

IN THE IOWA DISTRICT COURT POLK COUNTY

ALEXANDRA "SONDRA" WILSON,	)	
<i>Petitioner,</i>	)	CASE NO. 05771 LACL157953
	)	
v.	)	PLAINTIFF ALEXANDRA WILSON'S
	)	AMENDED PETITION W/ MINOR
KIM REYNOLDS FOR IOWA and	)	CORRECTIONS AND ADDITIONAL
STATE OF IOWA	)	REMEDIES REQUESTED
	)	
<i>Respondents</i>	)	

Your Honor,

I submit this Amended Petition to allege numerous, related:

- a.) Tortious acts which personally harm(ed) me, and
- b.) Crimes committed to which I was/am a victim of; crimes that were never prosecuted by the state (because it was the state which commit them).

Tortious acts and crimes committed ("acts") which harmed and violated ("injured") me were performed by the following Defendants:

STATE OF IOWA  
c/o Attorney General  
Hoover Building, 1305 E Walnut St.  
Des Moines, IA 50319

Kim Reynolds for Iowa  
[info@reynoldsgregg.com](mailto:info@reynoldsgregg.com)

On May 22 Christopher Deist accepted service on behalf of the State of Iowa, alerting the court that he may be contacted here:

Christopher J. Deist  
Attorney for the STATE OF IOWA  
Assistant Attorney General Hoover Building, Second Floor  
Des Moines, Iowa 50319

Ph: (515) 281-7240  
[christopher.deist@ag.iowa.gov](mailto:christopher.deist@ag.iowa.gov)

On Monday, July 1 I filed a Notice alerting the court that, following numerous, varying attempts to serve KIM REYNOLDS FOR IOWA, I have been unable to do so. I am in the process of serving by publication.

I anticipate representing myself throughout the duration of this action, and prefer that, as allowed by Iowa R. Civ. P. 1.442(2), all parties serve each other electronically via email rather than by mail. You may serve me via [Sondra.Wilson777@gmail.com](mailto:Sondra.Wilson777@gmail.com).

Pursuant to Iowa R. Civ. P. 1.1106 and 1.1501, in addition to damages I request multiple forms of supplementary injunctive relief as auxiliary remedies to prevent others from being harmed in the same and/or similar manners in which I have been.

Pursuant to Iowa R. Civ. P. 1.262, I request a hearing so that this lawsuit may be certified as a class action. Although non-lawyers are not typically authorized to represent class actions, due to extenuating circumstances, I request for an exception to be made so that I, as a private Citizen not licensed to practice law, may be authorized to represent the class of persons harmed via the passing of HF766 by Defendant STATE OF IOWA. In pursuit of my law degree, I am currently enrolled in Iowa State University's pre-law program, and have been in the process of building this lawsuit for several years following more than a decade of diligent legal research.

#### **Affidavit**

I, Sondra Wilson, being first duly sworn on oath does hereby depose and state:

I affirm that everything written throughout this Amended Petition is true. I do not file this lawsuit frivolously. I love my home state, but needed to file this because I require and am due justice and to be made whole. I pray the outcome of this lawsuit that Iowans may live more cohesively and

with care toward one another so that no one is ever harmed in the same and/or similar manners that I have been on account of their being LGBT+, or for any other reason. I still believe in the promise of the Pledge of Allegiance we learned to recite in Nevada Elementary School in Nevada, Iowa, “Liberty and Justice for All.” With injustices against LGBT+ being poised upon the horizon of our state and nation, such as we see within Project 2025 and similar agendas, I hope this lawsuit helps to avert a terrifying future from coming to pass, so help me God.

Subscribed and sworn to before me a Notary Public for Iowa on this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
 (Affiant signature)

\_\_\_\_\_  
 (Notary signature)

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## Introduction

1. On July 6, 2023 I filed a tort claim<sup>1</sup> against the STATE OF IOWA in the amount of \$9,750,000 due to numerous personal injuries I have suffered over the years, caused by STATE OF IOWA employees and other parties whose tortious actions which harmed me were enabled and/or aided and abetted by the STATE OF IOWA. The content throughout that claim is largely the same as what is found in this Amended Petition. Therefore a summary of the claim is not included here. Furthermore, upon researching my case since the time of filing the claim, I have discovered additional torts and pieced together more of the case; such information has been added to this petition.

2. On September 27 I received a response letter from the State Appeals Board<sup>2</sup> stating, “Your claim is being referred to the Attorney General's Office who will investigate your claim and report back to the State Appeal's Board. Please answer all questions fully if further information is requested.... You will be notified in due time by the State Appeal Board on final disposition of your claim.” Approximately one or two months later, I called and left a message with regard to my claim, but to the best of my knowledge never received a call back. I never heard from the Attorney General's Office with regard to my claim.

3. On February 8 I commenced this action via filing a Petition.<sup>3</sup> I filed on Feb. 8 because on Feb. 9 I left for a semester abroad with DMACC, and did not want to limitations period to lapse while I was overseas.

4. Responding to the tort claim I filed in accordance with the Iowa Tort Claims Act

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1 ATTACHMENT A – tort claim.

2 ATTACHMENT A – page 1.

3 ATTACHMENT B – Original Petition.

(“ITCA”), State Atty. Christopher Deist pointed out, in the State's Motions to Dismiss filed on this case on May 22 and June 11, that, “After six months, if the Attorney General has not made final disposition of the claim, the plaintiff can withdraw the claim from the State and proceed with suit in district court. *See* Iowa Code §669.5(1).” §669.5(1) sets forth, “A suit shall not be permitted for a claim under this chapter unless the attorney general has made final disposition of the claim. However, if the attorney general does not make final disposition of a claim within six months after the claim is made in writing to the director of the department of management, the claimant may, by notice in writing, withdraw the claim from consideration and begin suit under this chapter.”

5. At the time I filed this lawsuit, I had not heard from the Attorney General's Office or State Appeal Board with regard to my claim. Iowa Code §669.5(1) was not mentioned in the letter sent to me by the State Appeal Board, nor, having never been professionally trained in the practice of law, was I aware of this section of the code; thus, I was not notified of the requirement to withdraw the claim prior to filing this suit. I did my best and filed in good faith to the best of my ability whilst adhering to the ITCA and Iowa Rules of Civil Procedure, however must have missed this step whilst attempting to faithfully navigate an extremely complex system I have been studying for years, as time has allowed me.

6. As a non-lawyer, low-income, natural-born Iowa Citizen who is a member of a vulnerable class that is protected by the Iowa Civil Rights Act, I only filed this lawsuit pro se because I was unable to afford an attorney. After contacting more than 50 attorneys from the State Bar website,<sup>4</sup> the least expensive quote I received was \$5000 up front, \$275/hr. Legal aid organizations, including Iowa Legal Aid, Story County Legal Aid, Drake University Law Clinic,

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<sup>4</sup> ATTACHMENT C – legal assistance sought.



and every other organization throughout the state which I've talked with, are not able to assist with “fee generating cases”, so I was on my own in filing these lawsuits. The rights violations and suffering I have endured and continue to endure in relation hereto, however, are so severe, and “getting back on my feet” following these many years of hardship and current struggles (related lawsuit, which I have mentioned) has been so difficult to maintain, that filing this suit was a “need” and not a mere “want”. I felt absolutely no choice but to file because I am in desperate need of relief so I can be made whole and recover from the numerous injuries I have sustained due to numerous and varying injurious acts performed by the Defendants.

7. In context with the following statistics,<sup>5</sup> and with my testimony included in this Amended Petition – the numerous rights violations and years of undue suffering I have endured this lifetime in relation to Defendants' injurious acts – it would create a miscarriage of justice – and in fact would further injustices which have harmed me – to dismiss this case due to a minor procedural error I performed whilst trying to navigate an extremely complex system for the first time in my life, without the luxury or opportunity of being able to hire a professional:

- Poverty- 15.7% cisgender straight people are in poverty, while 29.4%. of transgender people are.<sup>6</sup>
  - I am 42 years old. At age 23 I sought medical treatment for something I had been silently suffering with since I was an adolescent. I was raised in the Christian faith, so making sense with regard to the severe gender dysphoria I was experiencing was an extremely difficult process to manage for me, my family, and friends – many of whom no longer associated me after I underwent medical treatment. Although I did not receive a genetic test, my doctor suspected I have Klinefelter syndrome due to the intersex physical characteristics I developed during puberty. Not only did I have a difficult time coping, but my family did as well, my father being raised a Catholic,

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5 These statistics were sourced for use in my finals speech for Oral Communications class at DMACC in Fall 2021 semester, so they are a few years old. I am not aware of more recent studies.

6 *LGBT Poverty in the United States - Williams Institute*. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/National-LGBT-Poverty-Oct-2019.pdf>.

and my mother a Lutheran. Although I am grateful my family has healed, and come to terms with all this in context with our faiths, for many years I experienced homelessness and estrangement, and thus, extreme poverty with which I still suffer. I was class President at Nevada High School, class of 2000, and now that I have returned to Iowa following years of homelessness, I find myself far, far behind where my former classmates are financially; I have far less social stability due to setbacks I have faced as a direct result of the Defendants' actions – setbacks my former classmates have not had nor do they have the burden of trying to recover from. Despite having a good heart toward humanity and being a diligent worker, I have lived far below the poverty line since high school, enduring homelessness for approximately 17 years. Eight of those years of homelessness were caused in large part by my fear of returning to Iowa due to an off-the-record warning I received from an Ames Police Officer in 2009, described in § 5 of this Amended Petition. I have also remained impoverished following my return to Iowa. Hours I could have spent working were instead spent trying to obtain justice for the numerous injustices described within this lawsuit and the adjacent lawsuit. Following my terrible experience with the Iowa Civil Rights Commission, described herein, I am disincentivized to find a job here in Iowa after having that the state will not protect me from discrimination. I am disillusioned now that I have had experience with this firsthand, and have found that there is no help in sight aside from what the court may provide (if there is any justice left in this system). The state is not providing a safe work environment for transgender Iowans, thus exacerbating the conditions which have caused me and likely numerous other members of protected classes to have such a difficult time finding our way out of poverty. This lawsuit seeks various reasonable and needed remedies to improve the efficacy of the Iowa Civil Rights Commission, and the safety of Iowa's workplaces and nonprofits. This lawsuit seeks to shine much-needed light on areas in which the state has been failing, so that things can be improved for all Iowans moving forward.

- Suicide rate – highest of any group in the country: nearly 10 times the average suicide rate for the country.<sup>7</sup>
  - In my experience these thoughts have to do with lack of access to medical care and legal protections, and commonplace bigotry made popular largely (in recent years) by media personalities and politicians. I do not know if many of the populist voices who promote bigotry and disinformation about transgender people really consider how their words adversely impact people like me, but when I get harassed, the voices of those harassing me, including those who misgender me in an antagonistic manner, seem to echo the views of media and political protagonists. I know when I endure this type of harassment, how harmful libelous statements that Kim Reynolds has made publicly about transgender people really are. A Governor ought look out for the safety

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<sup>7</sup> Ennis. Dawn. "'Terrible Time for Trans Youth:' New Survey Spotlights Suicide Attempts - and Hope." *Forbes*. Forbes Magazine, 19 May 2021, <https://www.forbes.com/sites/dawnstaci.vanni/2021/05/19/time-for-trans-youth-new-survey-spotlights-suicide-spike-and-hope/>?sh=3;c177db10716e.

and legal protections of all Iowans, but instead our current Governor has used her powerful political influence to fan the flames of bigotry and misunderstanding toward people like me, essentially waving a medical condition in front of Iowans as if it is illegitimate and laughable while she works diligently to erode and eliminate coverage for a specific medical condition she personally disagrees with and has no expertise in. I know that being transgender is not a medical issue for many trans folk, but for myself and many others it is. If this were any other medical condition, Iowans would see this behavior for what it is: completely unacceptable. As a student walking through the hallways, trying to focus on school and get by, I cannot tell you how many times I've had to duck into an empty classroom just to cry and get it all out, feeling devastated by repeated, and continuous political attacks and misrepresentation by Kim Reynolds and Iowa's Legislature. To live with this on a near-daily basis takes its toll; it is a constant news item. I do not find myself wanting to stick out like a sore thumb, but to blend in, which is not possible (without facial surgery, which I cannot afford). It is completely unacceptable that politicians would waive around another person's highly-visible medical condition in front of the general public in order to rile the masses up into cutting off medical support for that person's condition. If a leader is going to stand in front of the public to talk about a medical condition, it should be to encourage compassion, aid, knowledge, and understanding – *that* is what our society is about: the Preamble of the US Constitution says, we will “Promote the General Welfare and Mutual Defense” of each other – not cause harm and violate the rights of one group in to appease another's group of peoples' misguided bigotry. It is not only my goal to find justice for what I have endured, but also to hopefully help bring more knowledge and wisdom into the political discourse throughout our state and nation so we can, as a society, stop focusing so much on what makes us different, but instead on how we can work together to make things better for everyone and for future generations.

- Murder – 2021 was the deadliest year on record for transgender people, with 375 murdered. 2020 was the deadliest year on record before that.<sup>8 9</sup>
  - I have been physically attacked on multiple occasions this lifetime – almost always during the time when I was homeless, and always in relation to the assailant's discriminatory perception of me “as a man”. These are not people I knew, but rather random people whom I safely surmise were influenced by media and political protagonists. Words like “faggot” are terms, for example, which are learned and repeated; few realize the dark history of its usage, hearkening back to a time when LGBT+ people were burned at the stake – when the term faggot

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8 Hall, Madison, and Canela Lopez. "2020 Was the Deadliest Year on Record for Transgender People in the US, Insider Database Shows. Experts Say It's Getting Worse." *Insider*, Insider, 9 Nov. 2021, <https://www.insider.com/insider-database-2020-deadliest-year-on-record-for-trans-people-2021-4>

9 Webber, Daniel. "Honoring Lives Lost to Violence for Transgender Day of Remembrance." *The Suffolk Journal*, <https://thesuffolkjournal.com/36214/news/honoring-livcs-!ost-to-violence-for-ransgender-dav-of-remembrance/>.

meant “bundle of sticks” – something you'd throw on the fire. I used to confuse people who were aggressive toward me in this way, thinking that they represented the majority of America, however after hitchhiking the US for nearly 17 years with my guitar, foraging wild plants and street performing to survive, it is by and large *a bunch of nice people who are all scared of each other*. It is this type of fear; fear induced by the prejudice of another, which appears to have caused so many people to lash out against me over the years. They are not attacking me; they are attacking a straw man of me; a straw man someone else, through defamatory statements about LGBT+ or specifically transgender women, constructed and verbally attacked in order to evoke bigotry from others. This is why Kim Reynolds' multiple acts of libel against transgender people are so harmful. Although her statements do cause direct emotional harm, they also influence impressionable people who then decide they want to be in the “cool crowd” and cast shade and offensive remarks toward transgender people as well. Some people may express it from behind the voting booth, some through verbal abuse and condescending statements in social circles, and others through directly physically attacking and/or murdering people like me. I have not had time to sit down and write my biography, but I think it is very important that I do so before I die because it is almost a modern day miracle I am still alive with what I've been through. In these instances, it is evident that people who have attacked me were influenced somewhere in their lives to have disdain toward transgender women. I hope one day, after I do have time to write my biography, that what I have been through evokes compassion from people who previously felt disdain.

