

**ACLU**  
Montana

# ACLU OF MONTANA 2023-2024 WINTER NEWSLETTER

[www.aclumontana.org](http://www.aclumontana.org)



The 68th Legislative Session featured unprecedented attacks on our civil rights and civil liberties, and singled out already-marginalized communities for hatred, oppression and bigotry.

The ACLU of Montana lobbied for and against bills across the board: from Indigenous education and reproductive rights, to trans justice, freedom of speech, and the right to privacy. The following is a list of those issue areas, and how your elected Representatives and Senators voted. There were many heroes from the Session that must be celebrated. There were also many who partook in hatred and bigotry and they must be held accountable. This legislative scorecard is designed to track each legislator’s commitment to our cherished rights and liberties, and to provide a tool for holding our elected officials accountable for their votes.

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A Letter From –

## Akilah Maya Deernose Executive Director

It is an absolute honor to serve as the new Executive Director of ACLU Montana. As a long-time supporter of ACLU's work, I am thrilled to work alongside a team of brilliant, passionate, and caring individuals unified in our vision for ensuring that all Montanans enjoy a more just and equitable future. This work is personally significant to me because of the many barriers to participate meaningfully in civil society that I have both witnessed and experienced throughout my life. As a Black woman who grew up in poverty with both disabled family members and members entangled in the criminal legal system, I have experienced challenges affecting some of the most marginalized communities for which ACLU advocates. Those experiences informed and defined my understanding of justice as an expansive concept that encompasses equity, dignity, and community care. I am grateful to all of our supporters - from community members to staff, from donors to board members - who join me in the shared fight to protect and expand civil rights and liberties for all Montanans.

In the face of great division and chaos across the State and throughout the world, our team remains unwaveringly committed to unity and community building to grow our efficacy as we tackle the civil rights challenges of the day. The issues central to ACLU's mission - protecting personal liberties as promised in the Bill of Rights (both the letter and, more importantly, the spirit of that document) are the very issues that are constantly under attack as we see increasing efforts by legislators and local officials to abandon democracy in favor of autocracy. Nonetheless, we remain hopeful and steadfast in our vision towards a more just and equitable Montana. The legislative scorecard included in this newsletter provides a guide to understanding the current state of civil rights issues in Montana. That document provides a snapshot of how civil rights and liberties issues fared during the 2023 Legislative Session based on what bills were introduced and who supported or opposed those bills.

As we collectively enter the winter season of a non-legislative year, a time of year synonymous with deep pause and reflection, we invite you to join us in reviewing the legislative scorecard and consider what the outcomes mean for Montanans. Through the scorecard, you will see that this year we saw an unprecedented number of bills aimed at constricting the rights of all Montanans, and more specifically targeting the most marginalized of our community members. You will also see that through partnerships and immense lobbying efforts we procured critical wins on some of our strategic priority issues, such as HB 317, or the Montana Indian Child Welfare Act (MICWA), demonstrating that it is possible to reach agreement on elements of our shared humanity, even in the harshest conditions.



In searching for guidance on how to process all of the good and bad from 2023, I find the words of Amanda Gorman from her poem, “The Hill We Climb” instructive:

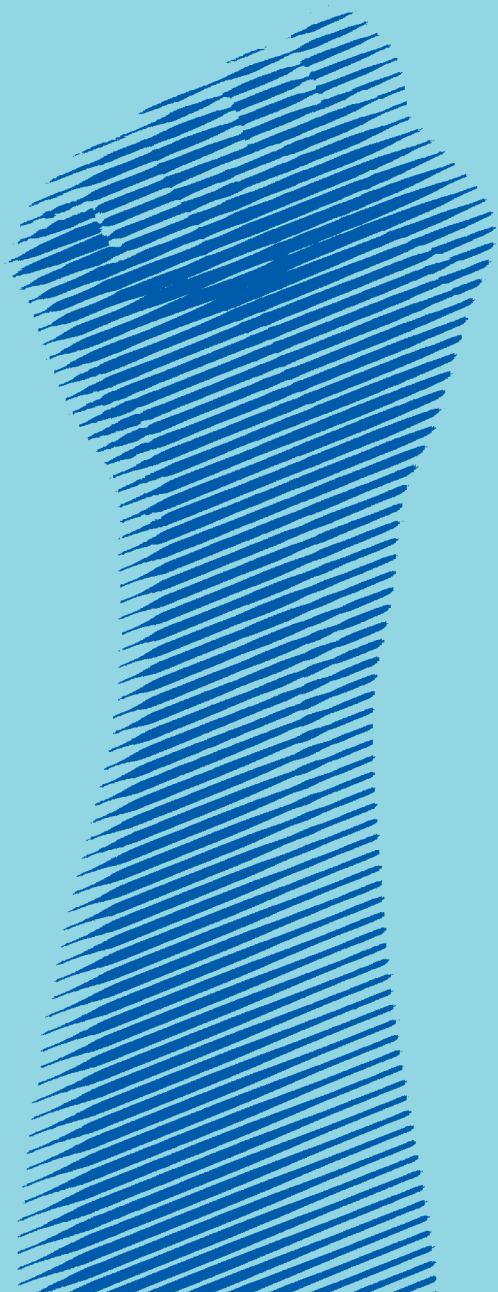
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*When day comes, we ask ourselves, where can we find light  
in this never-ending shade?  
The loss we carry. A sea we must wade.  
We braved the belly of the beast.  
We've learned that quiet isn't always peace, and the norms  
and notions of what 'just' is isn't always justice.  
And yet the dawn is ours before we knew it.  
Somehow, we do it. Somehow, we weathered and witnessed  
a nation that isn't broken, but simply unfinished...  
And, yes, we are far from polished, far from pristine, but  
that doesn't mean we are striving to form a union that is  
perfect.  
We are striving to forge our union with purpose.*

---

Her words remind me that the current state of our democracy is not the final state in which it will remain, so long as we continue to strive, led by purpose and intention, to carry forward the promise of this Nation. We have the power and ability, when we join together, to shepherd forward ACLU Montana's critical mission of securing justice and equity for all Montanans.

