

After a year of national crises including the COVID pandemic, voting hurdles in one of the most critical elections in our Nation's history, and highly visible cases of police brutality followed by mass protests, many Indiana legislators came in to the 2021 session ready to strip Hoosiers of their rights rather than defend them. We saw several highs and lows, including multiple pieces of legislation that were introduced in direct rebuttal to the outcries for racial justice we saw last summer. With your help, we were able to defeat a number of those bills.

108 days. That's how long the 2021 Legislative Session lasted.

In those 108 days, we saw many twists and turns inside the Indiana Statehouse. The ACLU of Indiana works hard to keep Hoosiers informed on legislative votes impacting your civil liberties. We constantly seek ways to hold politicians accountable to protecting your rights and supporting good public policy.

BY THE NUMBERS

- 108 Legislative days in the 2020 session
- **150** Legislators in both the House and Senate
- 200+ Bills tracked
 - **30+** Third house meetings tracked
 - 33 Bills supported by ACLU
 - 22 Bills opposed by ACLU

VICTORY!

POLICE REFORM

Leading up to session, Hoosiers demanded that steps be taken to ensure accountability against police violence. HB 1006 is a first step. This proactive police reform bill closes loopholes in the current law regarding the officer decertification process, and outlines penalties for officers who intentionally turn off body cameras. We worked in partnership with the Indiana Business and Community Partnership for Racial Equity to move this important reform forward.

But we know that the underlying problem with policing isn't just the lack of oversight policies, or a need for more training and better procedures. The core problem is modern policing itself. **More must be done.**

VICTORY!

ANTI-DIVESTMENT BILLS

After a summer of protests demanding racial justice and police divestment and reinvestment into communities, Indiana legislators kicked off session by introducing a number of bills aimed at prohibiting or limiting the ability of local government to control local police department funding and reform. These bills highlighted the inaccuracy that reducing law enforcement budgets will reduce public safety, while we know that more policing does not equate to less crime.

We opposed these attempts to take power away from local communities to hold police accountable and to prevent police violence, and **ultimately all of these bills were stopped.**

FREE SPEECH

Following the many protests in 2020, we also saw a slew of anti-protest legislation under the guise of "anti-riot" bills. Law enforcement already has all the tools needed to protect public safety and prevent violence and property damage - the real problem lies in how these tools have been selectively used against Black and brown individuals.



SB 187, which ultimately passed, punishes communities as a whole by withholding funding for public services, including schools and parks, if local officials fail to take strict action against protesters during what is broadly defined as an "unlawful assembly." SB 187 also enhances criminal penalties for protesting. These additional penalties will only result in longer prison sentences, felony convictions, and suppression of Black and brown individuals exercising their First Amendment rights.

VICTORY! VOTING RIGHTS

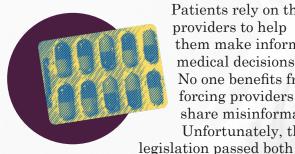


The major voting rights bill we saw this session took on many forms, but at all times it was clear that SB 353 was part of the national trend to make voting more difficult. After the incredible turnout of the 2020 election, these renewed attempts to restrict voter access were seen across the country.

ACLU of Indiana supporters made their voices heard, sending messages to their legislators and stopping SB 353 in its tracks. But we know the fight isn't over. We must remain vigilant against any attempts to make voting more difficult in Indiana.

REPRODUCTIVE RIGHTS

Every year at the statehouse we face a number of bills attempting to push abortion out of reach. These bills peddle lies and medical inaccuracies, while allowing politicians to dictate personal medical decisions. HB 1577 does just that. This anti-choice bill runs afoul of the Constitution. placing multiple new restrictions on abortion access. HB 1577 will force health providers to provide dangerous, false and misleading information about abortion reversal, putting patients at risk while ignoring science and the First Amendment rights of medical providers.



Patients rely on their providers to help them make informed medical decisions. No one benefits from forcing providers to share misinformation. Unfortunately, this

chambers 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.

VICTORY! YOUTH JUSTICE

After years of fighting against legislation that would increase the number of kids in adult court, SB 368 was introduced to promote commonsense policies designed to confront systemic racism in the juvenile legal system and disrupt the schoolto-prison pipeline.

This bill helps ensure that children are not held in adult facilities while awaiting trial, establishes standards to make sure children are competent to stand trial, and implements an automatic expungement system for juvenile records.