- Sexual assault – One in two transgender individuals are sexually abused or assaulted at some point in their lives.<sup>10</sup> Reports estimate that transgender survivors may experience rates of sexual assault up to 66 percent, often coupled with physical assaults or abuse.<sup>11</sup>
  - I am not going into detail here, but I have been sexually assaulted on multiple occasions this lifetime. These instances and the physical attacks are directly related

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10 FORGE, 2005, Sexual Violence in the Transgender Community Survey, unpublished data; G. Kenagy, 2005, "The Health and Social Service Needs of Transgender People in Philadelphia," *International Journal of Transgenderism* 8(2/3):49-56; G. Kenagy and W. Bostwick, 2005, "Health and Social Service Needs of Transgender People in Chicago," *International Journal of Transgenderism* 8(2/3):57-66.

11 J. Xavier, J.A. Honnold, and J. Bradford. 2007, *The !lea/th. Hea//h-Related Yeeds. and Lifecourse Experiences o(Transgender Vir!finians*, Richmond, VA: Community Health Research Initiative, Center for Public Policy, Virginia Commonwealth University. accessed Sept. 7, 2010; C. Reback, P. Simon, C. Bemis, and B. Gatson, 2001, *The Los Angeles Transgender Health Study: Community Report*, Los Angeles, CA: University of California at Los Angeles; J. Xavier, M. Bobbin, B. Singer, and E. Budd, 2005, "A Needs Assessment of Transgender People of Color Living in Washington, DC," *International Journal of Transgenderism* 8(2/3):31-47; C.K. McGowan. 1999, *Transgender Needs Assessment*, New York, NY: New York City Department of Health. HIV Prevention Planning Unit; E. Lombardi, R. Wilchins, D. Priesing, and D. Malouf, 2001, "Gender Violence: Transgender Experiences With Violence and Discrimination," *Journal of Homosexuality* 42(1):89-101; K. Clements, M. Katz, and R. Marx. 1999, *The Transgender Community Health Project: Descriptive Results*, San Francisco, CA: San Francisco Department of Public Health.

to the severe PTSD I live with.

8. Iowa Courts uphold the *spirit of the law doctrine*: 14 N.W.2d 717,234 Iowa 869 *Case v. Olsen* held “The court should give effect to the spirit of the law rather than the letter, especially so where adherence to the letter would result in absurdity, or injustice, or would lead to contradiction, or would defeat the plain purpose of the act...” It would result in absurdity and injustice to dismiss this case in its entirety due to the unintentional, harmless error I performed while attempting to adhere to the ITCA. It would show such an intense focus on the letter of the law, that the spirit of the law would be violated. The *spirit* of the ITCA is to provide Citizens an avenue for redress for when our rights are violated by STATE OF IOWA employees; the purpose is *not* to deny redress due to minor, harmless procedural errors that nearly any Citizen who is not trained professionally in the law would likely make.

9. I could file a motion for a new trial so that the Attorney General's Office and I could go through the required ITCA step, however that sounds expensive, tedious, and potentially unnecessary at this point. Now that six months have passed since the time I file the claim, I recommend that if the Attorney General's Office has reached a final disposition on my claim, that the Office make their disposition known. If:

- There is no final disposition, we then consider my claim then withdrawn, and we resume this lawsuit; or
- The Office confirms that I am in fact due, and that we should settle this matter; if this is the case then at least part of my lawsuit against the STATE OF IOWA will likely not be needed; or
- The Office reaches a conclusion that I am not due, and we resume this lawsuit.

10. This Amended Petition supersedes the Petition to Commence a Civil Action I filed on February 8. and the Amended Petition I filed yesterday. All substantial content has been

transferred from those Petitions into this one. Substantive arguments brought forth within the State of Iowa's Motions to Dismiss, filed on May 22 and June 11, are largely controverted herein. As indicated to the court previously, I was unable to file timely resistances to the State's motions because I was required to meet deadlines set by Judge Currie for case # LACV053674, and filing motions to try to get Judge Gronewald to recuse herself so I could have a fair trial for this case. I requested a continuance for this case so this type of issue would not happen, however Judge Gronewald denied my motion. I did not waive my right to resist the State's motions. Due to time constraints and practicality counterarguments are embedded into this Amended Petition instead of being written into a resistance. I was not able to address all of the State's points, however, due to time constraints. If the State files another motion to dismiss, which I hope they do not because I really don't want this lawsuit to interrupt my college semester at ISU, I plan to file a resistance.

11. Injurious acts described in this Amended Petition were performed by:

- a.) Employees of the STATE OF IOWA;
- b.) Individuals whose actions were enabled and/or aided and abetted by the State of Iowa; and
- c.) KIM REYNOLDS FOR IOWA (Governor Reynolds' campaign committee for her 2022 re-election campaign).

12. Libel performed by KIM REYNOLDS FOR IOWA<sup>12</sup> in a television ad around November 2022 appears prima facie to have been part of a conspiracy, in collusion with numerous STATE OF IOWA employees<sup>13</sup> and others against a class of persons protected by the

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12 "Kim Reynolds for Iowa" is the name of Kim Reynolds' campaign committee used to promote and raise funds for Kim Reynolds so she could be re-elected for Iowa Governor for the November 8, 2022 election.

13 Although the Governor, Legislators, and others may not be "employees" per se, they are, at least, public officials. For the sake of brevity, and because I am not professionally trained in the law, throughout this Amended Petition the term "employee" shall include public officials and relationship which may be similar in form to that of an

Iowa Civil Rights Act; a class of which I am a member of. The Iowa Civil Rights Act explicitly protects (transgender and nonbinary) persons against discrimination based upon their gender identity. The nature of the conspiracy, at least in part, was/is to violate transgender medical patients' "right to access to doctors, specialists, and hospitals for medically necessary services". In doing so, conspirators violated another right secured by the Medicaid and Medicare Act, the "right to be protected from discrimination".<sup>14</sup> They violated these rights when the state passed HF766 division XX, wherein they knowingly and willingly, and therefore maliciously, violated a standing right which is guaranteed by the Ninth Amendment of the US Constitution. At the time Reynolds made the libelous statement, the STATE OF IOWA was in the process of litigating in court (*Vasquez and Covington v. Iowa Department of Human Services*, Case # 21-1977) in an attempt to continue to withhold access to medically necessary surgeries for transgender Iowans. This continuing rights violation over an extended period of time caused a continuing injury to me and likely other transgender Iowans undergoing medical treatment. A continuing injury is, "an injury still in the process of being committed."<sup>15</sup> Although I was not a plaintiff in the above lawsuit, my right to access medically necessary procedures was in fact violated, being barred from scheduling appointments, and then having my appointments canceled once they were able to scheduled. For approximately four years my rights were violated by the STATE OF IOWA. Severe emotional pain and suffering ensued throughout the period of time the continuing injury occurred. Kim Reynolds' libel was one of multiple acts of libel she performed against

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employee (e.g. contractors).

14 Guaranteed by the Medicare and Medicaid Act: "Your Rights." *Medicare*, [www.medicare.gov/basics/your-medicare-rights/your-rights](http://www.medicare.gov/basics/your-medicare-rights/your-rights). Accessed 11 July 2024.

15 Although eventually surgeries resumed, the

transgender people during this time period, but not all acts of libel by Kim Reynolds were performed by KIM REYNOLDS FOR IOWA. Seeing Kim Reynolds fanning the flames of bigotry and poking fun at transgender people exacerbated the emotional pain and suffering I was enduring from the continuing injury the State was performing during that time.

13. Tortfeasors involved in KIM REYNOLDS FOR IOWA and STATE OF IOWA appear to have entered into a conspiracy to harm the reputations of transgender people in the eyes of Iowans at large so that the rights of transgender Iowans could then be violated with the blessing and support of Iowa's voters. Tortfeasors commandeered the state in order to abuse the powers and authority of the STATE OF IOWA toward their own unlawful, immoral, and tortious ends. Multiple acts of defamation were performed alongside a coordinated and successful political campaign designed to institute a rights violation against a class of persons who are explicitly protected by the Iowa Civil Rights Act; with the intended and premeditated purpose to denying them accommodations guaranteed under the Medicare and Medicaid Act; to deny access to medically-necessary procedures and to enable harassment to occur against transgender Iowans in a manner which leaves us without recourse or legal protection.

14. Injurious acts are part of a larger pattern of criminal activity over an extended period of time wherein transgender Iowans were victims of crimes which were never prosecuted by the state. Despite not being prosecuted by the state, such crimes, many cited herein, did in fact occur and were in fact violated by the Defendants. This pattern of illegal activity over a duration of time indicates that tortfeasors have used the state toward for unlawful means, thus violating Iowa's Ongoing Criminal Conduct Act. KIM REYNOLDS FOR IOWA is a named co-conspirator due to the conspiratorial nature of the relationship between the Defendants, and the related torts



and crimes each of the parties violated in collusion and cooperation with one another. A conspiracy is:

- An agreement between two or more persons to accomplish together a criminal or unlawful act or to achieve by criminal or unlawful means an act not in itself criminal or unlawful. 16 Am J2d Consp § 1.
- A criminal offense, a misdemeanor in some jurisdictions, a felony in others. 16 Am J2d Consp §§ 2, 3.
- A wrong which will constitute a cause for a civil action. 16 Am J2d Consp § 43.

The cause of action for conspiracies is the damage suffered. It is the civil wrong resulting in damage, and not the conspiracy which constitutes the cause of action. *Mox, Inc. v Woods*, 202 Cal 675, 262 P 302.<sup>16</sup>

15. Some crimes which have been violated by co-conspirators include 18 U.S.C § 241 Deprivation of rights under color of law and 18 U.S.C § 241 Conspiracy against rights. As Judge Kelley noted when he struck down HF766 div XX, the law was “unconstitutional”. STATE OF IOWA officials were duly sworn into office. To continue to attempt to violate the rights of Citizens in any way, shape, or form, is a violation of a government official's oath of office, and therefore violates Iowa Code §720.2 and 18 U.S. Code § 1621; the government official ought be charged with perjury of oath. Due to the fact that tortfeasors were perhaps not aware of this fact, tortfeasors might not be prosecuted for such crimes. I request the court to put the Defendants on notice that any further attempt to undermine, eliminate, and/or violate the rights of transgender Iowans, and/or strip current legal protections in place, will result in a default judgment to be

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<sup>16</sup> Ballantine's Law Dictionary with Pronunciations Third Edition by James A. Ballantine (James Arthur 1871-1949). Edited by William S. Anderson. © 1969 by THE LAWYER'S CO-OPERATIVE PUBLISHING COMPANY. Library of Congress Catalog Card No. 68-30931.

[2]: Ballantine's Law Dictionary Legal Assistant Edition

rendered against them, at which point the state ought be compelled to prosecute the crime and issue punitive damages upon the tortfeasor, who ought be held personally liable. Although many government officials may argue “immunity from prosecution”, their oath of office was taken at a point in history wherein they were not yet sworn in; their natural person may be prosecuted for perjury of oath for having then knowingly and willingly violated that oath (now that Defendants are on notice). Otherwise, why would such oath even need to exist? Why would perjury of oath be a thing? This avenue – holding public officials accountable via their oath – exists as a way for Citizens to hold government officials to account. If the natural person lied when they performed their oath, they have therefore defrauded the Citizenry who elected them to uphold that office in the manner which is constitutionally prescribed.

16. Part of this lawsuit ought be certified as a class action. Due to extenuating circumstances, the court ought allow me to represent the class of persons who were harmed by the Defendants' coordinated injurious acts.

17. In addition to damages I request multiple forms of supplementary injunctive relief as auxiliary remedies to prevent others from being harmed in the same and/or similar manners in which I have been.

### **CLAIM**

18. The following timeline details numerous injurious acts, performed by the Defendants, which harmed me.

### **PART ONE: HARASSMENT, DISCRIMINATION, FRAUD, AND RIGHTS VIOLATIONS BY PUBLIC OFFICIALS IN STORY COUNTY CAUSED ME TO REMAIN HOMELESS FROM 2009 – 2018**

**§ 1 – May 22, 2006:**  
**Ames Police Officer discriminated against me and arrested me under false pretenses;**

**commenced a malicious prosecution**

19. I was playing guitar outside Kum & Go, when Officer Blake Marshall and Officer Rivera approached, asking for my name and ID. I told them my name, Alexandra Wilson, and gave them my social security number. After running my social security number, Officer Marshall asked why the name I gave him was different than the one that came up in my Iowa records. I told him I was transgender and receiving medical care in California, and that I was back in Iowa visiting friends and family. That is when his demeanor toward me changed from neutral to condescending and accusatory. Officer Marshall then arrested me. I was under the impression I was being arrested for trespassing. Officer Rivera told me, as he drove me to the Nevada jail, that they were just going to ask me to leave, and that they “never arrest people for playing guitar”. He said it was Officer Marshall's idea to arrest me, and it only had to do with me being transgender and ID mismatch.

20. While in jail, I was told that I was charged with trespassing and “interfering with official acts”. I was under the impression that the *interfering* charge had to do with my ID mismatch. I did not believe I was trespassing. I had played my guitar in front of many businesses in Ames, and did not know it was an issue. I plead not guilty to both charges via audio-video appearance from the Nevada jail.

21. Although I would not discover to the extent Officer Marshall had initiated a malicious prosecution against me until November 2022, I knew arresting me was unnecessary and unfairly targeted. All they had to do was tell me to leave and I would have without issue. I plead not guilty because I was not in fact trespassing.