**WE THE PEOPLE  
DARE TO CREATE  
A MORE PERFECT  
UNION**



**ACLU**  
Montana



## 2S-LGBTQIA+ RIGHTS

The 2023 Legislative Session saw unprecedented attacks on 2S-LGBTQIA+ (two-spirit, lesbian, gay, bisexual, transgender, queer, intersex, asexual) Montanans. These attacks were aimed with particular animosity at queer and trans children. The ACLU of Montana joined our partner organizations, speaking passionately about the immense harm and cruelty these bills would cause. These continued efforts are critical to ensure that 2S-LGBTQIA+ Montanans, and all Montanans, know that diverse communities exist and will persist regardless of these legislative attacks.



## REPRODUCTIVE FREEDOM

Abortion is legal in Montana. This makes us a regional outlier, a vital access point to safe and necessary medical care for not only Montanans, but those in the immediate Mountain West and Plains states. During the 2023 Legislative Session, legislators attempted to dismantle the 1999 decision *Armstrong v. State* through attacks on the judicial branch and with the sheer volume of bills on the issue.



## INDIGENOUS JUSTICE

The ACLU of Montana responded to a record 33 bills that addressed a range of issues affecting Indigenous communities, including environmental protection, taxation, tribal languages, healthcare, education, and more. Unfortunately, anti-tribal sentiment was a pervasive and harmful issue, as evidenced by Senator Keith Regier's withdrawn proposal to "investigate alternatives to the American Indian reservation system." Our team worked in close collaboration with Indigenous representatives, organizations, lobbyists, and advocates to ensure that our work amplified Indigenous voices within the Legislative process. A successful example of that partnership was reflected in the passing of (HB 317) or the Montana Indian Child Welfare Act (MICWA). The bill codifies federal policy and was designed to protect Indigenous children. Alongside our partners, our team also helped to draft and advocate for the successful passing of (HB 338), which strengthens Indian Education for All (IEFA) - a constitutional mandate that ensures that in consultation with tribes, all children in Montana public schools learn about the unique histories, cultures, and heritages of Indigenous people.





## VOTING RIGHTS

While politicians continued to promote the “Big Lie” that the 2020 Presidential Election was stolen from former President Donald Trump and broadly decry Montana’s free and fair elections, there was little appetite in the legislature for actually advancing new restrictions on voting rights. We worked to successfully defeat many of the silliest, but nevertheless harmful attempts to impair access to the ballot box or meddle in vote counting.



## CRIMINAL LEGAL REFORM

Relying on recycled rhetoric from the 1990’s intended to spread fear and stigmatize low-income communities the legislature upped its efforts to infringe upon the constitutional rights of some of the most vulnerable Montanans and undo previously adopted criminal justice reforms.



## JAIL & PRISONS

Montana’s incarceration rate of 789 people per 100,000 means that Montana imprisons more individuals than most countries in the world. Montana’s criminal legal system incarcerates Indigenous Montanans at a rate three times higher than non-Indigenous Montanans. Alarming, Indigenous people in Montana comprise about 7 percent of the state population, yet are incarcerated at 20 percent of the overall state prison population. Meanwhile, the system as a whole is overburdened and over-capacity, leading to deplorable conditions in Montana’s jails and prisons. The ACLU of Montana fought to alleviate the harm experienced by Montanans within these cruel and inhumane detention centers.



## CHILD WELFARE

During the 2023 Legislative Session, the ACLU of Montana advocated for crucial and foundational changes to our child and family regulation systems.



## FREE SPEECH

The fundamental rights to free speech and free association are core to the mission of the ACLU of Montana. In the face of expanding governmental overreach, we played a critical role in pushing for robust First Amendment protections. In particular, we lobbied hard against a first-of-its-kind bill that would ban TikTok in Montana. TikTok provides a valuable platform for communication in our State, and banning it constitutes a prior restraint that violates the First Amendment of the Constitution.



## FREEDOM OF RELIGION

The First Amendment of the United States Constitution ensures Montanans the freedom to practice their faiths and belief systems and live under a secular government that does not adopt a national faith. The ACLU of Montana supports balancing people's personal beliefs with the collective good, while protecting historically marginalized and attacked faiths and belief systems.



## DIGITAL PRIVACY

Facial Recognition Technology, the collection of an individual's face and verification with a database, dominated much of the 2023 Legislative Session. The ACLU of Montana also responded to bills on other forms of data impacting students, people accessing their smart-phones, and seeking medical care.



## DEATH PENALTY

As a result of an ACLU of Montana case, *Smith v. Batista* (2012), Montana has a de facto moratorium on the death penalty. In response, in nearly every legislative session, proponents have attempted to circumvent the court's decision. The ACLU of Montana will always make sure this unjust and barbaric government policy never returns.



## AID IN DYING

For nearly fourteen years, physician assisted suicide has been permitted in Montana through the decision in *Baxter v. Montana*. Montana joins ten other states, and the District of Columbia, in offering freedom in choice and medically appropriate end of life care that reflects an individual's beliefs, wishes, and desire for peace. As with the death penalty, politicians have attempted to criminalize physician assisted suicide since 2009 and every session since. We have continually worked to defeat their efforts.



## IMMIGRANTS' RIGHTS

In 2021, the ACLU of Montana responded to two major anti-immigrant bills, HB200 which punishes local governments for not enforcing immigration detainers, and HB223 which enabled Montana policing agents to act with similar enforcement powers to federal immigration officers. For the 2023 Legislative Session, while legislators often deployed "secure the border" taglines and other racist attacks, actual legislation was limited in this issue area.





