate Bill 449 and other bills, which would expand the number of kids transferred to adult court.

Indiana's criminal justice system should not treat a 12 or 13-year-old as an adult. No child belongs in adult court.



Along with Indiana Coalition for Youth Justice, the ACLU of Indiana testified against SB 449 and rallied community members to send thousands of messages to legislators. We are glad that legislators recognized the severe consequences of these bills and ultimately did not pass the legislation, leaving children in the youth justice system.

**VICTORY!**

We will continue to work with our partners to push for proactive measures for youth justice such as establishing a minimum age for a child to be in secure detention or automatic expungement of juvenile records in Indiana.

**WE'RE SUING!**

## DEFENDING FREE SPEECH

### Panhandling Ban

In the final days of the legislative session, the Indiana House passed Senate Bill 335, a blatantly unconstitutional, statewide panhandling ban. This attack on free speech targeted those who are most vulnerable in our society.

The Indiana legislature should be trying to remedy the reasons people find themselves in these situations in the first place, not criminalizing poverty.

## REPRODUCTIVE RIGHTS

Each year, Indiana legislators pass bills which attempt to chip away at women's access to reproductive healthcare. Each year, we go into the Statehouse defending women's rights. And each year, legislators pass these bills despite medical evidence and fact. Unfortunately, this year was no different.

Senate Bill 299 is another effort from Indiana's anti-abortion lawmakers to shame women and add additional hurdles for abortion providers. It requires the state department of health to include on a form that after a medication abortion (common during the first trimester), a pregnant woman may place remains in a sealed container and return to the health care provider or abortion clinic for disposition by interment or cremation.

Unfortunately, this legislation passed both houses and was signed into law by the Governor. **We will not back down and will return to the Statehouse next year to fight to defend reproductive freedom.**

# MISSED OPPORTUNITIES

## Protections for Pregnant Workers

Senate Bill 342 would have granted pregnant workers the right to reasonable accommodations on the job. Unfortunately, some women in Indiana, especially those in low-wage or physically demanding positions, are forced out or onto leave when all they need is a small work modification, such as a place to sit or a water bottle. A pregnant worker accommodation law would facilitate

healthy pregnancies, healthy babies, promote the economic security of women, and their families, provide clear expectations for employers, and boost our state's economy.

We worked with the Indiana Institute for Working Families and other community partners to support SB 342 and to ensure a truly equal workplace. The legislature failed to pass this bill.

## Immigrants' Rights

The Indiana House and Senate introduced two bills to allow driving cards for undocumented Hoosiers. Indiana had the opportunity to make a statement that we value dignity, demand equality, and work to make sure that our state includes opportunities for everyone to succeed and thrive. The ACLU supported both bills, HB 1083 and SB 419, and worked with the Indiana Undocumented Youth Alliance and several other partners to push for this much-needed change. Unfortunately, the Indiana House and Senate failed to give these bills a hearing.



## Voting Rights

Year after year, we advocate for policies that make it easier for Hoosiers to vote. House Bill 1425 would have allowed Hoosiers to vote by absentee ballot for any reason. Next year, we will continue to push for no-excuse absentee voting in Indiana for every election. We must eliminate barriers many Hoosiers face in casting their votes and having their voices heard on Election Day.

2020

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# LEGISLATIVE SCORECARD

## **A NOTE FROM OUR DIRECTOR OF ADVOCACY & PUBLIC POLICY, KATIE BLAIR**

The ACLU of Indiana keeps Hoosiers informed on key issues at the Statehouse and legislative votes that may impact your Constitutional rights. With your help, we work tirelessly to hold elected officials accountable and to defend civil liberties.

Within the 45 days of the 2020 legislative session, we tracked a variety of bills that aimed to advance or threaten civil liberties in our state. A number of key civil liberty issues arose this session and we fought with our activists to ensure the protection of Hoosiers' rights at every turn. We the People can use this information to hold our elected officials accountable.

As you know, direct communication with your elected officials is a valuable way to encourage them to stand up for freedom and protect civil liberties. We encourage you to use this scorecard to give your legislators feedback on their votes in the 2020 legislative session and their stances on the issues impacting your rights and freedom.