**§ 2 – July 21, 2006:**  
**Same Officer falsely arrested me for trespassing into women's restroom;**

**commenced second malicious prosecution against me**

22. On the day of my trial, after exiting the restroom and before heading into the courtroom, Officer Marshall performed another false arrest and malicious prosecution against me. This time he said it was for “trespassing” into the women's restroom. I now realized I was being targeted and harassed by Officer Marshall. There was never a trial for case #SMSM062317 due to extrinsic fraud I was unaware occurred behind the scenes between STORY COUNTY and a pro bono attorney. My right to a fair trial was violated; see § 19 for details.

**§ 3 – July 4, 2007:**

**Assisted by a pro bono Attorney, City of Ames issued me an apology letter and check; Attorney wrongly informed me that I had set a precedent**

23. After Officer Marshall arrested me for case # SMSM062530 (restroom trespassing charge), while in jail a private attorney offered to assist me pro bono. He told me that although I could not sue because this was unprecedented, the City of Ames was offering me \$1500 and a letter of apology. He told me this letter would set a precedent so the next person could sue. I accepted the offer. It was not until November 2022 that I discovered that this attorney had performed a type of fraud called extrinsic fraud from behind the scenes, and that the agreement was not what he had advertised it to be; see § 19 for details. I was a victim of extrinsic fraud; as a result my right to a fair trial was violated – I was deprived due process! The attorney who defrauded me was enabled, through negligence, by the STATE OF IOWA's lax Rules of Professional Conduct. Again, see § 19.

**§ 4 – ~2007:**

**Ames Librarian warns me about local officials**

24. Some time after the trial, a librarian flagged me down inside the Ames Public Library

and told me that after I was arrested, Ames officials had to take a class to learn about transgender people. She told me that several of the officials did not take the class seriously, and that she was “embarrassed” by what she heard some of the employees say at the class. She added that she was “so sorry” for what I had gone through. This is important, because her statement to me here corroborated what the Ames Police Officer would later tell me in the following entry:

**§ 5 – 2009:**  
**Falsely charged with assaulting a woman whose own witness testified I didn't touch her;**  
**Ames Police Officer warned me to leave the state for my safety**

25. While visiting Iowa again in 2009, I was falsely accused of assaulting a woman in Ames inside the Culver's restaurant (case #SMSM06655).

26. What in fact happened was, I was petitioning in Ames so that animals inside factory farms would have enough room to turn around 360° in their cages. It was an animal welfare petition, which evoked either overwhelming support or disdain and mockery from people I presented it to. I was a young idealist who thought I could change the world with my music and advocacy. A woman I presented the petition to outside the Culver's restaurant in Ames was interested in signing, and we were conversing about it as we walked into Culver's. It was at that time that the man she was with turned around and started screaming at me, “Plants die all the time!!!” I told him we were not talking about plants, and he continued shouting me down. Having my guitar strapped around me, I felt he needed a song, so I leaned back onto the empty table behind me, and began singing a song I wrote about this topic. Nearly immediately a Culver's Manager came and grabbed my guitar and told me to leave. I pulled back, and said, “Animals have no voice in this society. I'm going to give them three minutes, and then I'll leave.”

As I strummed the next chord, she grabbed the guitar again. I pulled away, stood up, and left. A block away an Ames Police car with flashing lights pulled over, and an officer approached me. He asked if I knew why I was being arrested, and I responded, “Trespassing?” He said, “No,” and informed me I was accused of assaulting the Manager after she asked me to leave. I was in shock. *Absolutely not*. I was given the option to write a statement, which I did (see page 11 of [ATTACHMENT D – docket for case #SMSM06655](#)); the statement essentially says what I wrote here: the truth. Note that I was young, and would not do this activity knowing what I know today, however I never did assault the woman, and should have never been charged.

27. Unable to find legal assistance, I was put in a position where I had to defend myself in court. Having no experience having done so, I think I did a decent job. Here are some key takeaways from the trial:

- I cross-examined the Manager, whose testimony completely contradicted her previous statement she gave to the Ames PD. I later pointed this out in my appeal, which is found on pages 4 and 5 within the docket.
- An eye witness the Manager called in to testify said that he “saw the whole thing” and that I “never touched her”. *Her. Own. Witness. Said. I. Didn't. Touch. Her.*
- A friend of mine who used to hula-hoop dance with me while I would street perform as we hitchhiked the country testified as a character witness that I would absolutely never hit anyone – that the allegations were out of character for me. She also testified that she had seen people get upset with me due to some of the controversial topics I sang or petitioned about. *That* is exactly what happened in this case.
- Although the Manager testified that I was “completely out of control”, the officer who arrested me testified that I was calm, compliant, and concerned about the fabricated allegations at the time of my arrest.

28. Judge Van Marel found me guilty despite the fact that the State was not even close to meeting the burden of proof “beyond a reasonable doubt”. Judge Van Marel performed an abuse

of power, “The misuse or improper exercise one’s authority; especially, the exercise of a statutorily or otherwise duly conferred authority in a way that is tortious, unlawful, or outside its proper scope” (Black's Law 10 Ed.). It would not be until November 2022 that I would discover that Judge Van Marel had been required to recuse himself for this case; see § 19.

29. Immediately following the trial, an Ames Police officer privately flagged me down in the hallway and told me he saw that the trial was unfair. He then warned me that – based on what he was hearing “behind the scenes” – that I should leave the state for my safety. He claimed that some local officials were upset about me getting arrested for using the women's restroom three years prior, and that they did not like the fact that I received an apology letter. They were upset that they were made to take a class to learn about transgender people. “Now that they have this violent crime attached to your record”, he told me, “I’m just telling you – if you heard what I am hearing – you would leave the state for your safety.” I have not included the officer's name here for his safety and to prevent witness tampering.

**§ 6 – May 18, 2007:**  
**My right to appeal was denied**

30. On May 18 I appealed the decision,<sup>17</sup> writing, “I am homeless and do not have the money to pay for this appeal, but in the name of justice please hear me out....” In my appeal I pointed out:

- That the woman's own witness told the truth: I never touched her,
- That the woman lied about me attacking her in any way.
- What I suspected her motive was (disdain toward my song and petition).

31. According to Iowa R. App. P. 6.703, the filing fee was \$150, which I could not

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<sup>17</sup> Pages 4 and 5 of [ATTACHMENT D – docket for case #SMSM06655](#)

afford at the time, as I was homeless. I was never given the opportunity to file a court fee waiver, nor was I a law student, so I did not know such waivers existed. The Clerk of Court apparently allowed me to file the appeal without paying the requisite fee.

32. Regardless, the court responded, via District Associate Court Lawrence E. Jhan, who signed the document, “The defendants filed a letter which appears to be a notice of appeal. The defendant has not perfected the appeal by paying the requisite docketing fee. The appeal in this case, therefore, is dismissed.” I was denied my right to appeal by the STATE OF IOWA because I was homeless and could not afford to pay the fee.

**§ 7 – 2009 – 2018:**

**Remained homeless, afraid to return to my home state; in preparation for rights violations to come, compiled thousands of legal term definitions, case rulings, statutes, and information about how legal proceedings operate onto a publicly-available self-help website**

33. I heeded Officer Morton and the Librarian's warnings, remaining homeless for approximately 8 years. I was afraid to return to my home state until 2018. During this approximately 8 years of homelessness, I endured numerous instances of being attacked, sexually assaulted, robbed, and harassed. In law, the injury I sustained is what is known as a continuing injury, or "an injury still in the process of being committed" (Black's Law Dictionary 10<sup>th</sup> Ed.). The continuing injury, which persisted throughout the duration in which I remained homeless as a result of STATE OF IOWA employees' actions, is still ongoing, in that I am currently diagnosed with PTSD largely caused by the numerous acts of violence I endured while homeless throughout these years, as well as the trauma I experience from recalling the tortious acts described throughout this petition which were performed by the Defendants.

34. I moved back to Iowa in 2018 in large part because I wanted to live closer to my parents as they get older. I hoped that enough time had passed that some of these past issues with



involving local officials had blown over.

35. Due to numerous injustices I experienced over the years, and because I learned of several statutes which could have help protect me had I known about them sooner, I began studying law around 2011. I had experienced so many injustices both inside and outside the system, and so much discrimination and verbal abuse from strangers over the years, that I knew it was only a matter of time before someone would attempt to deliberately hurt me again on account of my being transgender. In my mind, it was not a matter of “if”, but “when”.

36, I transcribed thousands of legal terms definitions from law dictionaries which are recommended on several *self-help for pro se litigants* sections of various US Court and state courthouse websites, including Black's Law Dictionary and Ballantine's Law Dictionary. I attempted to use a minimum of three sources per legal term definition so that the use of otherwise copyrighted materials was done in accordance with the US Copyright Office's Fair Use Policy. I compiled legal research day in and day out not only for my own need, but kept it public so that the “next person in need” could have a head start compared to me. I have broadcast, continued to develop, and kept the website [www.ReUniteTheStates.org](http://www.ReUniteTheStates.org), available to the public ever since.

37. Returning to Iowa in 2018 was like being washed ashore from out to sea – exhausted, traumatized, unable to fit in, and broke. I was a financial burden to friends and family who had some inkling about what I'd been through, but to no real extent. People did see me trying to get on my feet, however, and I am very grateful for all the help I have received. I briefly got a job at Kum & Go in Ames, however on day one after training, while in the cooler I had a panic attack and was let go. I immediately sought psychiatric care because I was having such a very difficult

time readjusting to society after so many years living out of my backpack, street performing with my guitar, dumpster diving, and foraging wild plants to survive.

**PART TWO: DEFAMATION AND RIGHTS VIOLATIONS BY KIM REYNOLDS FOR IOWA AND STATE OF IOWA; MY RIGHTS WERE VIOLATED AND I WAS HARMED**

**§ 8 – March 8, 2019:**

***Good v. Iowa Dept. of Human Services; Iowa Supreme Court finds that transgender surgeries must be covered by Iowa Medicaid***

38. I cannot express how relieved I was when I saw on the news that the Iowa Supreme Court ruled, in *Good v. Iowa Dept. of Human Services*, that because gender related surgeries are medically necessary, they must be covered by Iowa Medicaid. I had been impoverished for so many years, robbed in more than twenty different ways – it was like every time I tried to get on my feet, something would happen to me which hit my reset button. I was nearly 40 years old and I was more broke than I was in high school. Had I not been living with my parents at the time, I'd have been living in my vehicle. I remember thinking that if I couldn't afford to transition within the next five years, I would strongly consider suicide because I was tired of coping with my body not being in physical alignment with what I felt in every fiber of my being. Not being able to physically be with my partner as my body screamed for release it could not get no matter what I did; my emotions were caught up and blocked for so many years. I had cried for so many decades, for so many years, so many times. The fact that I would now be able to finally receive surgery and move forward in life without suffering from this was one of the biggest reliefs in life I had ever experienced.

**§ 9 – May 3, 2019**

**STATE OF IOWA defied Iowa Supreme Court, passing HF766 to deny transgender Iowans' "right to access to doctors, specialists, and hospitals for medically necessary services" and "right to be free from discrimination"; rights secured by the Medicaid and Medicare Act,**

**and guaranteed by the Ninth Amendment**

39. Less than two months after the Supreme Court announced the ruling, Republican Legislators and Governor Reynolds, acting on behalf of the State of Iowa, passed HF766, which included a provision, added last minute by Iowa's Republican Legislators, specifically to allow the STATE OF IOWA to deny coverage to transgender Iowans. Tortfeasors, including Legislators who voted for the measure as well as Governor Reynolds, knowingly and willingly violated a protected class of person's rights, thus violating the following laws:

- 18 U.S.C § 241 Conspiracy against rights, “If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State.... in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States<sup>18</sup>.... They shall be fined under this title or imprisoned not more than ten years, or both....”
- 18 U.S.C § 242 Deprivation of rights under color of law, “Whoever, under color of any law, statute.... willfully subjects any person in any State... to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both....”

40. Whereas the STATE OF IOWA excluded transgender persons from accessing medically-necessary procedures, the STATE OF IOWA violated the Iowa Civil Rights Act. The Iowa Civil Rights Act grants the right to recover damages and reasonable attorney fees after discrimination occurs. I hereby assert this right to recover.

41. Whereas the STATE OF IOWA violated transgender persons' “right to access to doctors, specialists, and hospitals for medically necessary services”, a right guaranteed by the Medicare and Medicaid Act, therefore the STATE OF IOWA violated an unenumerated right, or “A right retained by the people but not explicitly mentioned in the Bill of Rights” (Black's Law

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18 The “Law of the United States” the STATE OF IOWA violated is the Medicare and Medicaid Act.

Dictionary 10<sup>th</sup> Ed.). The Ninth Amendment to the U.S. Constitution states: “The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.” This wording establishes the existence of unenumerated rights. The Ninth Amendment guarantees unenumerated rights: established rights not explicitly written within the Bill of Rights. According to [www.Medicare.gov](http://www.Medicare.gov), “If you have Medicare, you have a right to be protected from discrimination”, and “A right to access to doctors, specialists, and hospitals for medically necessary services.” Both of these rights are guaranteed by the Ninth Amendment and were violated by the STATE OF IOWA, who knowingly and willingly violated these implied rights. According to Black's Law Dictionary, *implied right* may be used synonymous with *unenumerated right*. An implied right is “A right inferred from another legal right that is expressly stated in a statute or at common law.” Both rights listed on [www.Medicare.gov](http://www.Medicare.gov) are inferred from legal rights established by statute within the Medicare and Medicaid Act. Leonard W. Levy wrote in Encyclopedia of the American Constitution, page 557, “Without doubt, the Ninth Amendment and its problem of identifying unenumerated rights continue to bedevil interpreters, on and off the bench. Courts do continue to discover rights that have no textual existence and might be considered unenumerated, but for the judicial propensity to ignore the Ninth Amendment and make believe that some unspecified right under discussion derives from a right that is enumerated. Opponents of such rights howl their denunciation of judicial activism. Court-invented rights exceed in number the rights enumerated. Judges have composed rights great and small, including the Miranda rules..., the right to engage in flag desecration, the right to secure an abortion, or the right against the invasion of an expectation of privacy.”

42. I was barred from scheduling appointments during this time, despite having the

right to do so under the Medicare and Medicaid Act. This constituted a continuing injury, or "an injury still in the process of being committed." The fact that this injury was continuing, over a four year period, ought be considered with regard to the amount of damages to be awarded.

43. 42 U.S. Code § 1983 provides me the right to sue the state for damages due to this civil rights violation. I hereby assert that right.