# 2023 LEGISLATIVE SCORECARD

SUPPORTED

## Child Welfare – HB 16

### Revise Laws Relating to Child Abuse and Neglect Proceeding

Sponsored by Rep. Jennifer Carlson (R - Manhattan)

Amended existing code concerning Child & Family Regulation Systems by expanding notification to impacted parties and legal counsel, the role of the Office of the Public Defender, and specific timelines for child removal hearings

1

SUPPORTED

## Indigenous Justice – HB 317

### Provide for the Montana Indian Child Welfare Act

Sponsored by Rep. Jonathan Windy Boy (D - Box Elder)

Codifies federal protection for Native American children, families, and tribal nations in state law

2

**SUPPORTED**

## **Indigenous Justice – HB 338**

### **Revise Laws Related to Indian Education for All**

Sponsored by Rep. Jonathan Windy Boy (D - Box Elder)

Establishes reporting and monitoring mandates for Indian Education for All (IEFA), a state constitutional mandate that ensures that in consultation with tribes, all children in Montana public schools learn about the unique histories, cultures, and heritages of Indigenous people

3

**OPPOSED**

## **Child Welfare – HB 359**

### **Prohibit Minors from Attending Drag Shows**

Sponsored by Rep. Braxton Mitchell (R- Columbia Falls)

Tries to ban minors from attending “drag shows” including on public property, in schools and libraries

4

**OPPOSED**

## **Child Welfare – HB 625**

### **Infant Safety and Care Act**

Sponsored by Rep. Kerri Seekins-Crowe (R - Billings)

Compels health care providers, under threat of criminal penalties to provide palliative care to dying infants, a parallel bill to the LR-131 ballot effort which Montana voters resoundingly rejected in 2022

5

**OPPOSED**

## **Voting Rights – HB 712**

### **Prohibit Illegal Aliens from Voting in Montana Elections**

Sponsored by Rep. Zachary Wirth (R - Wolf Creek)

Added ten words to Montana code explicitly stating “illegal aliens” are prohibited from voting in Montana. Non-citizens are already legally not allowed to vote in federal and state elections pursuant to federal law

6

**OPPOSED**

## **Religious Liberty – HB 745**

### **Revise Laws Related to Religious Materials and Prayer in Schools**

Sponsored by Rep. Greg Kmetz (R - Miles City)

Permits prayer in school and adds the Bible to the list of approved reading materials during a student’s free time

7



**OPPOSED**

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## **Reproductive Rights – HB 937**

### **Provide for Licensure of Abortion Clinics**

Sponsored by Rep. Lola Sheldon-Galloway (R - Montana)

Is a classic ‘targeted regulation of abortion providers’ (TRAP) law that attempts to target abortion providers with unique and additional regulations without any legitimate health or safety justifications

8

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**OPPOSED**

## **Child Welfare – SB 99**

### **Provide for a Youth Health Protection Act**

Sponsored by Rep. John Fuller (R - Montana)

A wide sweeping law banning gender-affirming care for transgender minors suffering from gender dysphoria. The bill bans evidence-based and medically necessary care for treating gender dysphoria in transgender youth

9

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**OPPOSED**

## **Privacy & Technology – SB 419**

### **Ban Tik-Tok in Montana**

Sponsored by Sen. Shelley Vance (R - Belgrade)

Targets and fines Tik-Tok for permitting operation in Montana and seeks to prohibit its download through mobile app stores

10

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**SUPPORTED**

## **Capital Punishment – SB 439**

### **Revise Death Penalty Laws Related to Lethal Injection**

Sponsored by Sen. Barry Usher (R - Billings)

Attempted to circumvent the Montana Supreme Court’s Smith v. Batista decision by amending language that would permit the death penalty again in Montana

11

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**OPPOSED**

## **LGBTQ Rights – SB 458**

### **Define ‘Sex’ in Montana Law**

Sponsored by Sen. Carl Glimm (R - Kila)

Attempts to define ‘sex’ in Montana law as binary and inserted limited reproduction-based definitions of ‘male’ and ‘female’ into state code

12

# BILLS –

- 1 Child Welfare – HB 16**  
Revise Laws Relating to Child Abuse and Neglect Proceedings
- 2 Indigenous Justice – HB 317**  
Provide for the Montana Indian Child Welfare Act
- 3 Indigenous Justice – HB 338**  
Revise Laws Related to Indian Education for All
- 4 Child Welfare – HB 359**  
Prohibit Minors from Attending Drag Shows
- 5 Child Welfare – HB 625**  
Infant Safety and Care Act
- 6 Voting Rights – HB 712**  
Prohibit Illegal Aliens from Voting in Montana Elections
- 7 Religious Liberty – HB 745**  
Revise Laws Related to Religious Materials and Prayer in Schools
- 8 Reproductive Rights – HB 937**  
Provide for Licensure of Abortion Clinics
- 9 Child Welfare – SB 99**  
Provide for a Youth Health Protection Act
- 10 Privacy & Technology – SB 419**  
Ban Tik-Tok in Montana
- 11 Capital Punishment – SB 439**  
Revise Death Penalty Laws Related to Lethal Injection
- 12 LGBTQ Rights – SB 458**  
Define ‘Sex’ in Montana Law

