

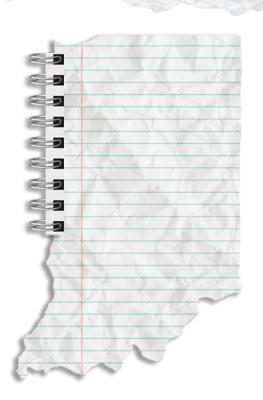
2022 LEGISLATIVE REPORT





With progress comes pushback, and that's exactly what we saw in Indiana during the 2022 legislative session. Pushback against equitable education and conversations about racism in schools. Pushback against trans folks who simply want equal participation in public life. Pushback against the increase in voter turnout. And pushback against prosecutors who attempt to use their power to reduce racial inequalities in the criminal legal system. We saw several highs and lows throughout session, but with your help, we were able to defeat a number of bad bills.

The ACLU of Indiana works hard to keep Hoosiers informed on legislative votes impacting civil liberties. We constantly seek ways to hold politicians accountable to protecting your rights, but we can't do it alone. ACLU supporters showed up to protect Hoosiers' rights in a big way this session, and it truly made a difference.



BY THE NUMBERS

23,000+

MESSAGES SENT TO LEGISLATORS

13,860

HOOSIERS TOOK ACTION

BILLS TRACKED

BILLS SUPPORTED BY ACIU

BILLS OPPOSED BY ACI U

750 ACLU SUPPORTERS RALLIED AT THE STATEHOUSE

2022 LEGISLATIVE REPORT ACLU OF INDIANA

TRANS RIGHTS



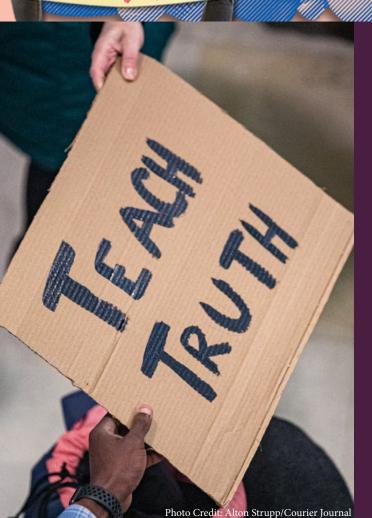
Each year, Indiana legislators target trans Hoosiers with a number of hateful bills. This year, in an attempt to prevent transgender people from living full and equal public lives, some legislators targeted trans kids with a bill that would **ban transgender girls from participating in school sports**. Hoosiers showed up in a big way, sending 18,000+ messages to legislators and coming out to the Statehouse for multiple rallies. HB 1041 ultimately passed, but Governor Holcomb heard the tens of thousands of Hoosiers who voiced their strong opposition and **vetoed this hateful bill.**

Trans girls are girls, and when misinformation about biology and gender is used to bar them from sports it amounts to the same form of sex discrimination that has long been prohibited under Title IX, a law that protects all students – **including trans people** – on the basis of sex.



This victory belongs to the trans youth of Indiana, who deserve to live as their authentic selves and to play the sports they love, **free from discrimination.**

#LetKidsPlay



CLASSROOM CENSORSHIP



Imagine being a middle school history teacher and not being allowed to use concepts or terms like "systemic racism" to teach about our country's history.



This year, Indiana lawmakers attempted to ban concepts used to educate students about systemic barriers and forms of discrimination people of color and other marginalized groups still face. HB 1134 would have prevented students from having an open and equitable dialogue in schools about race and sex discrimination, erasing the experiences and viewpoints of people of color and other marginalized communities.

But our supporters helped protect Hoosier students and teachers, sending nearly 5,000 messages to legislators and coming out to the Statehouse to oppose this bill. We made it clear to legislators, we won't allow them to rob young people of an inclusive education and a healthy school environment.

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ABORTION ACCESS

Every year at the Statehouse we face a number of bills attempting to push abortion out of reach and 2022 was no different. Several bills that would have banned abortion in Indiana were introduced, but legislators did not give any of these proposed bans a hearing.

But one anti-abortion bill did pass. HB 1217 is the byproduct of a decades long public and political campaign to market the false narrative that any woman who seeks an abortion does so because she is confused, misled or coerced. This assumption reflects a lack of respect for women's moral decision-making. Indiana legislators must stop questioning women's judgment and stop restricting their medical decisions.