**§ 10 – November 2021:**  
**District Court strikes down HF766 as “discriminatory, unconstitutional, and a violation of the Iowa Civil Rights Act”**

44. Judge William Kelly struck down the HF766 provision, pointing out that it was "discriminatory and unconstitutional", and that it "violates the Iowa Constitution and the Iowa Civil Rights Act".<sup>19</sup> This matter has already been ruled on. Unlike plaintiffs Aiden Vasquez and Mika Covington, I was unable to find legal representation for the denied accommodations and rights violations I was experiencing. To my knowledge, the plaintiffs in that lawsuit did not file for damages under the ITCA. If a legal representative were to represent this action for me and did not file for damages in this case, they would not be representing my position accurately. I was harmed by a malicious rights violation by the STATE OF IOWA, and have a right to recover damages.

**§ 11 – November 2022:**  
**Governor Reynolds performs act of Defamation against transgender persons, issues subtle but direct threat to continue attempting to violate the rights of transgender Iowans**

45. Following the Iowa District court's 2018 ruling, Governor Reynolds' spokesperson stated that Governor Reynolds was "disappointed in today's decision and disagrees with the

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<sup>19</sup> Gruber-Miller, Stephen. "Iowa Can't Block Medicaid Coverage for Gender Confirmation Surgery, Judge Rules." *The Des Moines Register*, Des Moines Register, 22 Nov. 2021, [www.desmoinesregister.com/story/news/politics/2021/11/22/iowa-law-unconstitutional-ban-medicaid-coverage-transgender-transition-gender-confirmation-surgery/8722373002/](http://www.desmoinesregister.com/story/news/politics/2021/11/22/iowa-law-unconstitutional-ban-medicaid-coverage-transgender-transition-gender-confirmation-surgery/8722373002/).

district court's ruling on Medicaid coverage for transgender reassignment surgeries," and that her Administration was "reviewing the decision with our legal team and exploring all options [with regard to ending Medicaid coverage for transgender patients] moving forward."<sup>20</sup> While this statements appears prima facie to be protected free speech – a simple statement of opinion – upon closer examination we find that this statement was in fact an “overt act of furtherance” with regard to violation of 18 U.S.C § 241 Conspiracy against rights. Conspiracy is a continuing offense. For federal conspiracy statutes which require “an overt act in furtherance of the conspiracy“, the statute of limitations begins to run on the date of the last overt act.

46. Iowa Courts recognize a type of defamation known as libel per quod (subtle but effective defamation), wherein “the defamatory nature of the statement is not immediately apparent”, and “requires an audience to refer to facts or circumstances beyond the words actually used to establish the defamation.” 975 N.W.2d 656. *Jerry HOFFMANN and Hoffmann Innovations, Inc. v. Jerry Scott CLARK and RealTimers*. Here, Governor Reynolds' statement was not immediately recognizable as defamation, however, in context with the fact that this act of defamation was:

- Used in order to garner popular support for removing medical coverage for transgender Iowans via casting shade and doubt against transgender people in the eyes of the public;
- Was a promise to Iowans that Governor Reynolds would continue to attack the rights of transgender Iowans.

47. Governor Reynolds' threat – her vow to attempt to violate my rights again – caused

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<sup>20</sup> Clark Kauffman, Iowa Capital Dispatch November 22. "Reynolds 'disappointed' in Ruling on Transgender Medicaid Coverage." *Iowa Capital Dispatch*, 23 Nov. 2021, iowacapitaldispatch.com/2021/11/22/reynolds-disappointed-in-rulin\_g; on-ransgender-medic; id-coverag-e/?fbclid=""IwAR3rqL.qOH9anYI Lg4tdy2zlFr4K V:NruvwvplbH8f132,gqcK6-GD2d L3j7XQ.

me to fear for my safety. Her statements deeply impact my emotional state, ability to focus on work and school, and exacerbate the emotional pain and suffering I experience from the rights violation itself, and from the commonplace political attacks against transgender persons in general in this day and age.<sup>21</sup>

**§ 12 – November 2021:**  
**STATE OF IOWA appeals District Court's decision, halts coverage again;**  
**my appointments were canceled as a result, causing me severe emotional pain and**  
**suffering, as well as anxiety**

48. Soon after the decision, I had a doctor's appointment in Iowa City. It was at that time that time my doctor, in a very emotional conversation, informed me that the Iowa Attorney General's Office halted coverage until the Iowa Supreme Court issued a ruling. The STATE OF IOWA again knowingly violated a court ruling and enforced a statewide rights violation against a class of persons of which I am a member of, a rights violation which directly harmed me. My doctor was emotionally shaken up and hurting as she informed me that my surgery consultations had to be canceled as we awaited the Supreme Court's much anticipated ruling in May 2023.

49. I became deeply depressed, stressed, and desperate. I felt a lot of anxiety about the fact that the state's "leaders" were kicking down a group of people who were already living at the bottom of the human rights barrel. I was raised and graduated in Nevada, Iowa. Every year we celebrated Lincoln Highway Days. So, when I thought about the Republican Party, I thought about how Abraham Lincoln and the Republicans helped to try to lift black up out of slavery. It seemed to me like many of Iowa's Legislators and possibly Kim Reynolds had never actually met someone like me – a transgender woman broke and trying to fit in, emotionally having to process

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<sup>21</sup> Gov. Kim Reynolds Ad: "Iowans Still Know Boys from Girls" -Axios, [www.axios.com/local/des-moines/2022/11/03/kirn-reynolds-ad-iowanS;:transgends:r](http://www.axios.com/local/des-moines/2022/11/03/kirn-reynolds-ad-iowanS;:transgends:r). Accessed 22 July 2023.

whatever latest harassment comes my way. The tortfeasors appeared to me to be insulated from the people they were hurting: people like me. At age 40, I told more than one person I love, "If I can't afford surgery within five years, I don't see sticking around." I considered suicide because I have worked my ass off this lifetime, only to find setback after setback. When I began medically-transitioning in my 20s, I did not anticipate being so broke that I wouldn't be able to finish transitioning. I didn't want to continue to suffer, and seeing no way of ever being able to afford it, I became desperate scared, and borderline suicidal.

50. I contacted the ACLU of Iowa to request assistance in filing for damages because they were handling the Vasquez/Covington case. They responded with a phone call asking for my testimony, but I did not hear from them further. Unable to find help from numerous attorneys whom I contacted, I researched how to file a claim for damages without the help of an attorney, and filed as soon as possible (on 9/9/2023).

### **§ 13 – The State of Iowa violated Code Chapter 729A (Hate Crimes)**

51. Iowa Code Ch. 729A makes "violations of an individual's rights (of a vulnerable and protected class) prohibited". Although Iowa Code Chapter 729A does not explicitly protect transgender Citizens against hate crimes, protection is implied by the Iowa Civil Rights Act. Exclusion of transgender Iowans from legal protection against hate crimes is an example of how the State of Iowa has neglected to adequately protect transgender Iowans. Although the State of Iowa did not violate "the letter of the law" (because transgender individuals are not included in the act, even though we should be), it violated the *spirit of the law*. Again, Iowa Courts recognize the spirit of the law doctrine: 14 N.W.2d 717,234 Iowa 869 *Case v. Olsen* held "The court should give effect to the spirit of the law rather than the



letter, especially so where adherence to the letter would result in absurdity, or injustice, or would lead to contradiction, or would defeat the plain purpose of the act..."

**PART THREE: FRAUDULENT MISREPRESENTATION BY THE IOWA CIVIL RIGHTS COMMISSION RECKLESSLY ENDANGERS MINORITIES AND MISLEADS TAXPAYERS; STATE DOESN'T HOLD BUSINESSES ACCOUNTABLE FOR LYING TO THE ICRC; URGENT REFORM NEEDED!**

**§ 14 – Spring – Fall 2022:**

**State of Iowa aids and abets businesses who retaliate against victims of discrimination via simply lying to and/or deceiving the Commission**

52. On March 31, 2022, after volunteering approximately six months for a NONPROFIT<sup>22</sup> in Ames, Iowa, the PRESIDENT and VICE PRESIDENT banned me from the property due to unspecified complaints against me by an anonymous (to me) woman who complained I “violated her space”. This is a typical attack used against transgender woman, and I was not informed of any specific actions I performed which merited the complaints, nor could I think of any. It appears I was discriminated against because, when a non-transgender woman performed a typical vague political attack against me, NONPROFIT did not ask me any questions or inform me about what the complaints were: they presumed I was guilty and took punitive action against me. I left the property with my reputation severely marred by allegations which made it sound like I was removed from the property due to workplace harassment which absolutely never occurred. This, of course, brought my behavior into question throughout the community, especially in light of the popularity of the businesses. There are several events here in Ames I no longer attend due to the involvement of the people who harmed me in those events because I fear for my safety. I never would have volunteered to perform

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<sup>22</sup> Due to the very public nature of this lawsuit, the names of the organizations and individuals I am suing are omitted within this document. For specific names, see [ATTACHMENT E – Amended Petition for Case # LACV053674](#).

approximately six months of labor improving their property had I known:

- That NONPROFIT did not have a fair protocol in place to handle such types of complaints,
- They were going to discriminate against me, or
- That the Iowa Civil Rights Act does not explicitly protect volunteers for nonprofits from discrimination.

53. Following recommendations by the Better Business Bureau and multiple local attorneys, I filed a complaint with the Iowa Civil Rights Commission (“ICRC”) against NONPROFIT, BUSINESS #1, and BUSINESS #2 (“Respondents”) in April 2022. BUSINESS #1 and BUSINESS #2 were involved in NONPROFIT's discriminatory action, which is why they were included in the complaint.

54. Respondents submitted numerous extremely damaging libelous statements, including but not limited to accusations that I was “stalking and harassing a female employee” and “saying racist comments” to the ICRC via their responses.<sup>23</sup> Statements submitted to the ICRC are entered into the public record: “The Iowa Civil Rights Commission is subject to Chapter 22, the open records statute, as a government body by definition. See Iowa Code Section 22.1. Consequently the records generated by the ICRC are 'public records' defined in Section 22.1(3).... Section 22.2 provides, in part, that 'Every person shall have the right to examine and copy a public record and to publish or otherwise disseminate a public record or the information contained in a public record.'”<sup>24</sup> Respondents, knowing that I own a political organization ([www.WildWillpower.org](http://www.WildWillpower.org)), created a political tool which they themselves or anyone else could

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23 See ATTACHMENT E – Amended Petition for Case # LACV053674.

24 “13AO:0001 Request for Advisory Opinion, Iowa Civil Rights Commission.” *Iowa Public Information Board*, 27 Nov. 2023, [ipib.iowa.gov/advisory-opinion-icrc](http://ipib.iowa.gov/advisory-opinion-icrc).

simply pull from the public records in order to attack my reputation and/or political endeavors. Although I had not resolved to run for Iowa Governor in 2026 yet, had I not filed the lawsuit against the Respondents, I presume there a 100% chance that “someone” would dig into these records and release them publicly in order to destroy my reputation. I absolutely *needed* the Iowa Civil Rights Commission to screen in this case for investigation.

55. As an impoverished transgender woman, whose reputation is frequently marred by defamatory statements by media personalities and politicians, the Respondents' extremely harmful allegations put my life at risk. Their attacks were targeted: they preyed upon me, capitalizing upon commonplace prejudice against transgender women because they knew that there would be bias against me.

56. In addition to libelous statements, Respondents submitted a falsified document in order to bolster their malicious lies. They appear to have done all this in order to:

- Trick the ICRC and convince them not to investigate,
- Threaten me not to pursue this action any further or else Respondents are prepared to brutally attack my reputation (a heightened form of defamation called character assassination);
- Retaliate against me (for filing the compliant) via harming my reputation and jeopardize my safety via entering false, extremely damaging comments about me into the public record;
- Create leverage over me in order to attack my reputation and political endeavors in the future, regardless of whether or not I take legal action in this matter.

57. ICRC's website states:

- "If the collected information indicates a reasonable possibility of a probable cause determination, the complaint will be 'screened in'"
- "[T]he Commission draws all 'rational, reasonable, and otherwise permissible'

inferences in Complainant's favor.”

ICRC made two decisions with regard to my case:

- Choosing not to investigate on August 2, 2022, and
- Denying my appeal on September 27, 2022.

Although I showed ICRC a great deal of evidence indicating probable cause, including hard evidence that several statements made by the Respondents were in fact outright lies, both of ICRC's determinations showed that:

- Although there was a reasonable possibility of a probable cause determination, the complaint was not 'screened in'.
  - There was not only a “reasonable possibility” of probable cause; I gave the ICRC hard evidence which ought to have led to a “probable cause” determination. Hard evidence included evidence of multiple instances wherein respondents knowingly and willingly gave false information to the ICRC in their responses in an effort to deceive them and convince them not to investigate. When it is evident that a respondent is lying, an investigation ought continue. For example, if a police officer were investigating a case, and they found multiple instances wherein the suspect was lying specifically to convince the officer not to investigate further because they are hiding crucial evidence, that would indicate probable cause to the officer. Probable cause has a certain threshold; a “reasonable possibility” widens this threshold. ICRC says they “will” screen in such complaints – not “might” or “will possibly”.
- The Commission drew all 'rational, reasonable, and otherwise permissible' inferences in the Respondents' favors.
  - The ICRC appeared to bend over backwards in favor of the businesses within the evaluation and determination letter they sent me following my complaint. ICRC did not do as they say on their website, hence my fraudulent misrepresentation allegation: ICRC appears to mislead taxpayers and complainants, and endangers victims of discrimination via not screening in cases wherein a “reasonable possibility of probable cause” is shown. § 18 of this Petition reveals solid evidence of fraudulent misrepresentation; it is shown in within the Office of the Ombudsman's findings following a complaint I filed against ICRC with their office.

**§ 15 – ICRC withholds crucial information from victims of discrimination which could be**

**used to prove their cases within their appeals to the ICRC, and to prospective attorneys who might otherwise be able to help them with their case**

56. When ICRC closed my case, they sent a preliminary case review (**ATTACHMENT F – ICRC's preliminary case review**). The review referenced various pieces of evidence, such as text messages, which were not shown to me, but instead described vaguely. Their evaluation also contained hearsay, such as “PRESIDENT states that SONDRRA had become obsessed with EMPLOYEE, to the extent that SONDRRA was stalking and harassing her.” (**page 3 of ATTACHMENT F**). This statement, for example, gave me no indication whether:

- a.) The PRESIDENT lied about me “stalking and harassing” the EMPLOYEE in retaliation for filing the complaint, or
- b.) The EMPLOYEE lied to the PRESIDENT and said these things.

57. On September 30, 2022 I requested a copy of the case file so I could view the actual documents submitted to the ICRC by the Respondents (**ATTACHMENT G – requested case file from ICRC**). Ramona Ubaldo wrote back, “Unfortunately unless you request the Right To Sue you are not entitled to the complete file, meaning, you can only receive what was sent to you or received from you. If you desire the complete case file you will need to request the RTS. BUT you absolutely do not want to request the RTS until you speak with an attorney.”