HOUSE REP	1	2	3	4	5	6	7	8	9	10	11	12	ACLU %
Denise Baum (D)	Y	Y	Y	N	N	N	N	N	N	N		N	100%
Laurie Bishop (D)	Y	Y	Y	N	N	N	N	N	N	N		N	100%
Alice Buckley (D)	Y	Y	Y	N	N	N	N	N	N	N		N	100%
Bob Carter (D)	Y	Y	Y	N	N	N	N	N	N	N		N	100%
Jill Cohenour (D)	Y	Y	Y	N	N	N	N	N	N	N		N	100%
Tom France (D)	Y	Y	Y	N	N	N	N	N	N	O		N	100%
Jim Hamilton (D)	Y	Y	Y	N	N	N	N	N	N	N		N	100%
Derek Harvey (D)	Y	Y	Y	N	N	N	N	N	N	N		N	100%
Donavon Hawk (D)	Y	Y	Y	N	N	N	N	N	N	N		N	100%
Sj Howell (D)	Y	Y	Y	N	N	N	N	N	N	N		N	100%
Jonathan Karlen (D)	Y	Y	Y	N	N	N	N	N	N	N		N	100%
Connie Keogh (D)	Y	Y	Y	N	N	N	N	N	N	N		N	100%
Emma Kerr-Carpenter (D)	Y	Y	Y	N	N	N	N	N	N	N		N	100%
Kelly Kortum (D)	Y	Y	Y	N	N	N	N	N	N	N		N	100%
Jennifer Lynch (D)	Y	Y	Y	N	N	N	N	N	N	N		N	100%
Marilyn Marler (D)	Y	Y	Y	N	N	N	N	N	N	N		N	100%
Eric Matthews (D)	Y	Y	Y	N	N	N	N	N	N	N		N	100%
Melissa Romano (D)	Y	Y	Y	N	N	N	N	N	N	N		N	100%
Frank Smith (D)	Y	Y	Y	N	N	N	N	N	N	N		N	100%
Laura Smith (D)	Y	Y	Y	N	N	N	N	N	N	N		N	100%
Mark Thane (D)	Y	Y	Y	N	N	N	N	N	N	N		N	100%
Marvin Weatherwax (D)	O	O	O	O	O	O	O	O	O	N		N	100%
Jonathan Windy Boy (D)	Y	Y	Y	N	N	N	N	N	N	N		N	100%
Zoey Zephyr (D)	Y	Y	Y	N	N	N	N	N	N	O		N	100%
Kim Abbott (D)	N	Y	Y	N	N	N	N	N	N	N		N	91%
Mary Caferro (D)	Y	Y	Y	N	N	N	N	N	N	Y		N	91%
Dave Fern (D)	Y	Y	Y	N	N	Y	N	N	N	N		N	91%
Ed Stafman (D)	N	Y	Y	N	N	N	N	N	N	N		N	91%
Paul Tuss (D)	Y	Y	Y	N	N	Y	N	N	N	N		N	91%
Katie Sullivan (D)	N	Y	Y	N	O	N	N	N	N	N		N	90%
Tyson T Running Wolf (D)	O	O	O	O	N	N	Y	N	N	N		N	86%
Sharon Stewart Peregoy (D)	N	N	Y	N	N	N	N	N	N	N		N	82%
Gregory Frazer (R)	Y	Y	Y	O	Y	Y	Y	N	N	N		N	70%
Mike Hopkins (R)	Y	Y	Y	Y	Y	Y	Y	Y	N	N		N	55%



# 2023 LEGISLATIVE SCORECARD

HOUSE REP	1	2	3	4	5	6	7	8	9	10	11	12	ACLU %
Casey Knudsen (R)	Y	Y	Y	N	Y	Y	Y	Y	Y	N		0	50%
Kenneth Walsh (R)	Y	Y	Y	N	Y	Y	Y	Y	Y	Y		N	45%
Tom Welch (R)	Y	Y	Y	N	Y	Y	Y	Y	Y	Y		N	45%
Brad Barker (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	N		Y	36%
Marta Bertoglio (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	N		Y	36%
Tony Brockman (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	N		Y	36%
Lee Deming (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	N		Y	36%
Ross Fitzgerald (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	N		Y	36%
John Fitzpatrick (R)	Y	Y	Y	Y	Y	Y	Y	N	Y	Y		Y	36%
Llew Jones (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	N		Y	36%
Josh Kassmier (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	N		Y	36%
George Nikolakakos (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	N		Y	36%
Courtenay Sprunger (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	N		Y	36%
Ed Buttrey (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		0	30%
Neil Duram (R)	Y	Y	0	Y	Y	Y	Y	Y	Y	N		Y	30%
Joe Read (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		0	30%
Fred Anderson (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	27%
David Bedey (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	27%
Michele Binkley (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	27%
Larry Brewster (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	27%
Ed Butcher (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	27%
Jodee Etchart (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	27%
Steve Gist (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	27%
Paul Green (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	27%
Denley M Loge (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	27%
Greg Oblander (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	27%
Gary Parry (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	27%
Linda Reksten (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	27%
Wayne Rusk (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	27%
Sue Vinton (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	27%
Mike Yakawich (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	27%
Katie Zolnikov (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	27%
Jennifer Carlson (R)	Y	N	Y	Y	Y	Y	Y	Y	Y	Y		Y	18%
Sherry Essmann (R)	Y	N	Y	Y	Y	Y	Y	Y	Y	Y		Y	18%