VICTORY! LGBTO RIGHTS

Destigmatizing HIV Indiana law has long included outdated language that unnecessarily stigmatizes and criminalizes people who are HIV positive.



HB 1340 took a first step toward introducing person-centered language, shifting how we talk about HIV.

No Anti-Trans Legislation

The ACLU of Indiana Transgender Education & Advocacy Program has been working since 2016 to create a more favorable statewide climate in which to promote full protections for the LGBTQ community and to combat anti-trans legislation and rhetoric. During a year in which anti-trans legislation took front and center across the country, thanks to the groundwork laid by this group of advocates and supporters across the state, we won against these horrible bills before the 2021 session even started. Indiana legislators refrained from giving any anti-trans bills a hearing during the 2021 session!

MISSED OPPORTUNITIES

Protections for Pregnant Workers

Indiana was poised to pass critical pregnancy accommodations for Hoosier workers, but instead passed HB 1309 a "Pregnancy Accommodation" bill that does not actually afford any of the protections that working Hoosier women so desperately need. The bill allows for a pregnant employee to ask for an accommodation such as access to a water bottle or a stool, without requiring the employer to accommodate the request.



Sentencing Reform

Indiana enacted sentencing reform in 2014, yet nearly 1,700 people are still sitting in jail with long sentences based on outdated guidelines. House Bill 1202 would have provided a clear and understood path for certain incarcerated Hoosiers to apply for release based on current sentencing guidelines, giving those convicted prior to 2014 of particular offenses the opportunity to receive equitable sentencing with those convicted for the same offense committed post 2014. HB 1202 is a common-sense smart justice reform needed in Indiana, but 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, SB 319 and HB 1139, and worked with our partners to push for this much-needed change. Unfortunately, the Indiana House and Senate failed to give these bills a hearing.









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

The ACLU of Indiana works hard to keep Hoosiers informed on key issues at the Statehouse and legislative votes on civil liberties. We constantly seek ways to hold politicians accountable to keeping your rights in mind and supporting good public policy.

Within the 108 days of the 2021 legislative session, we tracked a variety of bills that would have advanced or threatened civil liberties in our state. We the People can use this information to hold our elected officials accountable. 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.

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 2021 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, and search for legislation by its bill number.

Policing Reform

H.B. 1006 Law Enforcement Officers

This bill takes significant steps to protect people and ensure accountability against police violence. While HB 1006 doesn't address the underlying issue with policing, which is the outsized and everexpanding scale of policing that leads inevitably to officers' unlawful use of excessive force, the reforms to the officer decertification process close major loopholes in current law. Also, the bill outlines penalties for officers who intentionally turn off body worn cameras.



Reproductive Rights

H.B. 1577 Abortion Matters

This bill will force minors to jump through even more hoops to get abortion care. It would limit the use of telemedicine for reproductive health care services, a particularly dangerous proposal during a pandemic. This bill will force health providers to lie to their patients and provide dangerous, false and misleading information about abortion reversal, putting patients at risk while ignoring science and the First Amendment rights of medical providers.



ACLU opposed
Signed into law

Youth Justice

S.B. 368 Juvenile Justice

This multi-issue bill promotes commonsense policies designed to confront systemic racism in the juvenile justice system and disrupt the school-to-prison pipeline. This bill will help ensure that children are not held in adult facilities while awaiting trial, it would also create Indiana's first competency to stand trial requirements for juveniles, and implement an automatic expungement system for juvenile records.



ACLU supported Signed into law

Free Speech

S.B. 187 Anti-Protest

This bill will enhance criminal penalties for protesting and ultimately chill Hoosiers' free speech. It punishes communities as a whole by withholding discretionary funding for public services, including schools and parks, if localities fail to take strict action against protesters.



ACLU opposed Signed into law

Voting Rights

S.B. 353 Various Election Law Matters

This bill would have prohibited the Governor and Indiana Election Commission from enacting election changes. SB 353 was a clear pushback against changes enacted during the 2020 Indiana primary elections. Due to the public health emergency caused by COVID-19, Hoosier voters encountered a variety of barriers to the ballot last year. Some of these barriers were addressed by the Indiana Election Commission by enacting no-excuse absentee vote-by-mail.



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Holdman, Travis

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Kruse, Dennis

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Koch, Eric

2021 **LEGISLATIVE SCORECARD**

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SB 187 Anti-Protest



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HB 1577 Abortion Matters

SB 353 Various Election Law Matters (Senate Vote Only)

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SB 368 Youth letter "A" indicate **Justice** absent or no vote

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