58. The Letter of Right-to-Sue Ramona referenced was written about within **ATTACHMENT H – how to request a Letter of Right-to-Sue**, which was sent to me by the ICRC at the time they closed my case. The document states, “You have a right to file a lawsuit within (90) days of the issue date of the letter of right-to-sue.” Although I required the case file in order to view the hard evidence instead of hearsay (**ATTACHMENT F**), I did not order the Letter of Right-to-Sue at that time because I did not possess nearly enough knowledge to figure out how to file a lawsuit within the 90 day limit.

59. ICRC advised me on multiple occasions to “find a private attorney from the State

BAR website”. As shown in line 57, I was told, “[Y]ou absolutely do not want to request the [Letter of Right-to-sue] until you speak with an attorney.” Attorneys, however, tend to invest in meritorious cases they believe will win. Multiple attorneys asked me for evidence with regard to my claim.

Although I did possess some hard evidence that the Respondents lied to ICRC in order to convince ICRC not to investigate, the most crucial pieces of evidence were withheld from me by the ICRC due to their arbitrary “Letter of Right-to-Sue” processing restriction and 90-day time limit. I would later find out, after I took ICRC's advise with regard to trying to find an attorney, that the evidence ICRC withheld from me included a falsified document wherein at least one of the Respondents (or their employee) rearranged screenshots of messages between the employee I was falsely accused of stalking and myself in order to convince the ICRC that the discriminatory action Respondents took against me was not in fact discriminatory, but rather justified. This was one of several crucial pieces of evidence I was unable to show the multitude of attorneys I contacted to request help! I firmly believe that if I would have been given the evidence by the ICRC, I would have had a much better chance of finding an attorney who was willing to help.

60. After contacting more than 50 attorneys and seeking multiple other avenues to try to find help, as shown in **ATTACHMENT C – legal assistance sought**, I began studying the Iowa Rules of Procedure so that once I requested the Letter of right-to-Sue, I would be able to file myself in case I was unable to find representation. By my count, when you add up the Iowa Rules of Civil Procedure and the Iowa Rules of Evidence, there are a total of 372 rules in total. I personally find some of the rules very difficult to read for regular Citizens such as myself because they are written in a confusing way. Additionally they seem to be scattered in places. Some rules which could apply to the pretrial phase, are tucked further back in the rules instead of being placed near the beginning. With so many rules, and no templates for Petitions or Motions

available for download on the state website as far as I could tell, untangling these rules and figuring out how to actuate them has felt like *a crossword puzzle from hell*. I have been studying law for years. I can't imagine how frustrating and confusing they must appear to other Iowans who find themselves in a similar situation as myself, unable to afford legal representation. I am reminded of the quote by Abraham Lincoln from an 1859 speech, “The people of these United States are the rightful masters of both congresses and courts, not to over-throw the Constitution, but to over-throw the men who pervert that Constitution.”<sup>25</sup> *How can we be the “rightful masters” of the courts when they are made to be so complex and confusing that you need to hire a professional in order to interpret how to access them?* Later in this lawsuit I will be requesting the court to help remedy this situation in a manner that will help all Iowans. Meanwhile, here is where I have been organizing the rules into step-by-step directions – not only for my own use in this case and the adjacent case, but also to make available to other Iowans who might find themselves in the unfortunate situation of not being able to find legal assistance after having been very badly hurt, as I have been:

Iowa Rules of Courtroom Procedure *simplified*:

[https://drive.google.com/drive/folders/1ZpEnOZYImPQ0mLg0YajiQehfYYndGInY?usp=drive\\_link](https://drive.google.com/drive/folders/1ZpEnOZYImPQ0mLg0YajiQehfYYndGInY?usp=drive_link)

I am still in the process of untangling and studying the rules, and I respectfully request grace from the court for any procedural errors I might make, that I may kindly have the opportunity to amend such errors.

**§ 16 – ICRC's harmful, arbitrary process they make victims of discrimination adhere to**

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<sup>25</sup> *History - Abraham Lincoln Papers - Collection Connections | Teacher Resources - Library of Congress*, [web.archive.org/web/20190120213237/https://www.loc.gov/teachers/classroommaterials/connections/abraham-lincoln-papers/history3.html](http://web.archive.org/web/20190120213237/https://www.loc.gov/teachers/classroommaterials/connections/abraham-lincoln-papers/history3.html). Accessed 22 July 2024.

**after they choose not to investigate effectively reduces the limitations period for complainants from two years down to two months, thereby shielding businesses who do perform wrongful acts from potential lawsuits**

61. After the pretrial rules were mostly organized, on August 7, 2023 I requested the Letter of Right-to-Sue.<sup>26</sup> The following day I performed a second request for the case file,<sup>27</sup> and on October 11 I finally received it.<sup>28</sup> Time limits for most types of civil cases in Iowa range from two to five years,<sup>29</sup> The ICRC's harmful process, however, effectively left me with less than two months to file the suit after finally receiving the evidence. I did have time to contact every attorney I had previously contacted (**ATTACHMENT C**) in order to try to find representation again now that I had rock hard evidence, including the falsified document, especially due to the fact that I was attending DMACC for the semester, and had to focus on schoolwork. From the time I received the evidence until the filing deadline, I was effectively left with less than two months for a limitations period. If ICRC did not have this unnecessary deadline and withholding of evidence within their procedure, the limitations period normally would have ended on March 31, 2024. Instead I was made to file no later than December 5, 2023. I have studied law for more than a decade, and I worked diligently to initiate both these suits while trying to focus on schoolwork and preparing to transfer to ISU. I believe it is safe to assume that the courts sees very few pro se litigants who are able to meet these unfair and strenuous deadlines ICRC imposes, especially in light of how confusing the Rules of Procedure are to decipher for non-lawyers. This lawsuit is not just about me. It is not just about transgender Iowans. LGBTQ+ and

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26 **ATTACHMENT I – requested Letter of Right-to-sue.**

27 **ATTACHMENT J – second request for case file.**

28 **ATTACHMENT L - case file for ICRC case CP#04-22-78265.**

29 *Iowa Statutes of Limitations - Findlaw*, [www.findlaw.com/state/iowa-law/iowa-statutes-of-limitations.html](http://www.findlaw.com/state/iowa-law/iowa-statutes-of-limitations.html). Accessed 22 July 2024.



BIPOC, and other vulnerable populations who are supposed to be protected by the Iowa Civil Rights Act are affected by the inaccessibility of the courts and the unfairness of ICRC's obstacle-course like process. I contacted more than 20 news outlets to cover my story. It breaks my heart to think about how many Iowans who face discrimination find themselves harmed, devastated, and without help while in such circumstances. I believe it is highly likely we never hear those stories. Equitable remedies I request at the end of this petition are designed to improve and strengthen ICRC's process to make it fair for victims trying to find help. My testimony herein corroborates a recent study discussed in the following article released last year in the Des Moines Register, "Iowa should stop tilting the scales in civil rights cases" by Lucas Grundmeier.<sup>30</sup> Although it is an opinion article, it should be clear by reading about my experience how tilted, in fact, the scales of justice are when it comes to civil rights cases: the STATE OF IOWA has its thumb firmly pressed down upon one side of the scale in order to shield businesses from liability for civil rights violations. The STATE OF IOWA substantially reduces limitations periods for victims of discrimination, thereby diminishing the victim's due process rights.

**§ 17 – Fall 2022:**

**ICRC directs victims of discrimination to file with Legal Aid organizations who cannot help with discrimination cases; "the left hand doesn't know what the right hand is doing"**

59. Upon closing my case, ICRC advised me, on multiple occasions, to find a private attorney from the State Bar website. After calling more than 50 attorneys and law firms across the state, the least expensive quote I received was "\$275/hr., \$5000 up front" from Widdison

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<sup>30</sup> Grundmeier, Lucas. *Opinion: Iowa Should Stop Tilting the Scales in Civil Rights Cases*, The Des Moines Register, [www.desmoinesregister.com/story/opinion/editorials/2023/05/14/iowa-civil-rights-commission-tilting-scales/70204156007/](http://www.desmoinesregister.com/story/opinion/editorials/2023/05/14/iowa-civil-rights-commission-tilting-scales/70204156007/). Accessed 15 Nov. 2023.

Law Firm. This, of course, is far, *far* beyond what I can afford! *Remember*, I was (and am) still recovering from years of homelessness caused in large part by STATE OF IOWA employees.<sup>31</sup>

60. When I brought this to ICRC's attention on November 2<sup>nd</sup>, 2022, Intake Specialist Ramona Ubaldo provided a list of legal aid organizations for low-income persons (**ATTACHMENT M – requested legal aid low-income Iowans**). Every organization on the list (except University of Iowa Law Clinic<sup>32</sup>) told me that they "don't take fee-generating cases"<sup>33</sup> and were not allowed to handle this type of case. The fact that ICRC directs low-income victims of discrimination to seek help from legal aid organizations who may not help with these types of cases shows that the STATE OF IOWA has been neglecting Iowa's most vulnerable populations. Why is ICRC directing vulnerable populations, who frequently suffer from poverty more so than other demographics, to go out and find an expensive attorney? The ICRC, more so than perhaps anybody, should be aware of the poverty and hurdles that members of vulnerable populations so often unfairly endure. Many people have told me, with hope in their eyes, "You might be able to find an attorney to help you pro bono," or "Some lawyers will work on contingency," however based upon my experience this appears to be far less common than many people believe. One of my most pressing questions, "Why does the ICRC direct victims to seek legal assistance from organizations who may not handle discrimination cases?" It is a case of reckless disregard; Iowa is neglecting its most vulnerable populations! *If* the ICRC did not know that the list of organizations they provided me did not help with these types of cases, then it is a

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31 See lines 19 – 37.

32 Although I was not told U of I may not help with "fee-generating cases", I suspect that is the case. I was told that the Professor who heads that department was retiring, so they were not taking on new cases. I suspect they do not take fee-generating cases regardless.

33 Typically the organizations handle tenant/landlord and divorce/custody cases, but not discrimination or other fee-generating cases.

case of “the left hand doesn't know what the right hand is doing”. If that's not the case, then ICRC has been pretending not to know, and it needs to stop.

61. The average Iowan earns \$23.22/hr.,<sup>34</sup> while the average rate for a civil litigation lawyer in Iowa is \$238/hr..<sup>35</sup> Attorneys typically charge thousands of dollars for a retainer – something impoverished Iowans don't often have on hand (I certainly don't!). In fact, 92% of low-income Citizens cannot find/afford legal assistance for civil matters!<sup>36</sup> Now let's take into account the fact that the ICRC typically deals with vulnerable populations whom are protected by the Iowa Civil Rights Act. These demographics often face increased rates of poverty directly related to additional obstacles and discrimination we more frequently endure. The percentage must be higher than 92%! When ICRC turns victims away and doesn't investigate cases even when it is shown that the Respondents lied to them, ICRC sends them up Shit's Creek *with a turd for a paddle* and says, “Good luck!”

**§ 18 – Fall 2022:**

**Attempted to file a complaint with Ames PD, Story County Attorney's Office, Attorney General's Office, and Office of the Ombudsman; I was denied “equal protection of the laws” by Story County Attorney, and discovered hard evidence of fraudulent misrepresentation by the ICRC via the Ombudsman's response**

62. Prior to requesting the Letter of Right-to-Sue, I contacted Ames Police and the Story County Attorney's Office in order to file a complaint against the Respondents for fraudulently submitting false information to a government agency.

(i) I attempted to file a complaint against the Respondents with the Ames Police Department. Although unsure of the charges, it was reasonable to assume that

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34 *Salary in Iowa - Average Salary*, [www.talent.com/salary?location=iowa](http://www.talent.com/salary?location=iowa). Accessed 19 July 2024.

35 “How Much Should I Charge as a Lawyer in Iowa (2023).” *Clio*, 16 Oct. 2023, [www.clio.com/resources/legal-trends/compare-lawyer-rates/ia/](http://www.clio.com/resources/legal-trends/compare-lawyer-rates/ia/).

36 “The Justice Gap: The Unmet Civil Legal Needs of Low-Income Americans.” The Justice Gap Report, Legal Services Corporation, 28 Apr. 2022, [justicegap.lsc.gov/](http://justicegap.lsc.gov/).

“knowingly submitting false information” to a government agency would be a crime. Supervising Officer Schieffer would not allow me to file a complaint. He told me that he was unsure if Ames PD had jurisdiction over statements submitted to the ICRC. He urged me to call ICRC and ask who has jurisdiction over statements submitted to them.

- (ii) I was initially told by the Receptionist at ICRC that “no one” has jurisdiction over statements submitted to them. After thinking about the matter further, she told me I could file with the Attorney General's Office.
- (iii) On Oct. 25, 2022 I filed with the Attorney General's Office via the Crime Victim Services Application.<sup>37</sup> Although it did not appear to be an ideal place to file, the Attorney General's Office is the only place I had been recommended to file, and I did not see anywhere else on their website wherein I could file. “Victim services”, however, did make sense, because I was victim of a crime which had not been prosecuted. I figured the AG would at least point me in the right direction. In response to my application, Investigator Al Perales advised me to file with the AG's fraud department instead of Victim Services. Personnel in the fraud department informed me, however, they do not investigate “this type of fraud”. They mainly only investigate identity theft cases.
- (iv) On October 28, 2022 I attempted to file a complaint with the Story County Attorney's Office. The Receptionist told me that it is "not illegal to submit false statements to the Iowa Civil Rights Commission", and that they would not be taking action.
- (v) After additional research, I discovered that the Respondents did in fact violate Iowa Code §714.8(4), "[A]ny person who makes any entry in... any public records... knowing the same to be false." is guilty of fraud. Records generated by the Iowa Civil Rights Commission are "public records" according to Section 22.1).<sup>38</sup> I emailed Officer Schieffer, Ames PD, with regard to this, again requesting to file a complaint. After forwarding my email to the Story County Attorney's Office, he told me that the case was not within Story County's jurisdiction, and that I needed to file in Polk County. I then called the Des Moines Police Department. Officer Niman informed me that if it was in their jurisdiction, then I should still file the complaint with Ames PD and they will then transfer the complaint to Polk County. Officer Niman sounded perturbed, telling me, “They know this. I don't know why they told you to file with us.” I then emailed Officer Schieffer again. He responded, "The Story County Attorney's Office advised that the case was not within our jurisdiction. Additionally, when they looked over the information that you provided in the

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37 ATTACHMENT N – complaint to AG's Victim Services.