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Define ‘Sex’ in Montana Law

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Jane Gillette (R)	Y	N	N	Y	Y	Y	N	Y	Y	Y		Y	18%
Caleb Hinkle (R)	Y	N	N	Y	Y	Y	Y	Y	Y	N		Y	18%
Scot Kerns (R)	Y	N	Y	Y	Y	Y	Y	Y	Y	Y		Y	18%
Rhonda Knudsen (R)	Y	N	Y	Y	Y	Y	Y	Y	Y	Y		Y	18%
Marty Malone (R)	Y	Y	N	Y	Y	Y	Y	Y	Y	Y		Y	18%
Russ Miner (R)	Y	N	Y	Y	Y	Y	Y	Y	Y	Y		Y	18%
Nelly Nicol (R)	Y	N	Y	Y	Y	Y	Y	Y	Y	Y		Y	18%
Kerri Seekins-Crowe (R)	Y	N	N	Y	0	Y	Y	Y	0	Y		0	13%
Julie Dooling (R)	Y	N	0	Y	Y	Y	Y	Y	Y	Y		Y	10%
Bill Mercer (R)	Y	N	N	Y	Y	Y	Y	Y	Y	0		Y	10%
James Bergstrom (R)	Y	N	N	Y	Y	Y	Y	Y	Y	Y		Y	9%
Terry Falk (R)	Y	N	N	Y	Y	Y	Y	Y	Y	Y		Y	9%
Paul Fielder (R)	Y	N	N	Y	Y	Y	Y	Y	Y	Y		Y	9%
Steven Galloway (R)	Y	N	N	Y	Y	Y	Y	Y	Y	Y		Y	9%
Steve Gunderson (R)	Y	N	N	Y	Y	Y	Y	Y	Y	Y		Y	9%
Naarah Hastings (R)	Y	N	N	Y	Y	Y	Y	Y	Y	Y		Y	9%
Lyn Hellegaard (R)	Y	N	N	Y	Y	Y	Y	Y	Y	Y		Y	9%
Jedediah Hinkle (R)	Y	N	N	Y	Y	Y	Y	Y	Y	Y		Y	9%
Bob Keenan (R)	Y	N	N	Y	Y	Y	Y	Y	Y	Y		Y	9%
Greg Kmetz (R)	Y	N	N	Y	Y	Y	Y	Y	Y	Y		Y	9%
Brandon Ler (R)	Y	N	N	Y	Y	Y	Y	Y	Y	Y		Y	9%
Ron Marshall (R)	Y	N	N	Y	Y	Y	Y	Y	Y	Y		Y	9%
Braxton Mitchell (R)	Y	N	N	Y	Y	Y	Y	Y	Y	Y		Y	9%
Terry Moore (R)	Y	N	N	Y	Y	Y	Y	Y	Y	Y		Y	9%
Amy Regier (R)	Y	N	N	Y	Y	Y	Y	Y	Y	Y		Y	9%
Matt Regier (R)	Y	N	N	Y	Y	Y	Y	Y	Y	Y		Y	9%
Jerry Schillinger (R)	Y	N	N	Y	Y	Y	Y	Y	Y	Y		Y	9%
Lola Sheldon-Galloway (R)	Y	N	N	Y	Y	Y	Y	Y	Y	Y		Y	9%
Tanner Smith (R)	Y	N	N	Y	Y	Y	Y	Y	Y	Y		Y	9%
Zack Wirth (R)	Y	N	N	Y	Y	Y	Y	Y	Y	Y		Y	9%
Fiona Nave (R)	0	0	0	0	Y	Y	0	Y	Y	Y		Y	0%
Bob Phalen (R)	0	0	0	Y	Y	Y	Y	Y	Y	Y		Y	0%

