ACLU 2017 LEGISLATIVE SCORECARD

TO LEARN MORE

about our work during the 2017 Legislative Session, read our 2017 Legislative Report at www.acluidaho.org/en/legislatior

STAND UP FOR FREEDOM

We created our first ever legislative scorecard to let you know where your legislators stand on a variety of civil liberties issues. We hope you'll use this scorecard to give your state Representative and Senator feedback on their votes in the 2017 Legislative Session. Direct communication with your legislators is a valuable way to encourage them to stand up for freedom and protect our constitutional rights.

HOW THE SCORECARD IS CREATED

We make sure that all legislators know our position prior to voting on important civil liberties issues by distributing a floor statement explaining our position. We then select a range of key civil liberties issues to include in our scorecard. In cases where we were unable to share our floor statement on a particular bill, we have not scored lawmakers on that vote in their respective chamber.

BILLS WE SCORED IN 2017

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VOTING RIGHTS: H.B. 150 RESTRICTIONS TO EARLY VOTING

HB 150, introduced by Rep. Dustin Manwaring (R – Pocatello) would shorten the timeframe for early voting by requiring that counties restrict the number of weeks they offer early voting, from the current standard of two weeks or more, to a new requirement of no less than one week and no more than three weeks. At a time when we should be expanding access to the ballot, this proposal would do the opposite. By shortening the timeframe of early voting across the state, Idaho voters would lose access to voting options which have been critically important to communities of color, elderly and young voters, working families, those with disabilities and those needing language assistance.

ACLU opposed

Passed House

Died in Senate State Affairs Committee

WIN

CRIMINAL JUSTICE: H.B. 178 CRIMINALIZING HEROIN-INDUCED DEATHS

HB 178, introduced by Reps. James Holtzclaw (R – Meridian) and John Gannon (D – Boise), would charge individuals who deal heroin with second degree murder if the person they sold to dies of a drug overdose. Instead of recognizing substance abuse as the public health epidemic that it truly is, this bill would have continued the criminalization of drug abuse and increased incarceration rates. ACLU opposed

Died on the House Floor

FREE SPEECH: H.B. 270 **RESTRICTIONS ON FREE SPEECH** IN BOND AND LEVY ELECTIONS

HB 270, introduced by Rep. Jason Monks (R - Meridian) intended to restrict First Amendment protected speech for those working in Idaho's public schools, specifically around school bond and levy elections. It also would have permitted individuals dissatisified with the results of a school bond or levy election to question its validity, thereby prompting an investigation that could groundlessly void election outcomes, invalidating the will of the voters.

ACLU opposed

Passed House

Died in Senate WIN **State Affairs**



PRIVACY: S.B. 1069 REAL ID PROTECTIONS

SB 1069, introduced by Sen. Steve Vick (R - Dalton Gardens) will ensure additional privacy protections now that Idaho is a Real ID compliant state. (This is a federal law that requires states to issue Real ID compliant drivers licenses or identification cards and eventually will limit only those with a Real ID compliant card or passport to fly). It first provides Idahoans with a choice in what type of identification card they get, whether it's a Real ID compliant or a non-compliant license or state ID. Second, notice must be given to individuals so they fully understand the privacy matters implicated by selecting a Real ID license – like the requirement that DMV scan and store copies of all our identity source documents.

DUE PROCESS: S.B. 1120 DUE PROCESS VIOLATIONS FOR RENTERS

SB 1120, introduced by Sen. Todd Lakey (R – Nampa) created a newly expedited removal process from a rental property that only requires that notice be served to the tenant no less than 24 hours prior to the trial. The shortened time frame severely restricts the tenant's rights to due process, leaving the tenant practically no time to find counsel or prepare any form of meaningful defense. We opposed because this would unduly impact domestic violence victims and other lowincome tenants.