## **ABOUT THIS SCORECARD**

### **HOW WE CHOSE THE SCORED BILLS**

We make sure legislators know the ACLU's position on important civil liberties issues prior to voting. We then select a range of key civil liberties votes by the full House or Senate to include in our scorecard. The following votes cover a range of issues facing Hoosiers today.

### **PURPOSE OF THE SCORECARD**

The purpose of this scorecard is to inform our supporters and the public of where their legislators stand on civil liberties issues. Legislators may promise many things while running for office, but there is no substitute for an actual vote. The scorecard is in no way meant to be construed as an endorsement of legislators who score well, or a statement of opposition against those who do not.

### **ADDITIONAL NOTE**

The lifecycle of any given bill may have several rounds of votes. The most recent vote is recorded in this scorecard and represents how each state senator and state representative last voted. To research all legislative votes on a bill, visit [www.iga.in.gov](http://www.iga.in.gov), and search for legislation by its bill number.

# 1

## Privacy & Surveillance

### H.B. 1143 Device Implantation As A Condition Of Employment

This bill prohibits an employer from requiring an employee to have a device implanted or otherwise incorporated into their body as a condition of employment. The ACLU of Indiana supports workplace protections to employees, against employer invasion of privacy through the practice of microchipping. We believe that no Hoosier should be required to give up their privacy as a condition of employment.

**SUPPORTED**

**ACLU supported**

**Signed by Governor**

# 2

## Reproductive Rights

### S.B. 299 Fetal Remains

This bill requires the state department of health to include on a form that after a medication abortion (common during the first trimester), a pregnant woman may return remains to the health care provider or abortion clinic for disposition by interment or cremation. At best this legislation is unnecessary, as Indiana law already requires medical providers to dispose of remains by interment or cremation, at worst it aims to shame women for their personal, private decisions and place additional burdens on medical providers.

**OPPOSED**

**ACLU opposed**

**Signed by Governor**

# 3

## Panhandling

### H.B. 1022 Panhandling

This bill further criminalizes panhandling to the extent of outright banning most forms of financial solicitation by individuals and groups in downtown areas. Asking for monetary contributions is a protected by the First Amendment. But this is not just an attack on free speech, it also targets those who are most vulnerable.

**OPPOSED**

**ACLU opposed**

**Signed by Governor**

# 4

## Youth Justice

### S.B. 449 Juveniles

This bill would have expanded the number of kids transferred to adult court and reduced the minimum age for committing children to the adult criminal legal system, for certain serious offenses in Indiana. Young people should remain in the juvenile justice system, regardless of their crimes.

**OPPOSED**

**ACLU opposed**

**Died in Senate**

# 5

## Smart Justice

### H.B. 1076 Summons To Appear For A Misdemeanor

This bill would effectively expand cite and release policies, ultimately reducing unnecessary incarceration. In order to significantly reduce Indiana's reliance on incarceration, we support reforms to limit pretrial detention to the rare case in which a person poses a serious, clear threat to another person. After even a short stay in jail, research shows many people face significant collateral damage, such as job loss or interrupted education.