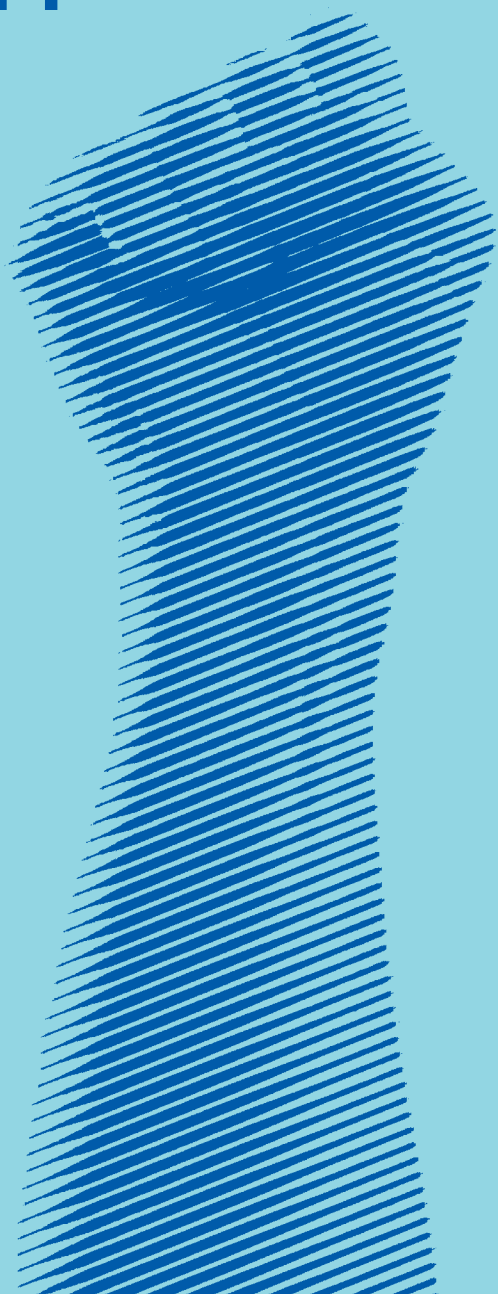


# 2023 LEGISLATIVE SCORECARD

SENATOR	1	2	3	4	5	6	7	8	9	10	11	12	ACLU %
Willis Curdy (D)	Y	Y	Y	N	N	N	N	N	N	N	Y	N	100%
Susan Webber (D)	Y	Y	Y	N	N	N	N	N	N	N	Y	N	100%
Ryan Lynch (D)	Y	Y	Y	N	N	N	N	N	N	N	Y	N	100%
Pat Flowers (D)	Y	Y	Y	N	N	N	N	N	N	N	Y	N	100%
Janet Ellis (D)	Y	Y	Y	N	N	N	N	N	N	N	Y	N	100%
Ellie Boldman (D)	Y	Y	Y	N	N	N	N	N	N	N	Y	N	100%
Shannon O'Brien (D)	Y	Y	Y	N	N	N	Y	N	N	N	Y	N	92%
Shane A Morigeau (D)	Y	Y	Y	N	N	N	Y	N	N	N	Y	N	92%
Mary Ann Dunwell (D)	Y	Y	Y	N	N	N	N	N	N	Y	Y	N	92%
Kathy Kelker (D)	N	Y	Y	N	N	N	N	N	N	N	Y	N	92%
Edie McClafferty (D)	Y	Y	Y	N	N	N	N	N	N	Y	Y	N	92%
Christopher Pope (D)	N	Y	Y	N	N	N	N	N	N	N	Y	N	92%
Andrea Olsen (D)	N	Y	Y	N	N	N	N	N	N	N	Y	N	92%
Jen Gross (D)	N	Y	Y	N	N	N	N	N	0	N	Y	N	91%
Mike Fox (D)	Y	Y	Y	N	Y	N	Y	N	N	N	Y	N	83%
Jeff W Welborn (R)	Y	Y	Y	N	N	Y	Y	N	N	N	Y	N	83%
Denise Hayman (D)	N	Y	Y	N	N	N	N	N	N	N	N	N	83%
Terry Vermeire (R)	Y	Y	Y	Y	N	Y	Y	N	Y	Y	Y	N	58%
Dan Salomon (R)	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	N	58%
Wendy McKamey (R)	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	N	50%
Russ Tempel (R)	Y	N	N	N	N	Y	Y	N	Y	Y	Y	N	50%
Jason D Small (R)	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	N	50%
Dan Bartel (R)	Y	Y	Y	Y	0	Y	Y	Y	Y	N	Y	Y	45%
Walt Sales (R)	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	42%
Daniel Zolnikov (R)	Y	Y	Y	Y	0	Y	Y	Y	Y	Y	Y	Y	36%
Becky Beard (R)	Y	Y	Y	Y	Y	Y	Y	0	Y	Y	Y	Y	36%
Shelley Vance (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	33%
Mike Cuffe (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	33%
Kenneth Bogner (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	33%
Jeremy Trebas (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	33%
Jason Ellsworth (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	33%
Bruce Gillespie (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	33%
Brad Molnar (R)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	33%
Daniel Emrich (R)	Y	N	Y	Y	Y	Y	Y	0	0	N	N	Y	30%



**FUEL THE  
FIGHT AHEAD  
GIVE TO THE  
ACLU-MT**



**ACLU**  
Montana



A Letter From –

## **Luis Islas** Director of Philanthropy

Dear Supporters and Advocates,

Thank you for taking the time to read our year-end newsletter. As you've already heard, my name is Luis Islas, and I am honored to introduce myself as the Director of Philanthropy at the ACLU of Montana. It is with great enthusiasm and a profound sense of purpose that I join this remarkable organization dedicated to safeguarding civil liberties and advocating for justice on behalf of all Montanans.

First and foremost, I want to express my heartfelt gratitude for your unwavering support of the ACLU of Montana. Your commitment and generosity have been, and will no doubt continue to be, a major driving force behind our endeavors to protect and uphold the fundamental rights of every individual in our state.

At the core of our shared mission lie pivotal initiatives that shape the fabric of our society. Each day, our team demonstrates a commitment to anti-racism & anti-colonialism by working to dismantle systemic barriers that impede progress, standing alongside communities that have been historically marginalized, and by advocating for policies that safeguard the rights of every individual, irrespective of background or circumstance. We are fervently engaged in endeavors focused on criminal legal reform, recognizing the urgent need for a system that is fair, just, and truly serves all Montanans. The pursuit of Indigenous Justice stands as a fundamental pillar of our work, striving to amplify the voices and protect the rights of Indigenous communities whose struggles for equality and recognition demand our solidarity and action. Furthermore, our defensive priorities demand our vigilant attention. We confront challenges to civil liberties head-on, defending the rights of marginalized communities and safeguarding free speech in cases such as Rep. Zoey Zephyr and Constituents v. Regier, reproductive freedom in cases like All Families Healthcare et al. v. Charlie Brereton et al (HB 937), and 2S-LGBTQ rights in van Garderen v. State.

Your continued support—be it through your time, talents, donations, or networks—is crucial in furthering each of these vital causes. Every moment you dedicate, every dollar you contribute, every connection you foster strengthens our collective ability to effectuate meaningful change. The road ahead may present challenges, but with your steadfast support, we stand resilient and determined in our pursuit of justice and equality for all Montanans. Together, we can build a more just, fair, and equitable society—one where civil liberties are not just ideals but lived realities for all. We are grateful that you've joined us on this journey. Your involvement



matters. Your voice matters—your support matters. Thank you for being an integral part of the ACLU of Montanan's community and for standing alongside us in our shared commitment to justice.

I look forward to getting to know you and learning more about your commitment to our mission; let's grab a coffee, hop on a call, or meet via Zoom, you can always reach me at my contact info listed below.

In gratitude,

**Luis Islas**  
Director of Philanthropy, ACLU of Montana

E: [islasl@aclumontana.org](mailto:islasl@aclumontana.org)  
P: (406) 581-9120

Donor Spotlight –

## **Annick Smith** Writer & Filmmaker

Annick Smith’s journey through a myriad of professions and passions showcases her steady dedication to civil liberties, education, filmmaking, and environmental advocacy. Her involvement with the ACLU traces back to her husband’s pivotal role as the executive director of the Washington State ACLU Chapter in the late ‘50s and early ‘60s. Together, they championed causes and activism that shaped their commitment to creating a more just society. Her narrative paints a vivid picture of a life deeply intertwined with causes advocating for justice, equality, and fundamental freedoms.