38 “13AO:0001 Request for Advisory Opinion, Iowa Civil Rights Commission.” *Iowa Public Information Board*, 27 Nov. 2023, [ipib.iowa.gov/advisory-opinion-icrc](http://ipib.iowa.gov/advisory-opinion-icrc).

email, they advised that they not prosecute the case even if it was in our jurisdiction." It appears to me that either:

- The Ames Police Department and Story County Attorney's Office are guilty of a form of official misconduct called nonfeasance (not doing their job). In this case, as a victim of criminal fraud, I was not provided "equal protection of the laws" as guaranteed by the 14<sup>th</sup> Amendment! As a victim of the crime, I was therefore not able to recover restitution. The Ames Police Department ought to have, at the very least, allowed me to file a complaint so I could comply with the Exhaustion-of-Remedies Doctrine prior to filing suit. The Story County Attorney and Ames Police appear to have violated the Iowa Civil Rights Act for denying me "public accommodation". Id. § 216.2(136). I was discriminated against by the Story County Attorney, who appears to have put his reputation with regard to the next election ahead of his office duties. He appeared to have been concerned that prosecuting a business for defrauding a transgender woman would reflect poorly upon his campaign for re-election due to how it might affect his standing within the business community.
- Lying to the Iowa Civil Rights Commission is not a crime in the State of Iowa, in which case the state aids and abets businesses who simply lie to the ICRC in order to shirk liability. Meanwhile, victims who suffer defamation from having false statements about them entered into the public record, then have our reputations marred. This in fact punishes victims of discrimination for coming forward. This is terrible and harmful public policy!!! It needs to be a crime to submit false statements and fraudulent documents to the ICRC!!

(vi) On November 11, 2023 I filed a complaint with the Office of the Ombudsman in order to review the ICRC's work with regard to my case. The Ombudsman's response reviewed whether or not the Commission adhered to proper administrative procedure, but not whether or not their determinations were meritorious. The Ombudsman's response gave clear indication that ICRC's website fraudulently misrepresents, to both complainants and Iowa's taxpayers, what is to be expected from them. The Ombudsman informed me of a case ruling which contradicts what is written on ICRC's website, "If the collected information indicates a reasonable possibility of a probable cause determination, the complaint will be 'screened in'". The ruling is:

- "*Estabrook v Iowa Civil Rights Commission* 283 N.W.2d 306 (Iowa 1979). The Court viewed the [ICRC]'s process as a mere administrative remedy, with the complainant having the option of filing a civil claim of discrimination in state or federal court once that administrative process is

exhausted. Id. At 310. The Court determined that the legislature did not intend the [ICRC] to process every complaint even if it generated a prima facie case for discrimination. This gives the Iowa Civil Rights Commission broad authority to determine which cases to process, even for cases that present a prima facie showing of discrimination."

- If ICRC is under no obligation to screen in a case even if there is probable cause, they should state that on their website. What they currently have written on their website is misleading, that if there is a "reasonable possibility of probable cause they will screen in case". This does not align with their actual practice and procedure. and amounts to fraudulent misrepresentation by the STATE OF IOWA. The state ought write what one might reasonably expect on the website, that they are under no obligation to screen in a case, even when there is prima facie evidence of discrimination. What they currently have written misleads victims of discrimination and taxpayers.

63. According to the textbook used in my Business Law (BUS-185) class at Des Moines Area Community College, Business Law Today by Roger LeRoy Miller,<sup>39</sup> fraudulent misrepresentation is, "Any misrepresentation, either by misstatement or by omission of the material fact, knowingly made with the intention of deceiving another and on which a reasonable person would and does rely to his detriment." According to Ballantine's Law Dictionary, "A representation proceeding from, or characterized by, fraud, and the purpose of which is to deceive. 37 Am J2d Fraud § 2. A representation that is knowingly untrue, or made without belief in its truth, or made recklessly, and, in any event, for the purpose of inducing action upon it. *Clark v Haggard*, 141 Conn 668, 109 A2d 358, 54 ALR2d 655."<sup>40</sup>

64. My heart weeps for other Iowans who found themselves in similar situations as myself, where the only government agency we have to turn to when discrimination occurs turns us away and directs us to resources who cannot or will not help. As a person who was raised as a

<sup>39</sup> ISBN 978-1-305-64452-6.

<sup>40</sup> Ballantine's Law Dictionary with Pronunciations Third Edition by James A. Ballantine (James Arthur 1871-1949). Edited by William S. Anderson. © 1969 by THE LAWYER'S CO-OPERATIVE PUBLISHING COMPANY. Library of Congress Catalog Card No. 68-30931

white male, I am aware I received opportunities and privileges many BIPOC people were not afforded. I can ponder what it must be like for most people – people who have not performed years of research in order to be able to file a lawsuit without the help of an attorney – as I have. They likely file with the ICRC, are unfairly turned away, and leave jaded and disappointed by the system. Many of those Iowans, like myself, were raised in public schools, where we learned about Martin Luther King Jr., Abraham Lincoln, and together put our hands over our hearts and swore our allegiance to this nation, “With liberty and justice for all.” I am so disappointed in the STATE OF IOWA for not upholding these vital promises of our state and nation. It is apparent that other victims who have valid complaints are turned away and advised to seek aid where where is none. Here is another article by the Des Moines Register which indicates this very fact: [“Why 60% of Iowa workers’ civil rights complaints aren’t investigated; why process is so difficult”](#) by F. Amanda Tugade.<sup>41</sup> Note also that ICRC [has a score of 1.2](#) for its Google review score. Reviews show similar experiences as I had, showing “overwhelming evidence” to ICRC only to have cases closed. Here are some posts in the Google reviews:

- 11 months ago Misty Brookhart wrote, “Filed complaint. First spoke with investigator on 11/22/21. On July 5 I was told that once it was finalized I would receive a copy of the report. Was told case not closed and haven't missed out on anything. Aug 1 more information added to file and still no report. Have heard nothing since. Apparently they have had numerous cases resulting in their inability to get to mine. Apparently this has been an issue with other investigators at the iowa civil rights commission as well. It has been approximately two years since I first filed a complaint and still have heard absolutely nothing pertaining to my case other than they have been busy. It appears that laws are not being enforced even by those whose job is to enforce them. It is my belief that my complaint will be disregarded and nothing done based on lack of communication and effort by the ICRC.

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41 Tugade, Amanda. *Why 60% of Iowa Workers’ Civil Rights Complaints Aren’t Investigated*, The Des Moines Register, [www.desmoinesregister.com/story/news/2023/05/08/iowa-civil-rights-commission-60-percent-complaints-discrimination-not-investigated-employees-workers/70177674007/](http://www.desmoinesregister.com/story/news/2023/05/08/iowa-civil-rights-commission-60-percent-complaints-discrimination-not-investigated-employees-workers/70177674007/). Accessed 15 Nov. 2023.

Update: case was drug out for two years. Finally received letter I had to ask for as it wasn't sent to me nor was I contacted. "No discrimination found" despite actual evidence being given and founded by hud and disability rights iowa. Cases are ignored, passed around from person to person and then denied once time limit has ran out. Considering the evidence and repeated issues with this agency, It appears that those created to protect the rights of the disabled are committing discrimination themselves.”

- 4 weeks ago, “B.W.” wrote, “They will lose your paperwork and evidence so you won't know what was used in the "investigation" of your complaint. Thankfully, Iowa's Chapter 22 open records law allows you to request a copy of what they used. Someday their negligence will be exposed.”
- Another reviewer wrote, “This only exists as a beginning to your trial. You HAVE to submit something to these useless people if you want to proceed with sueing your employer. I gave them so much evidence and recited laws word for word. Don't get your hopes up just submit whatever you need to submit and lawyer up. Submit your information and be ready to go to court otherwise don't waste your time with this branch of government.”
- Mark wrote, “The whole process of filling a complaint, was nothing but a joke. They take way over the allotted time for an investigation. Mr. Lopes-Sanders was the only person that was great to deal with. The investigator had no clue as to what she was doing. Overall it was pathetic. I would give a zero if I could.“
- Another reviewer wrote, “If you're brought here by unfortunate circumstances, please do not get your hopes up that maybe this organization will help you. “
- Another reviewer wrote, “Just a big Joke and waste of tax-payers money. They will always side with Employers.”

**PART ONE REVISTED: DISCOVERED BEHIND-THE-SCENES  
FRAUD FROM THE 2006 AND 2009 CASES; LIMITATIONS PERIOD  
WAS TOLLED, AND COMMENCED HERE**

**§ 19 – November 2, 2022:**

**Ordered copies of the dockets from the 2006 and 2009 cases,  
learning that multiple injurious acts. Including fraud, were performed against me, by  
multiple individuals, without my knowledge at the time; my rights were violated**

65. Within approximately one week prior to experiencing discrimination from the

Respondents with regard to the ICRC case, I had recounted my experiences from back in 2006



and 2009 to the PRESIDENT of the NONPROFIT I filed a complaint against. After they falsely accused me of “stalking, harassment, and racism” – as well as other extremely damaging lies – I had strong reason to suspect that the Respondents fully intended to lean into the assault charge that was on my record in the future – especially if I filed suit. Additionally, my boyfriend and I were denied getting an apartment after the landlord did a background check and saw numerous charges. Based on what the pro bono attorney had told me, I was left the impression that all the charges from both 2006 cases had been dropped, but after I found these charges on my record, I ordered copies of the dockets from the Story County Courthouse. I did not order dockets back in 2006 or 2009 because I did not know what a docket was; we were not taught anything about how to interact with Iowa courts within Nevada, Iowa's public school system. The state does not properly prepare Iowa's young people how to navigate the courts for when rights violations or other injustices occur, thus recklessly endangering Iowans after we graduate from high school.

66. In the docket, I discovered Officer Marshall performed a malicious prosecution via writing false information into the affidavit he filed within the police report following the initial 2006 arrest. I was arrested under false pretenses. Officer Marshall wrote that I had been asked to leave and refused, but I was compliant. According to Ballantine's Law Dictionary Third Edition, a malicious prosecution is, “A criminal prosecution begun in malice, without probable cause to believe it can succeed, and finally ending in failure. 34 Am J1st Mal Pros § 2. According to Black's Law Dicitoinary 10<sup>th</sup> Edition, “The institution of a criminal or civil proceeding for an improper purpose and without probable cause. \* The tort requires proof of four elements:

- (1) the initiation or continuation of a lawsuit;
- (2) lack of probable cause for the lawsuit's initiation;

(3) malice; and

(4) favorable termination of the original lawsuit. Restatement (Second) of Torts §§ 674-81B (1977).”

Although there was no “favorable termination of the lawsuit”, this only occurred because there was never a trial!

67. I also discovered that the pro bono attorney who assisted me had entered into a plea bargain on my behalf without my knowledge or consent. There was never any mention of changing my pleas for the above case from *not guilty* pleas to *guilty*! As a result, I had criminal charges entered onto my record without a trial. No record of the apology letter or the State's wrongdoing were entered into the record. No precedent was set. I would not have agreed to the plea agreement that attorney signed me into. Additionally, he misgendered me throughout his filings. He misinformed me about the case, and misrepresented my position. He commit extrinsic fraud, "intentional misrepresentation or deception which deprives someone(s) of informed consent, full participation. or due process." I was denied my right to a fair trial and to due process due to extrinsic fraud against me I was not aware occurred under November 2022. I learned of this while I was trying to get help for the ICRC case, the surgeries that were being denied, and the Governor repeatedly performing multiple acts of defamation against transgender Iowans. I could not find help for any of these cases, and was completely overwhelmed while trying to manage all of this and keep up with school at DMACC. It was horrible stressful and caused intense emotional pain and suffering.

- I was defrauded. Fraud is “Anything calculated to deceive another to his prejudice and accomplishing the purpose, whether it be an act, a word, silence, the suppression of the truth, or other device contrary to the plain rules of common honesty. 23 Am J 2d Fraud § 2.”<sup>42</sup>

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42 Ballantine’s Law Dictionary with Pronunciations Third Edition by James A. Ballantine (James Arthur 1871-

- Extrinsic fraud is “intentional misrepresentation or deceptive behavior outside the transaction itself (whether a contract or a lawsuit), depriving one party of informed consent or full participation” (Black's Law Dictionary 10<sup>th</sup> Ed.). For the purpose of a ground of equitable relief against a judgment, fraud which has prevented a party from having a trial, from presenting all his case to the court, or has so affected the manner in which the judgment was taken that there has not been a fair submission of the controversy of the court. *Farley v Davis*, 10 Wash 2d 62, 116 P2d 263, 155 ALR 1302.<sup>43</sup>

68. Although the City of Ames issued me \$1500 and an apology letter for case #SMSM062317, the State and/or City of Ames neglected to enter the letter or any acknowledgment of their wrongdoing into the docket. The attorney was untruthful with me; there was no precedent set. I was given a sheet of paper (apology letter) and lied to – told that I set a precedent when in fact the case was swept under the rug by the attorney and the state. I was left under the impression that all three charges (for both cases) was dropped, and that the letter apology letter was an acknowledgment of wrongdoing in relation thereto. The charges to my criminal record which ought not exist shows that the local County Attorney and pro bono attorney entered into an agreement I was not made aware of which left me suffering the collateral damage for their wrongdoing.

69. I discovered Judge Van Marel was required to recuse himself from the 2009 assault lawsuit, and that he in fact held bias against me. I did not know that Judge Steven Van Marel directed Officer Marshall of the Ames PD to arrest me for trespassing into the restroom, back in 2006, and that my the man representing me (it is hard to call him my attorney because he did not represent my position) did in fact file a motion for Judge Van Marel to recuse himself from that

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1949). Edited by William S. Anderson. © 1969 by THE LAWYER'S CO-OPERATIVE PUBLISHING COMPANY. Library of Congress Catalog Card No. 68-30931

43 Ballantine's Law Dictionary Legal Assistant Edition by Jack Ballantine (*James Arthur 1871-1949*). Doctored by Jack G. Handler, J.D. © 1994 Delmar by Thomson Learning. ISBN 0-8273-4874-6.

case. Based upon Judge Van Marel's abuse of power against me in the 2009 case, I now know that he was one of the "local officials" the Ames Police officer had warned me about in § 5 of this lawsuit. Even if the officer did not know Judge Van Marel was involved with malicious acts against me with regard to the warning he gave me, it is apparent that he was in fact a co-conspirator with regard to committing extrinsic fraud against me in a manner which violated my right to a fair trial. I filed a complaint with the Iowa Judicial Qualifications Commission against Judge Van Marel as soon as I found out, however the Commission took no disciplinary action. Despite the previous motion to recuse which I was never told about, and his role in case #SMSM062317 which I was never told about, Judge Van Marel did not recuse himself in 2009 during case #SMSM06655, as required by Iowa Code. Jud. Cond. Rule 51:2.11: "A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned...." The Rule does not specify that a motion must be filed by a party involved in the action. It is expected of the Judge to honorably recuse on their own volition.