VOTING RIGHTS

to vote absentee by mail.

VICTORY!

Indiana's laws regarding absentee voting are already incredibly restrictive. HB 1116 started as a voter restriction bill that would have required a voter to certify, under penalty of perjury, that they can't vote in person on Election Day or during the state's 28-day early voting period in order

This language was never meant to encourage voters to vote in-person, it was meant to intimidate voters from voting absentee. The more Hoosiers participate in the electoral process, the more our state and country flourish as a democracy. While HB 1116 ultimately passed, the final version did not include this highly problematic language.



CRIMINAL LEGAL REFORM



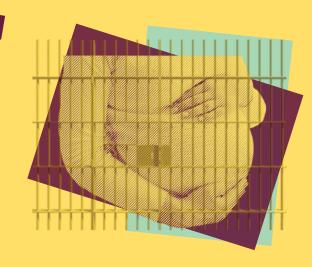
CHARITABLE BAIL

Historically, well over 50 percent of people in Indiana's jails have not been convicted of a crime, but are **sitting in jails because they cannot afford bail.** Rather than deal with this problem, Indiana legislators **launched an attack on charitable bail organizations** such as the Bail Project, passing a bill that limits charitable bail organizations from functioning in Indiana by enacting unattainable requirements.

The bill, HB 1300, would require a charitable bail organization to register with the Department of Insurance, hire a bail agent, pay fines, fees, and costs, among other requirements.

PROHIBITING RESTRAINT OF PREGNANT INCARCERATED WOMEN

Although widely regarded as an assault on human dignity, as well as an unsafe medical practice, women prisoners are still **routinely shackled during pregnancy and childbirth in Indiana**. HB 1294 will require correction facilities to use the least restrictive restraint necessary when a woman is in the second or third trimester of pregnancy. It also prohibits restraint of women while in labor, recuperating from delivery, or dealing with a medical emergency related to their pregnancy. HB 1294 passed, and is a **major victory for women who are incarcerated in Indiana**.





NONCOMPLIANT PROSECUTORS



Prosecutors have the power to flood jails and prisons and deepen racial disparities with the stroke of a pen. But they can also **use their legal discretion to do the opposite.**

SB 165 was an attempt by some legislators to stop prosecutors who use their power to reduce racial and economic inequalities in the criminal legal system. This bill would have given the Indiana Attorney General the **power to request the appointment of a special prosecutor** in cases in which a county prosecutor has used their lawful discretion not to prosecute certain crimes.

This bill would not only have undermined the prosecutor's authority but also **the voter's power to hold county prosecutors accountable.** SB 165 died in the House.

2022 LEGISLATIVE REPORT ACLU OF INDIANA



MISSED OPPORTUNITIES

IN-STATE TUITION

Two bills, HB 1017 and SB 138, were introduced to allow undocumented Hoosier students who attended high school, graduated from a public school in Indiana and have a pending DACA case to pay in-state tuition at Indiana's public colleges and universities. 92,000 undocumented immigrants call Indiana home and 60% have lived in Indiana over 10 years. Bills recognizing the value that these young people bring to our state are introduced every year. But this year, some progress was made. SB 138 received a committee hearing. We are hopeful that legislators will take the important next step toward equality next session and pass in-state tuition for these young Hoosiers.





ABSENTEE VOTING FOR THE ELDERLY AND DISABLED

SB 71 would have allowed elderly and disabled Hoosiers to apply for a permanent absentee voting status, eliminating the excuse requirement for absentee voting. Everyone should have the opportunity to participate fully in our democracy regardless of physical limitations, but rather than move a bill forward that makes voting more accessible, Indiana legislators again focused on putting additional voting barriers in place.









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 protecting your rights and supporting public policy that creates a more just and equitable state for all Hoosiers.

Within the 63 days of the 2022 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 fellow 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 2022 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.

LGBTQ+ RIGHTS

HB 1041: TRANS ATHLETE BAN VETOED BY GOVERNOR HOLCOMB

This bill would discriminate against transgender girls by banning their participation in school sports. Numerous Federal courts, the Department of Justice, and the Department of Education have found such bans violate the Civil Rights Act as well as the Equal Protections Clause of the U.S. Constitution.