**SUPPORTED**

**ACLU supported**

**Died in House**



HOUSE	1	2	3	5	HOUSE	1	2	3	5	HOUSE	1	2	3	5
R Abbott, David	🗳️			🗳️	R Frye, Randall	🗳️			🗳️	R Morrison, Alan	🗳️			🗳️
D Austin, Terri Jo	🗳️			🗳️	D GiaQuinta, Philip	🗳️		🗳️	🗳️	D Moseley, Charles	🗳️	A		🗳️
R Aylesworth, Mike	🗳️			🗳️	D Goodin, Terry	🗳️			🗳️	R Negele, Sharon	🗳️			🗳️
R Bacon, Ronald	🗳️			🗳️	R Goodrich, Chuck	🗳️			🗳️	R Nisly, Curt	🗳️		🗳️	🗳️
R Baird, Beau	🗳️			🗳️	R Gutwein, Doug	🗳️			🗳️	D Pfaff, Tonya	🗳️	🗳️		🗳️
R Barrett, Bradford	🗳️			🗳️	D Hamilton, Carey	🗳️	🗳️		🗳️	D Pierce, Matt	🗳️	🗳️		🗳️
R Bartels, Steve	🗳️			🗳️	D Harris Jr., Earl	🗳️	🗳️		🗳️	D Porter, Gregory	🗳️	🗳️	🗳️	🗳️
D Bartlett, John	🗳️	🗳️		A	D Hatcher, Ragen	🗳️	🗳️	🗳️	🗳️	R Prescott, J.D.	🗳️			🗳️
D Bauer, B Patrick	🗳️			🗳️	D Hatfield, Ryan	🗳️			🗳️	R Pressel, Jim	🗳️			🗳️
D Beck, Lisa	🗳️			🗳️	R Heaton, Robert	🗳️			🗳️	D Pryor, Cherrish	🗳️		🗳️	🗳️
R Behning, Robert	🗳️			🗳️	R Heine, Dave	🗳️	A		🗳️	R Saunders, Thomas	🗳️			🗳️
R Borders, Bruce	🗳️			🗳️	R Hostettler, Matt	🗳️			🗳️	R Schaibley, Donna	🗳️			🗳️
R Bosma, Brian	A			A	R Huston, Todd	🗳️			🗳️	D Shackelford, Robin	🗳️			🗳️
D Boy, Pat	🗳️			🗳️	D Jackson, Carolyn	🗳️			🗳️	R Sherman, Dollyne	🗳️			🗳️
R Brown, Timothy	🗳️			🗳️	R Jordan, Jack	🗳️			🗳️	R Smaltz, Ben	🗳️			🗳️
R Burton, Woody	🗳️			🗳️	R Judy, Chris	🗳️			🗳️	D Smith, Vernon	🗳️	🗳️	🗳️	
D Campbell, Chris	🗳️	🗳️	🗳️	🗳️	R Karickhoff, Michael	🗳️			🗳️	R Soliday, Edmond	🗳️			🗳️
D Candelaria Reardon, Mara	🗳️	🗳️		🗳️	R Kirchofer, Cindy	🗳️			🗳️	R Speedy, Mike	🗳️			🗳️
R Carbaugh, Martin	🗳️			🗳️	D Klinker, Sheila	🗳️			🗳️	R Steuerwald, Gregory	🗳️			🗳️
R Cherry, Robert	🗳️			🗳️	R Lauer, Ryan	🗳️			🗳️	R Stutzman, Christy	🗳️			🗳️
D Chyung, Chris	🗳️	🗳️	🗳️	🗳️	R Lehe, Don	🗳️			🗳️	R Sullivan, Holli	🗳️			🗳️
R Clere, Edward	🗳️			🗳️	R Lehman, Matt	🗳️			🗳️	D Summers, Vanessa	🗳️	🗳️	🗳️	
R Cook, Anthony	🗳️			🗳️	R Leonard, Daniel	🗳️			🗳️	R Thompson, Jeffrey	🗳️			🗳️
R Davisson, Steven	🗳️	A		🗳️	R Lindauer, Shane	🗳️			🗳️	R Torr, Jerry	🗳️			🗳️
D Deal, Ross	🗳️			🗳️	R Lucas, Jim	🗳️			🗳️	R VanNatter, Heath	A			
D DeLaney, Edward	🗳️	🗳️		🗳️	R Lyness, Randy	🗳️			🗳️	R Wesco, Timothy	🗳️			🗳️
R DeVon, Dale	🗳️			🗳️	D Macer, Karlee	🗳️	🗳️		🗳️	R Wolkins, David	🗳️			🗳️
D Dvorak, Ryan	A			🗳️	R Mahan, Kevin	🗳️			🗳️	D Wright, Melanie	🗳️			🗳️
R Eberhart, Sean	🗳️			🗳️	R Manning, Ethan	🗳️			🗳️	R Young, John	🗳️			🗳️
R Ellington, Jeff	🗳️			🗳️	R May, Chris	🗳️			🗳️	R Zent, Dennis	🗳️			🗳️
R Engleman, Karen	🗳️			🗳️	R Mayfield, Peggy	🗳️			🗳️	R Ziemke, Cindy	🗳️			🗳️
D Errington, Sue	🗳️	🗳️		🗳️	R McNamara, Wendy	🗳️			🗳️					
D Fleming, Rita	🗳️		🗳️	🗳️	R Miller, Doug	🗳️			🗳️					
D Forestal, Dan	🗳️	A		🗳️	D Moed, Justin	🗳️								
R Frizzell, David	🗳️			🗳️	R Morris, Robert	🗳️			🗳️					





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