ACLU opposed

Passed Senate and House

LOSS

Signed by Governor Otter

7

CONSTITUTION: S.C.R. 108 CONSTITUTIONAL CONVENTION

SCR 108, introduced by Sen. Marv Hagedorn (R - Meridian) calls that Idaho join a convening of states at a constitutional convention as allowed under Article V of the U.S. Constitution. A constitutional convention places our entire form of government and all of our carefully crafted freedoms and liberties at great risk when the fundamental protections in our Bill of Rights is opened for rewriting. There are also no standards governing the conduct and procedures of a constitutional convention and no way to ensure that delegates will truly represent the will of the people or be representative of all who live in Idaho.

CRIMINAL JUSTICE H.B. 202 CIVIL ASSET FORFEITURE REFORM

5

HB 202, introduced by Reps. Steven Harris (R - Meridian) and Ilana Rubel (D – Boise), provided important changes to the often-abused civil asset forfeiture law, which allows law enforcement to seize cash or property absent bringing criminal charges. It would have provided a way for seized property to be returned to an owner and excluded the mere presence of cash as a basis to seize the cash on hand. The bill also included mandated reporting requirements that would have shed light on patterns of abuse and targeted policing, both critical to identify additional statutory protections for Idahoans that we think should be added in future sessions.

ACLU supported

Passed House and Senate

Vetoed by LOSS **Governor Otter**



SJR 103 also known as "Marsy's Law", introduced by Sen. Todd Lakey (R – Nampa) was a constitutional amendment that aimed to expand crime victim rights at the expense of creating chaos in our broader criminal justice system. This constitutional amendment would have violated criminal defendants' right to due process, included corporations and other business interests under the definition of a crime victim, and provided no funding to improve current victim rights programs.

ACLU supported

Passed Senate and House

Signed by **Governor Otter**

WIN

ACLU opposed

Died on Senate Floor



ACLU opposed Passed Senate

Died in House State **Affairs Committee**



IDAHO LEGISLATIVE SCORECARD 2017

KEY ·····

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Fields with Liberty Torch voted with the ACLU