REPRODUCTIVE RIGHTS

2

HB 1217: COERCED ABORTION REQUIREMENTS SIGNED INTO LAW

This bill claims to protect women from coerced abortions, but is clearly just the most recent attempt in a long line of bills intended to reduce or eliminate access to abortion in Indiana. This law is unnecessary. Providers like Planned Parenthood already have informed consent processes on the books.



CRIMINAL LEGAL REFORM

3

HB 1300: CHARITABLE BAIL SIGNED INTO LAW

This bill limits charitable bail organizations from functioning in Indiana by enacting unattainable requirements. The bill will require a charitable bail organization to register with the Department of Insurance, hire a bail agent, pay fines, fees, and costs, among other requirements. HB 1300 prohibits a charitable bail fund's ability to bail people out who have been charged with a violent offense, or have any previous violent conviction – no matter how old.



STUDENTS' RIGHTS AND RACIAL JUSTICE



HB 1134: CLASSROOM CENSORSHIP DIED IN THE SENATE

This was a classroom censorship bill introduced as part of a nationwide effort to limit how students can learn and talk about race and sex discrimination in public schools. This bill would have limited how public schools and employees could include concepts related to an individual's sex, race, ethnicity, religion, color, national origin, or political affiliation, as part of educational curriculum and activities. The vagueness of this bill would have effectively chilled discussion and instruction in Indiana classrooms.



VOTING RIGHTS



HB 1116: ELECTRONIC VOTING MACHINES PROBLEMATIC LANGUAGE REMOVED

The version of this bill that originally passed through the House would have required a voter to certify, under penalty of perjury, that they can't vote in person on Election Day or during the state's 28-day early voting period in order to vote absentee by mail. Although the final version of this bill that passed did not include this highly problematic language, the votes reflected on this scorecard were placed when this provision was still included.



CRIMINAL LEGAL REFORM



SB 165: NONCOMPLIANT PROSECUTORS DIED IN THE HOUSE

This bill would have given the Indiana Attorney General the power to request the appointment of a special prosecutor in cases in which a county prosecutor has used their lawful discretion not to prosecute. This bill would have allowed the Indiana Attorney General to substitute his discretion for that of a county prosecutor, encouraging the Attorney General to pick and choose prosecutorial policies when oversight should come, first and foremost, from voters within each county.



2022 **LEGISLATIVE** SCORFCARD

Kruse, Dennis



Fields with Liberty Torch voted with the ACLU



Fields left blank opposed the ACLU

Fields with the



HB 1217: Coerced

HB 1041: Trans

Athlete Ban

HB 1300:



HB 1134: Classroom Censorship (House Vote Only)



HB 1116: Voter Restrictions (House Vote Only)



SB 165: Noncompliant Prosecutors

SCORECARD			A		letter "A" indicate absent or no vote	HB 1300: Charitable Bail		6	Prose	5: Noncompliant ecutors e Vote Only)
SI	ENATE	1	2	3	6	SENATE	1	2	3	6
R	Alting, Ron	•		+		□ Lanane, Timothy	+	\\	+	\
R	Baldwin, Scott					R Leising, Jean				
R	Bassler, Eric	6				□ Melton, Eddie	Ť	\\ \\ \	+	†
R	Becker, Vaneta			+	\(\frac{1}{2}\)	R Messmer, Mark				
R	Boehnlein, Kevin					R Mishler, Ryan				A
R	Bohacek, Mike					R Niemeyer, Rick				
RI	Boots, Philip	6	\bar{\bar{\bar{\bar{\bar{\bar{\bar{			○ Niezgodski, David	6		+	\(\frac{1}{2}\)
R	Bray, Rodric					R Perfect, Chip	+			
DI	Breaux, Jean	*	\\ \\ \	+	\	□ Pol, Rodney	*	†	Ť	\
R	Brown, Liz	+				□ Qaddoura, Fady	Ť	\\rightarrow	+	\\
R	Buchanan, Brian					R Raatz, Jeff				
R	Buck, James					□ Randolph, Lonnie	Ť	†	+	†
R	Busch, Justin					R Rogers, Linda				
R	Byrne, Gary					R Sandlin, Jack			A	
R	Charbonneau, Ed	†				□ Taylor, Greg	†	+	*	†
R	Crane, John					R Tomes, James				
R	Crider, Michael					R Walker, Greg	Ť			
R	Donato, Stacey					R Walker, Kyle				
R	Doriot, Blake		A			□ Yoder, Shelli	†	•	+	\(\frac{1}{2}\)
DI	Ford, J.D.	+	†	+	†	R Young, Michael				
RI	Ford, Jon					R Zay, Andy				
R	Freeman, Aaron									
R	Garten, Chris		A							
R	Gaskill, Mike									
R	Glick, Susan									
R	Griffin, Michael	†		÷						
RI	Holdman, Travis			Α						
RI	Koch, Eric									