Hailing from an artistic, intellectually vibrant family, Annick is the daughter of Jewish-Hungarian émigrés and was born in Paris, though raised in Chicago. There, Annick’s political engagement was seeded early by her father’s passionate pursuit of equity. Her immersion into civil liberties causes burgeoned during her husband’s tenure with the ACLU, engaging in pivotal cases like the lawsuit against the University of Washington’s loyalty oaths, which was challenged by more than 60 faculty members, staff, and students of the University of Washington in a case organized by the Washington chapter of the ACLU and the UW chapter of the American Association of University Professors (AAUP).

Her relocation to Montana in 1964 marked a turning point in Annick’s multifaceted life. As she navigated the challenges of being a widow raising four children, she found herself deeply engaged in various endeavors that reflected her firm commitment to community service. From teaching at Hellgate High School to later working in some of the original poverty programs in Missoula in an effort to secure public housing, followed by her work producing documentaries highlighting the often-untold stories of pioneers and marginalized communities, Annick’s multifaceted career embodies a commitment to amplifying voices that might otherwise remain unheard.

Her foray into filmmaking and literature, notably with the acclaimed film *Heartland*, which is based on the frontier diaries of Wyoming pioneer Elinore Randall Stewart, and collaborative efforts with influential writers like William Kittredge, where they co-produced Robert Redford’s Film Adaptation *a River Runs Through It*, underscores her dedication to storytelling and preserving diverse cultural narratives. This devotion extends to her involvement with Native American communities, evident through her work on documentaries and collaborations with indigenous writers.

Despite her many contributions, Annick remains modest about her involvement with the ACLU, emphasizing her support through regular donations and an enduring respect for the organization’s work. Her endorsement



stems from a profound belief in the ACLU of Montana’s mission, particularly in protecting voting rights, freedom of expression, and indigenous justice, all causes close to her heart. In a stirring call to action, Annick urges individuals to support the ACLU of Montana through their time, talents, and, most importantly, their giving. Her resolute stance emphasizes the critical juncture facing civil liberties today, calling for immediate and robust support in the face of increasing threats. Her life’s work echoes a profound belief in the power of dialogue, respect for diversity, and the enduring need to safeguard civil liberties and environmental integrity. Annick Smith’s dedication, spanning various realms of advocacy, stands as a testament to the transformative impact of commitment and unyielding passion.

On behalf of Annick and the ACLU of Montana, we implore you to heed Annick’s call to action and join her in supporting our work through your philanthropy. Every contribution paves the way for a fairer, more equitable future for all.



# SUPPORT OUR WORK

Make a tax-deductible contribution to the ACLU of Montana today and protect the civil liberties of the people across Montana and across the nation.

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## Donate Online

If you'd like to make an online one-time, tax-deductible donation by credit card (Visa, Mastercard, American Express, and Discover), you can simply visit the following web address:

[www.aclumontana.org/en/donate](http://www.aclumontana.org/en/donate)

If you wish to donate and do not have an email address or do not wish to provide it, please donate by U.S. Mail.



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## Donate by Mail

You can send checks via U.S. Mail to:  
ACLU of Montana  
PO Box 1968  
Missoula, MT 59806

Please make checks payable to: ACLU Foundation of Montana



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## Donations of Stock

Because electronic transfers are made without identifying the donor, please alert us in advance about the stock and the number of shares you plan to give or instruct your broker to do so. You may do so by emailing our Director of Philanthropy, Luis Islas, at [islasl@aclumontana.org](mailto:islasl@aclumontana.org) or our Donor Engagement Manager, William Schenck at [schenckw@aclumontana.org](mailto:schenckw@aclumontana.org) with the subject line "Stock Donation" or calling (406) 581-9120.

If you would like to make a gift of securities, instruct your broker to transfer stock to the ACLU Foundation of Montana through our broker, DA Davidson:

DTC Number: 0361  
Account Name: ACLU of Montana Foundation  
Account Number: 11249080  
Firm Name: DA Davidson







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## IRA Charitable Rollover

The IRA Charitable Rollover was made permanent for 2015 and beyond through a provision of the “Protecting Americans from Tax Hikes Act of 2015.”

This allows people age 70½ or older to make direct transfers up to \$100,000 per year to charitable organizations from their Individual Retirement Accounts, without the withdrawal being treated as taxable income.

### From which accounts can I make transfers?

Transfers must come from your Individual Retirement Account(s) directly to the ACLU of Montana Foundation. The Charitable Rollover does not apply to 401(k), 403(b), or other retirement plans.

### To which organizations can I make gifts?

You may make gifts to tax-exempt, 501(c)(3) organizations, including the ACLU of Montana Foundation.

### How do I make an IRA Charitable Rollover?

Contact the financial institution that holds your IRA about how to instruct them to make a direct charitable transfer. You may instruct them to make a distribution to American Civil Liberties Union of Montana, PO Box 1968, Missoula, MT 59806 Tax ID 81-0445339. Please notify us if you would like a sample letter of instruction to send to your financial institution.

### Benefit of Giving from Your IRA

Giving directly from your IRA to the ACLU of Montana Foundation is not considered a taxable withdrawal. These gifts will be tax free.

*Please note: This information is not intended as tax or legal advice. We recommend that you consult with your legal and financial advisors to learn how a gift would work in your circumstances. Laws and regulations governing all gifts and availability of certain life income gifts vary by state.*

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## Legacy Gift | Planned Giving



Providing for a future gift to the ACLU of Montana can be an opportunity to advance the values that have been most important to you in your life. You can continue the fight for justice, equality, and fairness for future generations. The ACLU offers numerous opportunities for planned giving. If you'd like to learn more about your options, please contact our Director of Philanthropy Luis Islas, at (406) 581-9120 or at [islasl@aclumontana.org](mailto:islasl@aclumontana.org).