70. I filed a complaint with the Attorney Disciplinary Board after I discovered the attorney had defrauded me, however they took no action. See [ATTACHMENT Q – letter from Atty. Disciplinary Board.](#)

71. The State recklessly endangers attorney clients, enabling misconduct to occur. The State of Iowa, within the Rules of Professional Conduct, does not require attorneys to obtain clients' signatures in order to change their pleas or file motions (attorneys aren't required to submit motions to their clients for review). In an email between myself and the attorney, he claimed that I verbally consented to allow him to do this, which I absolutely would not have. It is negligent on the part of the state – a failure of the law – to not require signatures of clients

for major decisions such as entering into a plea deal. Requiring a signature on a contract is a basis for U.S. Law, and frankly just good practice the State of Iowa ought require. Attorneys especially should not be exempt from contract law with regard to changing pleas. Additionally, clients ought be required to review any and all paperwork filed on our behalf. We have a “right to review” which needs to be provided by statute within the Professional Rules of Conduct in order to prevent others from being harmed in the same and/or similar manner that I was. The State of Iowa does not require attorneys to offer clients the opportunity to review paperwork prior to submission. The state's negligence recklessly endangers lay persons who are not knowledgeable in the law, especially young people who are just out of high school, and who are not taught even the basics of law in Iowa's schools. The State's negligence and/or willful disregard enables attorneys to commit fraud, and leaves defrauded clients without recourse because it puts us into a he-said/she-said situation. When such fraud occurs, it is likely other victims do not discover the wrongdoing until years later, if they discover it at all.

72. Iowa Code § 802.5 establishes an extension of the limitations period for fraud cases and cases of fiduciary breach "within one year after discovery of the offense by an aggrieved party". Also both the *discovery rule* and *doctrine of equitable tolling* extend limitations periods in cases wherein fraud was not detected until after the plaintiff discovered the evidence. I did not discover evidence that the attorney, Judge Van Marel, and Officer Marshall defrauded me until November 2, 2022, after ordering copies of the dockets in order to attempt to clear these unjust charges from my record. According to Black's Law Dictionary 10<sup>th</sup> Ed, the discovery rule sets forth, “[A] limitations period does not begin to run until the plaintiff discovers (or reasonably should have discovered) the injury giving rise to the claim.

The discovery rule usually applies to injuries that are inherently difficult to detect.” The doctrine of equitable tolling sets forth, “that the statute of limitations will not bar a claim if the plaintiff, despite diligent efforts, did not discover the injury until after the limitations period had expired, in which case the statute is upended or tolled until the plaintiff discovers the injury. Equitable tolling does not require misconduct such as concealment by the defendant. It has been held that equitable tolling applies principally if the plaintiff is actively misled by the defendant about the cause of action or is prevented in some extraordinary way from asserting his or her rights. However, it has also been held that the equitable tolling doctrine does not require wrongful conduct on the part of the defendant, such as fraud or misrepresentation.” The limitations period for these cases began to run in November 2022, at which time I discovered I was defrauded. The limitations period ought also be further extended due to the complex nature of this case, and the fact that numerous successive State actions on both the local and statewide levels have caused me multiple injuries, for which I have been unable to secure legal representation or advocacy due to financial reasons and due to the political culture we currently live in, which is generally hostile toward transgender people, and defensive of discriminatory practices by businesses and state actions. Inability to file a timely action was exacerbated by the years of homelessness I endured, and the complexity of the courts themselves.

**PART FOUR: THE STATE IS STILL ACTIVELY CONSPIRING TO VIOLATE TRANSGENDER PEOPLES' RIGHTS AND ERODE LEGAL PROTECTIONS FOR ALL DEMOGRAPHICS WHICH ARE PROTECTED BY THE IOWA CIVIL RIGHTS ACT; URGENT INJUNCTIVE RELIEF REQUESTED IN ORDER TO HALT THIS CONSPIRACY AND INSTEAD IMPROVE THE STATE OF IOWA**

**§ 20 – October 31, 2022:  
KIM REYNOLDS FOR IOWA slandered transgender people in her campaign ad for**

### **re-election; I allege unjust enrichment**

73. On October 31, 2022, Reynolds (as a Candidate) used her powerful political influence to defame transgender people within her televised campaign ad for re-election, stating, "Iowans still know boys from girls." Reynolds' condescending statement was used to imply that "transgender women are not women, and transgender men are not men." Her libel per quod here is an example of how she ran her campaign on the promise to Iowans that she would be the candidate to go after transgender people. Her administration's continued attacks against transgender peoples' rights demonstrated that she was willing to her supporters' money where her mouth was.

74. KIM REYNOLDS FOR IOWA earned at least \$2.5 million for her re-election in 2022.<sup>44</sup> Her campaign unjustly enriched itself off Kim's repeated attempts and promises to interfere with the rights of transgender Citizens. Her defamatory political jabs were used to garner popular support toward eroding legal protections currently in place for transgender persons. KIM REYNOLDS FOR IOWA was unjustly enriched at the expense of transgender Citizens. "The doctrine of unjust enrichment is based on the principle that a party should not be permitted to be unjustly enriched at the expense of another or receive... benefits without paying just compensation." State ex rel. *Palmer v. Unisys Corp*, 637 N.W.2d 142, 154 (Iowa 2001). Unjust enrichment an equitable principle that "serves as a basis for restitution." The three elements a plaintiff must prove to recover under unjust enrichment are: "(1) Defendant was enriched by the receipt of a benefit; (2) the enrichment was at the expense of the plaintiff (in this case, a class of plaintiffs); and (3) it is unjust to allow the defendant to retain the

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<sup>44</sup> Opsahl, Robin. "Reynolds' Campaign Has \$2.5 Million Headed into November; Dejean's Has \$366K • Iowa Capital Dispatch." *Iowa Capital Dispatch*, 20 Oct. 2022, [iowacapitaldispatch.com/2022/10/20/reynolds-campaign-has-2-5-million-headed-into-november-dejeans-has-366k/](https://iowacapitaldispatch.com/2022/10/20/reynolds-campaign-has-2-5-million-headed-into-november-dejeans-has-366k/).

benefit under the circumstances." KIM REYNOLDS FOR IOWA is liable for unjustly enriching themselves at the expense of transgender Iowans. Restitution ought be paid to transgender Iowans, who have been harmed by KIM REYNOLDS FOR IOWA's harmful statement in her campaign ad.

75. KIM REYNOLDS FOR IOWA's defamatory act was not protected speech. According to the American Library Association, "Under current First Amendment jurisprudence, hate speech can only be criminalized when it directly incites imminent criminal activity..."<sup>45</sup> The comment was made in context with the current Governor's agenda to undermine and violate rights secured by the Medicare and Medicaid Act, and guaranteed under the Ninth Amendment, in direct violation of 18 USC § 241 Conspiracy against rights and Iowa's Ongoing Criminal Conduct Act. Reynolds ran her campaign largely on the promise that, if elected, she would continue to attempt to overturn, violate, and stamp out legal protections for transgender Citizens. Governor Reynolds did in fact violate such rights while knowingly and willingly doing so, thus indicating actual malice. A successful political campaign, wherein the candidate was elected for office, at the expense of transgender Citizens who were defamed as part of a concerted effort to violate our rights, is a case of unjust enrichment. Transgender Iowans are due restitution, and in my opinion, a heartfelt public apology and acknowledgment of wrongdoing from Kim Reynolds.

**§ 21 – April 26, 2023:**  
**Governor Reynolds promotes “real woman Bud Light cans”, performs libel per quod against transgender persons**

76. On April 26, 2023 Governor Reynolds defamed transgender people via promoting

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<sup>45</sup> "Hate Speech and Hate Crime." *ALA*, [www.ala.org/advocacy/intfreedom/hate#:~:text=Under%20current%20First%20Amendment%20jurisprudence,against%20a%20person%20or%20group](http://www.ala.org/advocacy/intfreedom/hate#:~:text=Under%20current%20First%20Amendment%20jurisprudence,against%20a%20person%20or%20group). Accessed 22 July 2024.



"real women" fake Bud Light cans in order to blatantly imply that transgender women are not "real women".<sup>46</sup> Again Kim used her powerful political influence to transform Iowa's political culture into one which is hostile toward transgender Citizens, in furtherance of the conspiracy to violate rights of transgender Iowans.

**§ 22 – “Overt acts of furtherance” with regard to violating the rights of transgender Iowans continues to toll the limitations period for previous acts; injunction needed to prevent such acts**

77. In February this year, Governor Reynolds proposed a bill designed to remove legal protections from transgender Iowans.<sup>47</sup>

78. Also this year, a bill was voted on to remove “gender identity” from the Iowa Civil Rights Act.<sup>48</sup>

79. On May 17 this year Reynolds signed a bill eliminating 83 Boards and Commissions, including the Iowa Civil Rights Commission.<sup>49</sup> She turned the Commission into a mere Advisory Panel! If this takes effect, where will vulnerable populations file grievances when civil rights violations occur?? Also, an Advisory Panel will likely be ignored by the State because *advice can be ignored*, and the State has shown its cards with regard to where it stands on this issue.

80. It is obvious that the Reynolds Administration is hellbent on eliminating legal

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46 "Kim Reynolds Touts 'real Women' Coolers Parodying Bud Light Trans Influencer." *Yahoo News*, news.yahoo.com/kim-rcynolds-touts-real-women-20455.3736.html. Accessed 30 July 2023.

47 Sostaric, Katarina. “Reynolds’ Bill to Define Man and Woman Advances as Transgender Iowans Call It Discriminatory.” *Iowa Public Radio*, Iowa Public Radio, 7 Feb. 2024, www.iowapublicradio.org/state-government-news/2024-02-06/reynolds-bill-to-define-man-and-woman-advances-as-transgender-iowans-call-it-discriminatory.

48 Fingerhut, Hannah. “Move to Strip Gender Identity from Iowa’s Civil Rights Law Rejected by Legislators.” *PBS*, Public Broadcasting Service, 31 Jan. 2024, www.pbs.org/newshour/politics/move-to-strip-gender-identity-from-iowas-civil-rights-law-rejected-by-legislators.

49 Sostaric, Katarina. “Reynolds Signs Law Eliminating 83 State Boards and Commissions.” *Iowa Public Radio*, 17 May 2024, www.iowapublicradio.org/state-government-news/2024-05-17/reynolds-signs-law-eliminating-83-state-boards-and-commissions.

protections currently in place for transgender Iowans. I request an injunction from the court, ordering the STATE OF IOWA to cease and desist all continued attempts to strip legal protections from transgender Iowans in any way, shape, or form. Any further such acts, including acts of defamation by public officials, ought render a default judgment against the State and the tortfeasor, who may be held personally liable for violating their oath of office.

81. Reynolds' repeated acts of defamation against transgender persons were used to further a political agenda of violating transgender peoples' rights. Such acts demonstrate "acts of furtherance" with regard to violating 18 USC § 241 Conspiracy against rights, thus extending the limitations period with each successive instance. Although 18 USC § 3282 sets forth that "Prosecution for a non-capital offense shall be instituted within five years after the offense was committed," the Department of Justice recognizes conspiracy (two or more perpetrators) as a continuing offense, requiring an "overt act in furtherance of the conspiracy," The statute of limitations begins to run on the date of the last overt act.<sup>50</sup> 28 U.S. Code § 1658 establishes the limitations period for civil cases as "4 years after the cause of action accrues." Each of Governor Reynolds' defamatory statements against transgender Citizens, and/or attempt to strip legal protections and/or outright violate the rights and dignity of transgender people, who are protected by the Iowa Civil Rights Act, have served to toll or extend the limitations period for all previous violations.

82.) Reynolds' repeated acts of defamation and threats against rights constitute harassment and threatening behavior against transgender Iowans.

**§ 23 – The STATE OF IOWA and KIM REYNOLDS FOR IOWA are in violation of**

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<sup>50</sup> "652. Statute of Limitations for Conspiracy." *The United States Department of Justice*, 22 Jan. 2020, [www.justice.gov/archives/jm/criminal-resource-manual,-652-statute-limitations-conspiracy](http://www.justice.gov/archives/jm/criminal-resource-manual,-652-statute-limitations-conspiracy).

### Iowa's Ongoing Criminal Conduct Act

83. Through continuous acts of misconduct, harassment of transgender persons in general, and malicious behavioral patterns which adversely impact transgender Iowans particularly – rights violations and defamation – the STATE OF IOWA and KIM REYNOLDS FOR IOWA are in violation of Iowa's Ongoing Criminal Conduct Act. Defamation appears to be a common political tool used to subvert the law and erode protections for transgender Iowans. Additionally, it leads to widespread discrimination (e.g. bullying and harassment) throughout the state, to which the perpetrators don't witness, but whom people in my position suffer – to which I have suffered. Instead of adequately protecting its most vulnerable populations from discrimination, the Defendants have shown a pattern of aiding and abetting businesses who discriminate against employees, and nonprofits who discriminate against volunteers. Iowa's Ongoing Criminal Conduct Act ("IOCCA") is designed to punish the crime of *racketeering*, defined as "a pattern of illegal activity carried out as part of an enterprise that is... controlled by those engaged in the illegal activity." The IOCCA states that "[I]t is unlawful for a person to: (1) knowingly conduct or participate in the affairs of an enterprise (2) through "specified unlawful activity" (3) on a continuing basis." Id. § 706A.2(1)(c).

- "Enterprise" includes any... corporation... or other legal entity... and includes unlawful as well as lawful enterprises. Id. § 706A.1 (2)
  - Legally, states are considered *public corporations*; they are also considered *entities* according to the U.S. Constitution.
- "Specified unlawful activity" means any act, including any preparatory or completed offense, committed for financial gain on a continuing basis, that is punishable as an indictable offense under the laws of the state in which it occurred and under the laws of this state. Tq. § 706A.1(5)
  - Specified unlawful activity, in this case, shall refer to repeated and ongoing acts of

violating Iowa Code Chapter 729A (hate crime) and § 708.7 (harassment). 18 U.S. Codes §§ 241 and 242 are also being violated.