2022 LEGISLATIVE SCORECARD

HOUSE	1	2	3	4	5	HOUSE	1	2	3	4	5	HOUSE	1	2	3	4	5
R Abbott, David						□ Hatcher, Ragen	+	\\	+	+	•	R Olthoff, Julie					
□ Andrade, Mike	+	•	+	+	•	□ Hatfield, Ryan	\		+	•	A	□ Pack, Renee	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	•	+	+	+
□ Austin, Terri Jo	+			+	+	R Heaton, Robert						R Payne, Zach					
R Aylesworth, Mike						R Heine, Dave		A				□ Pfaff, Tonya	+		+	+	•
R Baird, Beau			+			R Hostettler, Matt						□ Pierce, Matt	+	+	Ť	+	•
R Barrett, Brad						R Huston, Todd			A			□ Porter, Gregory	+	•	+	*	+
R Bartels, Steve			A	+		□ Jackson, Carolyn	+	•	+	+	+	R Prescott, J.D.					
□ Bartlett, John	+	A	+	+	+	R Jacob, John		†		+		R Pressel, Jim					
□ Bauer, Maureen	+	†	+	+	+							□ Pryor, Cherrish	+	+	+	+	+
R Behning, Robert					A	□ Johnson, Blake	+		+	+	+	Rowray, Elizabeth					
R Borders, Bruce						R Jordan, Jack						R Saunders, Thomas	A	A	+	A	A
□ Boy, Pat	+	•	+	+	+	R Judy, Chris		A				\mathbb{R} Schaibley, Donna					A
R Brown, Timothy						R Karickhoff, Michael						□ Shackleford, Robin	+	+	+	+	+
□ Campbell, Chris	Ť	†	+	+	+	R King, Joanna						R Slager, Hal					
R Carbaugh, Martin							+		+	+	+	R Smaltz, Ben		A			
R Cherry, Robert						R Lauer, Ryan						□ Smith, Vernon	+	•	Ť	*	+
R Clere, Edward	+			+		R Ledbetter, Cindy					A	R Snow, Craig					
R Cook, Anthony						R Lehe, Don						R Soliday, Edmond					
R Davis, Michelle						R Lehman, Matt						R Speedy, Mike		A			A
$\protect\operatorname{R}$ Davisson, J. Michael		A		A		R Leonard, Daniel						${\mathbb R}$ Steuerwald, Gregory					
□ DeLaney, Edward	+		+	+	*	R Lindauer, Shane				+		□ Summers, Vanessa	7	+	+	*	+
R DeVon, Dale	A					R Lucas, Jim			A			R Teshka, Jake					
□ Dvorak, Ryan	7			†	†	R Lyness, Randy				+		${\sf R}$ Thompson, Jeffrey					
R Eberhart, Sean			A			R Manning, Ethan						R Torr, Jerry					
R Ellington, Jeff						R May, Chris						R VanNatter, Heath					
R Engleman, Karen						R Mayfield, Peggy						${\sf R}$ Vermilion, Ann				+	
□ Errington, Sue	+	•	+	+	+	R McNamara, Wendy				+		R Wesco, Timothy					
□ Fleming, Rita	+			+	+	R Miller, Doug						R Young, John					
R Frye, Randall							*		A	+	+	R Zent, Dennis					
□ GiaQuinta, Philip	+	•	+	+	+	R Morris, Robert						R Ziemke, Cindy	+	A	Ť	+	
R Goodrich, Chuck						R Morrison, Alan	A										
□ Gore, Mitch	+			+	+		A	A	+	A	+						
R Gutwein, Doug						R Negele, Sharon											
□ Hamilton, Carey	+	\\rightarrow	+	+	+	R Nisly, Curt				+							
☐ Harris Jr., Earl	+	+	+	Ť	+	R O'Brien, Tim											