## Questions?

If you have any questions please contact:

Luis Islas, Director of Philanthropy  
E: [islasl@aclumontana.org](mailto:islasl@aclumontana.org)

William Schenck, Donor Engagement Manager  
E: [schenckw@aclumontana.org](mailto:schenckw@aclumontana.org)



Staff Profile –

## Luis Islas

### Director of Philanthropy

Luis Islas embodies a profound legacy rooted in resilience and tenacity. Born in Morgan Hill, California, Luis draws strength from his proud Wixárika and Mexican-American heritage, plus the enduring spirit of his undocumented parents, who hail from the vibrant states of Nayarit and Michoacan, Mexico.

As a trailblazer in his family, Luis set a transformative precedent by becoming the first to pursue higher education. He earned his Bachelor of Arts degree in Political Science, Pre-Law, and History from William Penn University, carving a path of intellectual curiosity. Fueling his thirst for knowledge, Luis further distinguished himself as a graduate assistant, receiving his Master's degree in Business Leadership at William Penn, breaking barriers with tenacity and foresight.

His journey took an altruistic turn when he embarked on life-changing work as a Peace Corps Volunteer in Tsiombe, Madagascar. This poignant experience in humanitarian aid and his own experience as a direct recipient of programs and services growing up homeless became the cornerstone of Luis's unwavering dedication to serving diverse communities through the nonprofit sector. This dedication has led him to our family here at the ACLU of Montana, where the intersections of all of Luis' work and passions become apparent. Having experienced firsthand the generational trauma that accompanies the criminalization of poverty and communities of color, Luis joins ACLU-MT with a shared belief in the necessity of a long-term restructuring of our criminal legal system. Additionally, Luis was immediately drawn to another one of the ACLU of Montana's Four Strategic Priorities, Indigenous Justice, inspired by his native people in central Mexico who struggle for rights or recognition - the Wixárika.

Luis's impact has been felt by respective communities across various roles, including his tenure as the Regional Philanthropy Officer of the American Red Cross of Idaho and Montana. His leadership extended to his position as the Director of Philanthropy for One Valley Community Foundation, where he channeled his passion for societal betterment. This passion has led Luis to engage in other leadership capacities outside of the traditional workplace, notably as the State Vice Chair for the Idaho Latino Caucus and as the LatinX Community Liaison for the City of Bozeman; there, he actively facilitated community involvement, channeling voices for Bozeman's Parks, Recreation, and Transportation (PRAT) Plan.

Luis' contributions have been recognized by many groups. He was heralded as one of Idaho's Rising Leaders by the Idaho Nonprofit Center in 2020 and honored as an Idaho Accomplished 40 under 40 recipient in 2022, a distinction



celebrating forward-thinking individuals shaping the landscape of industry, government, and the nonprofit sphere. In 2023, Luis was lauded as one of Southwest Montana's 20 Under 40, a testament to his relentless dedication to enhancing community well-being. His commitment to civic leadership is further exemplified through his participation in Park County's Leadership 49 program and his integral roles as a board member at the Park County Environmental Council (PCEC), a Fundraising Committee Member at Bienvenidos, and the Vice President of the board of Aiding Opportunities in Madagascar (AOM).

Distinguished as one of TEDxMSU's inaugural speakers in 2022, Luis captivated audiences with his compelling narrative on "A Story of Perseverance and the Power of Opportunity," amplifying his message of resilience and empowerment to a global stage. His narrative prowess further shone as the keynote speaker at "Salsa, Soul, and Leadership: A Tribute to Hispanic Heritage," celebrating Hispanic Heritage Month at Montana State University.

Luis' work bridging cultures and fostering positive connections within communities through storytelling and connecting people who care to causes that matter has him excited to connect with supporters of the ACLU of Montana. He is excited to hear their "why" and how our work aimed at protecting the civil liberties of Montanans has impacted the communities they are closest to. Luis believes that resounding impact can only occur when we aim to shape a future where opportunity, compassion, justice, equity, and empowerment intersect for the betterment of society.

Staff Profile –

## **Marthe VanSickle** Staff Attorney

Marthe was born in Missoula and was raised all over Montana. Her family came to Montana five generations ago, colonizing the ancestral lands of the Crow, Salish, Shoshone-Bannock, and Blackfeet Peoples. Marthe recognizes that she is a visitor on these lands and is grateful to exist here.

Before becoming a staff attorney, Marthe previously served as a member of the ACLU of Montana Board of Directors for several years. She is passionate about racial justice and protecting the rights of Montanans facing discrimination.

Marthe’s passion for law is founded partly in her own experience navigating the legal system without representation, which required her to fight for the rights and protections she and her family deserved. In that experience, she discovered her determination to be a voice for change and help others facing challenges navigating the legal system.

Marthe holds a Bachelor of Science from Salish Kootenai College in Northwest Montana. She is a graduate of the University of Montana School of Law. During law school, Marthe received the Dean’s Award for Leadership and the International Academy of Trial Lawyers Student Advocacy Award. She also obtained a Master of Public Administration degree and certificates in Indian Law and Public Policy. Marthe clerked for the Supreme Court of Montana. She is a State Bar of Montana member and is admitted to practice in the United States Court of Appeals for the Ninth Circuit.

Marthe has experience working as a public defender and prosecutor and hopes for a world centered around restorative justice where human rights are protected. When she is not holding the government accountable, she enjoys hunting, hiking, baking, and spending time with family.





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