### **Jurisdiction**

84. The Iowa Tort Claims Act specifies this court for actions taken against the State.

### **§ 1983 Claim for relief**

85. 42 U.S. Code § 1983 sets forth, “Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress....” I am requesting from the Court a judgment in favor of damages and a declaratory judgment for supplemental relief in accordance with Iowa R. Civ. P. 1.1106, in the form of an auxiliary remedies (injunction(s)) in accordance with Rule 1.1501. 42. U.S. Code § 1983 entitles myself, as well as other transgender Iowans who were harmed, as injured parties, to relief.

### **Request for Certification of part of this lawsuit as a Class Action**

86. Iowa R. Civ. P. 1.261 sets forth, “One or more members of a class may sue or be sued as representative parties on behalf of all in a class action if both of the following occur:

- 1.261(1) The class is so numerous or so constituted that joinder of all members, whether or not otherwise required or permitted, is impracticable.
- 1.261(2) There is a question of law or fact common to the class.

Both of these conditions are met with regard to this case.

87. I request the court to certify this lawsuit as a class action. Rule 1.262(1) sets forth,

“Unless deferred by the court, as soon as practicable after the commencement of a class action the court shall hold a hearing and determine whether or not the action is to be maintained as a class action and by order certify or refuse to certify it as a class action.” Rule 1.262(2) sets forth,

“The court may certify an action as a class action if it finds all of the following:

- a. The requirements of rule 1.261 have been satisfied.
- b. A class action should be permitted for the fair and efficient adjudication of the controversy.
- c. The representative parties fairly and adequately will protect the interests of the class.

All of these conditions are met with regard to this case.

88. Although non-lawyers are not typically authorized to represent class actions, due to extenuating circumstances, I request for an exception to be made so that I, as a private Citizen not licensed to practice law, may be authorized to represent the class of persons harmed via the passing of HF766 by Defendant STATE OF IOWA, and by acts of defamation by Kim Reynolds acting on behalf of KIM REYNOLDS FOR IOWA and as Governor, on varying occasions.

Extenuating circumstances include:

- i. Since 2022 I have sought diligently to find representation for this class action, to no avail. After speaking with numerous lawyers and firms, I am left under the impression that, although this case does in fact have standing, it could potentially harm the reputation of an attorney or firm, within the eyes of the business community, if they were to represent such a politically divisive case;
- ii. I am a 42 year old transgender woman who has experienced gender dysphoria since I was a child. I sought medical attention and began treatment at age 23. I have lived experiences that people who are not in my circumstances simply cannot represent as accurately as someone with firsthand knowledge, experience, and insights.
- iii. Following decades of research and due to firsthand experience of being harmed in a similar manner by the same tortious acts other transgender Iowans were harmed by, I possess critical insights with regard to this lawsuit. Currently I am not aware of anyone more qualified to represent this case than myself.

- iv. Although it is atypical for non-lawyers to be authorized to represent class actions, the State of Iowa has a history of being a leader in setting civil rights related precedents. In 1867, when the Muscatine school district said Alexander Clark's daughter, Susan, 12, couldn't attend the same public school as white students, he sued. The Iowa Supreme Court ruled in his favor in 1868, saying that all children could attend a common school. The decision was an important one, preceding by 86 years the historic, more well-known landmark 1954 ruling in the U.S. Supreme Court, *Brown vs the Topeka, Kan., Board of Education*, which reversed the previous "separate but equal" national policy toward education. Alexander Clark's lawsuit made Iowa one of the first states to integrate its public school systems. Clark became the second black U of I law graduate in 1884, graduating eighth in a class of 80.<sup>51</sup>
- v. Authorizing non-lawyers to represent class actions is not unprecedented. Historically in English common law, a *writ of qui tam* was a writ through which private individuals who assist a prosecution can receive for themselves all or part of the damages or financial penalties recovered by the government as a result of the prosecution. Its name is an abbreviation of the Latin phrase *qui tam pro domino rege quam pro se ipso in hac parte sequitur*, meaning "[he] who sues in this matter for the king as well as for himself."

89. Rule 1.262(3) sets forth, "If appropriate, the court may do any of the following:

- a. Certify an action as a class action with respect to a particular claim or issue.
- b. Certify an action as a class action to obtain one or more forms of relief, equitable, declaratory, or monetary.
- c. Divide a class into subclasses and treat each subclass as a class.

I request monetary damages for all class members and multiple equitable remedies as the forms of relief for this action.

90. 1.274(1) The court may award any form of relief consistent with the certification order to which the party in whose favor it is rendered is entitled including equitable, declaratory, monetary, or other relief to individual members of the class or the class in a lump sum or installments. Damages sought and supplementary relief are as follows:

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<sup>51</sup> *Alexander Clark | Visit Muscatine - Official Website*, [visitmuscatine.com/170/Alexander-Clark](https://visitmuscatine.com/170/Alexander-Clark). Accessed 12 July 2024.

## DAMAGES

91. I request the following types of damages. The Class Action ought apply to parts two – four of this Petition, while part one ought only apply to me:

- **At minimum \$8M to compensate me for the approximately eight years of homelessness I endured:** caused largely by City of Ames officials and a local judge who caused multiple injuries to my rights and reputation. Many workplace discrimination lawsuits result in multi-million dollar settlements. The fact that state officials and an attorney whose actions were enabled by the State's lack of protection for attorneys' clients caused me to remain homeless for many years is completely unacceptable: \$8 million is a meager amount for the emotional pain and suffering, including PTSD, I have endured and continue to endure, as a result of the many acts of violence, sexual assault, harassment, and poverty I experienced throughout those years, and for the trauma that the actions of the Defendants' tortious and criminal acts have caused me.
- **Consequential damages for the PTSD-related emotional pain and suffering I continue to endure:** This suffering adversely affects my college life, work, and day-to-day life in general. I do not feel safe in the work environment, including nonprofit sectors, here in Iowa due to lack of legal protections against harassment (including misgendering) and discriminatory practices tolerated here in Iowa, the lack of enforcement by Iowa's executive branch and other administrative agencies, and the commonplace bigotry within our political culture that Kim Reynolds and other politicians and media personalities in recent years have fostered and continue to foster.
- **General damages for the injuries to our rights and reputation caused by acts of defamation by the Defendants:** The basis of the tort of defamation is the publication of a statement or statements that hold an individual up to contempt, ridicule, or hatred. Publication here means that the defamatory statements are communicated to persons other than the defamed party. Once a defendant's liability for libel is established, general damages are presumed as a matter of law. General damages are designed to compensate the plaintiff for nonspecific harms such as disgrace or dishonor in the eyes of the community, humiliation, injured reputation, and emotional distress – harms that are difficult to measure. In other words, to recover general damages in a libel case, the plaintiff need not prove that they were actually harmed in any specific way as a result of the libelous statement (Business Law Today<sup>52</sup>).
- **NOTICE OF PENAL ACTION: request for punitive damages:** Black's Law Dictionary defines penal action as, “A civil proceeding in which either the state or a common informer sues to recover a penalty from a defendant who has violated a statute. Although civil in nature, a penal action resembles a criminal proceeding because the result of a successful action is a monetary penalty intended, like a fine, to punish the

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52 ISBN 978-1-305-64452-6.

defendant.”<sup>53</sup>

- Damages for other tortious and criminal acts described throughout this petition.
- Due to time constraints, I may have to calculate and request additional damages on a later date, or leave it up to the court's discretion.

### EQUITABLE REMEDIES

#### Request for multiple forms of supplementary injunctive relief

92. Pursuant to Iowa R. Civ. P. 1.1106 and 1.1501, in addition to damages I request the following forms of supplementary injunctive relief as auxiliary remedies to prevent others from being harmed in the same and/or similar manners in which I have been:

- **Eliminate all criminal charges on my public record for the 2006 and 2009 cases:** These are having a defamatory effect on me, and were unjustly put onto my record. I never had a fair trial for any of these cases. SMSM062530, SMSM062317, and SMSM066553.
- **Order Kim Reynolds, both in her gubernatorial capacity as well as with any campaigns she is or may be come involved with, to cease and desist from making any direct and/or indirect defamatory statements about transgender people:** Any violation ought result in a default judgment against the Defendant(s).
- **Amend the Iowa Civil Rights Act to include protections against discrimination for volunteers for non-profits.**
- **Amend Iowa Code Chapter 729 (Hate Crimes) to include transgender persons.**
- **The Defendants must cease and desist any and all continued efforts to violate rights and/or strip legal protections for transgender Iowans, or else a default judgment may be rendered against them.** Prosecution and punitive damages for violating Iowa Code §720.2 and 18 U.S. Code § 1621 (perjury of oath) ought be considered with regard to the default judgment.
- **Amend the Rules of Professional Conduct:** Provide clients a “right to review” any and all paperwork an attorney submits on their behalf. Require that clients review and authorize any and all paperwork prior to it being filed. This would have prevented the pro bono attorney in my case from changing my pleas without my knowledge or consent.

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<sup>53</sup> Black’s Law Dictionary Deluxe Tenth Edition by Henry Campbell Black & Editor in Chief Bryan A. Garner. ISBN: 978-0-314-62130-6



Amending the rules will prevent others from being harmed in the same manner that I was.

- **Halt the State's plan to decommission the Iowa Civil Rights Commission, and instead reform ICRC's process as follows:**
  - The Commission must send a copy of the case file to each party at the time the Commission makes their final determination. Evidence from the case file may be used to help prove one's case within the appeal.
  - Allow 60 days instead of 30 for plaintiffs to file an appeal – after receiving a slough of information to assess, a strict 30 day time limit is too short of a deadline to write an effective appeal.
  - Make it a crime to lie to or deceive the Commission. If the court finds that doing so is in fact a violation of Iowa Code §714.8(4), as I suspect it is, then there needs to be enforcement. If ICRC makes such findings, authorities ought be alerted by ICRC. The onus should not be put on the victim.
  - If the State is going to stand by *Estabrook v. Iowa Civil Rights Commission* (see line 62), it should be reflected on ICRC's website. Otherwise *Estabrook* should be overturned.
- **Change Iowa from an “at will” to a “for cause” state** – at-will means that “an employer can terminate an employee at any time for any reason, except an illegal one, or for no reason”. At-will also means that an employer can change the terms of the employment relationship with no notice and no consequences. An employer can alter wages, terminate benefits, or reduce paid time off. “At-will” leaves employees at the mercy of their employers’ whims; it is not equitable. At-will makes the Iowa Civil Rights Commission ineffective; all an employer has to do to counter a complaint is state “any reason other than discrimination” in order to counter a complaint. At-will employment status shows Iowa is grossly negligent toward its employment workforce and nonprofit sector.
- **Compel the STATE OF IOWA to pass the Justice Accessibility Act:** although it may be beyond the court's authority to do this, I strongly urge the STATE OF IOWA to pass this act which I wrote last year while analyzing why Iowa's courts feel so inaccessible to Citizens currently:
  - **Simplify the overly-complex Iowa Court Rules** – reduce the 309 Iowa Rules of Civil Procedure, 63 Rules of Evidence, and 89 Rules of Criminal Procedure into user-friendly DIY step-by-step instructions average Citizens can understand and easily access. Include court forms and templates for petitions and motions where appropriate. Hyperlink legal terms to their respective definitions.

- **Post federal and state Supreme Court rulings online, organized by topic** – Currently the State of Iowa posts lists of archived rulings on their website, however these are organized by the date they were issued – not by topic.<sup>54</sup> To find court rulings, you generally have to search for them using WestLaw; access costs about \$130/mo. As a student who lives in Ames, I have to drive all the way to Des Moines to the capitol building to use it, and even then you are restricted to about 10-15 case rulings before the computer cuts you off and won't allow you to continue searching and emailing rulings to yourself. Why have we allowed *our* judicial system to become privatized!? It would take very little effort on the part of the state to make OUR case rulings more handily available to the public.
  
- **Teach at least the basics of jurisprudence (the science of the application of law aka “the basics of law”) in high school** – Students should graduate high school knowing the difference between criminal and civil law. and basic step-by-step what to do if your rights are violated – including by an officer or government official. Schools ought teach about COLOR OF LAW CRIMES (when a government official (or body) uses the “color” (appearance) of law (e.g. unconstitutional ordinance or policy) to violate someone's right. Students should know the basics of contract law including how to form an effective contract. They should also know what to do if a judge or administrator makes an unjust determination – not just “how to appeal the decision” (because let’s face it, appealing a case is often ineffective), but also how to file a complaint against a judge with the Iowa Judicial Qualifications Commission. As someone who has had my life severely harmed by a corrupt judge in Ames, Iowa, I believe this is extremely important. We should know how to interact with our own government. I didn't learn about what an Ombudsman or the Judicial Qualifications Commission – the ICRC – we just don't learn enough about how our state government is structured in schools, and not teaching leaves individuals and the general public vulnerable to local and state corruption.
  
- **Award damages to Citizens who are found “not guilty” in criminal cases** – a Citizen should not have to file a claim or civil suit after being found not guilty in order to be reimbursed for their time and emotional pain and suffering. People who are falsely charged with a crime are put into a stressful situation, facing jail time, fines, and/or the social stigma of permanent charges to their criminal record. Their names are run in the newspaper's arrest report, which can also hold a social stigma. When a Citizen is found not guilty, the State ought to provide a standard reimbursement for the time that was taken away from that person's life, emotional distress they endured, and assumed harm to their reputation.

Your Honor, as an older transgender woman who has faced many instances of

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54 “Supreme Court Opinions Archive.” *Iowa Judicial Branch*, [www.iowacourts.gov/iowa-courts/supreme-court/supreme-court-opinions/opinions-archive/](http://www.iowacourts.gov/iowa-courts/supreme-court/supreme-court-opinions/opinions-archive/). Accessed 16 Nov. 2023.

discrimination and years of hardship, and who has also diligently studied U.S. law for years in hopes to protect myself against future instances, I find myself in a unique position to be able to file this lawsuit which might help bring safety and understanding to people of future generations. I believe we are at a precipice with regard to civil rights laws: we will either become a state and nation “with liberty and justice for all”, or our nation and state will fail, and fall to prejudice and the tyranny of the majority. I pray wisdom upon the courts, and upon my beloved home state of Iowa. Thank you for your consideration in these matters.

Sincerely,  
Sondra Wilson

Dated: 7/22232024

/s/ Sondra Wilson

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of this document will be served upon the

persons listed on this document at the addresses indicated on EDMS by transmitting a copy via USPS or by email asap. I declare under penalty of perjury that the foregoing is true and correct.

/s/ Sondra Wilson