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Α

Voting Rights

Fields with the letter "A" indicate absent for vote, does not impact score

Criminal Justice

Free Speech

G Due Process

6

7

8

5 Criminal Justice

Privacy

Constitution

Criminal Justice

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R Paul Amador		ŧ	•			\$	33	D Hy Kloc	ŧ	÷	\		÷	\	83
R Neil Anderson		ŧ			ŧ	÷	50	R Tom Loertscher		÷			÷	\	50
R Robert Anderst		ŧ			÷	÷	50	R Lynn Luker		÷	•		÷	\	50
R Randy Armstrong		ŧ	•	•	\$	÷	50	R Luke Malek	•	•	- - - - - - - - - - - - - - - - - - -	•	- - - - -		0
R Vito Barbieri		ŧ		•	•	÷	50	R Dustin Manwaring		ŧ			÷	\	50
R Scott Bedke	÷	•	•	• •	•	÷	33	D John McCrostie	÷	÷	\	•	÷	\	83
R Maxine Bell		ŧ	÷	•	÷	A	60	R Patrick McDonald		•	•		•	\	17
R Megan Blanksma		•	•	• •	•	÷	33	R Ron Mendive	•	÷	•	•	\	\	50
R Judy Boyle				•	÷	ŧ	33	R Steve Miller	÷	÷	•		\	\	67
R Van Burtenshaw		ŧ	•	•	•	÷	33	R Jason Monks	•	†	•	•	\	\	50
R Greg Chaney		\	•		ŧ	÷	50	R Dorothy Moon		÷	•		\	\	50
R Don Cheatham		•	•		÷	÷	33	R Mike Moyle		ŧ			•	\	50
D Susan Chew	÷	ŧ	÷		÷	÷	83	R Ronald Nate		÷			\	\	50
R Lance Clow	\	•	÷		ŧ	ŧ	67	R Kelley Packer	•	ŧ			A	†	40
R Gary Collins		•			•	ŧ	33	R Joe Palmer		A			A	+	25
R Brent Crane		•	•		•	÷	33	R Christy Perry	•	÷			†	\	50
R Thomas "Tom" Dayley		ŧ			ŧ	÷	50	R Dell Raybould			•		\	\	33
R Gayann DeMordaunt		\		A	•	÷	60	R Eric Redman		•			÷	†	33
R Sage Dixon		ŧ			•	ŧ	50	D Ilana Rubel	÷	ŧ	ŧ		÷	A	80
D Mathew Erpelding	÷	\	÷	A	•	•	80	R Heather Scott	•	ŧ			ŧ	\	50
D John Gannon	÷	•	÷	ŧ	÷	÷	83	R Paul Shepherd		•	A		•	\	40
R Terry Gestrin		÷	•		ŧ	÷	50	D Elaine Smith	ŧ	•	ŧ		÷	÷	67
R Marc Gibbs		•	÷			\	33	R Thyra Stevenson		ŧ	•		÷	A	40
R Priscilla Giddings	ŧ				ŧ	÷	50	R Scott Syme	ŧ	ŧ				\	50
R Karey Hanks	÷	ŧ			÷	÷	67	R Jeff Thompson			•		\	A	20
R Steven Harris	ŧ	ŧ			÷	ŧ	67	D Sally Toone	ŧ		ŧ		÷	÷	67
R Stephen Hartgen		÷	•			÷	33	R Caroline Troy		÷	•		\$	\	50
R Brandon Hixon		•	•		ŧ	÷	33	R Janet Trujillo	ŧ		•		÷	ŧ	50
R James Holtzclaw		•	•		\$	÷	33	R John Vander Woude		ŧ	•		\$	+	50
R Wendy Horman	\	- - - -	•		÷	÷	50	R Julie VanOrden		÷			÷	\	50
D Paulette Jordan	\	ŧ	\	ŧ	÷	ŧ	100	D Melissa Wintrow	÷	ŧ	ŧ	ŧ	\	\	100
R Clark Kauffman		ŧ	÷		ŧ	÷	67	R Fred Wood	ŧ		ŧ		•	\	50
R Ryan Kerby	÷	•	•	•	ŧ	\	50	R Rick Youngblood	A	•	• • •		•	÷	20
D Phylis King	÷	ŧ	÷		÷	÷	83	R Christy Zito	÷				÷	\	50
R Mike Kingsley		ŧ	•	•	÷	\$	50	R Bryan Zollinger	ŧ	ŧ	•		\	\	67

HOUSE

SENATE

		5	6	7	8	ACLU %
R	Jeff Agenbroad	÷	ŧ			50
R	Kelly Anthon	÷	÷			50
R	Steven "Steve" Bair	÷	÷	÷		75
R	Clifford Bayer	+	÷	÷		75
R	Bert Brackett	+	\	\		75
D	Cherie Buckner-Webb	\	\	÷		75
D	Grant Burgoyne	+	†	÷		75
R	Carl Crabtree	\	÷	\		75
R	Bart Davis	\	\	÷		75
R	Lori Den Hartog	ŧ	ŧ	ŧ		75
R	Dan Foreman	÷	÷	\		75
R	Jim Guthrie	÷	÷	\		75
R	Marv Hagedorn	÷	÷			50
R	Mark Harris	\	÷	\		75
R	Lee Heider	\	÷	+		75
R	Brent Hill	÷	÷			50
R	Dan Johnson	÷	ŧ	\		75
D	Maryanne Jordan	÷	÷	\		75
R	Shawn Keough	\	÷	÷		75
R	Todd Lakey	÷	÷			50
R	Abby Lee	\	÷	+		75
R	Patti Anne Lodge	\	÷			50
R	Fred Martin	+	\	\		75
R	Dean Mortimer	†	÷			50
R	Bob Nonini	\	÷	+		75
D	Mark Nye	\	\	†		75
R	Jim Patrick	÷	÷	\		75
R	Jim Rice	\	÷			50
R	Jeff Siddoway	÷	÷			50
R	Mary Souza	÷	÷			50
D	Michelle Stennett	÷	ŧ	+		75
R	Steven Thayn	\	\			50
R	Steve Vick	†	÷	+		75
D	Janie Ward-Engelking	÷	\	\	A	100
R	Chuck Winder	+	\	*		75



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