

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
EASTERN DIVISION

LETICIA ROBERTS and CALVIN
SAYERS, on behalf of themselves
and others similarly situated;

Plaintiffs,

v.

SHERIFF TONY THOMPSON, in his
official capacity; BLACK HAWK
COUNTY;

Defendants.

Case No. 6:24-cv-02024-MAR

**DECLARATION OF LETICIA
ROBERTS IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

I, Leticia Roberts, declare follows:

1. I am a single mother of three young children, ages 4, 9, and 12. With the exception of when I attended Iowa State University and the 4 years I lived in Des Moines, I am a lifelong resident of Waterloo, Iowa. I am a named Plaintiff in the above-captioned lawsuit, which I filed on behalf of myself and others on May 13, 2024.

2. I decided to be a plaintiff in this lawsuit because I think what the Sheriff is doing is wrong. They treat people who are poor worse and force them to pay. If I was wealthy, I wouldn't be in this situation because I could afford the payments. As is, it is difficult to make any payments because what money I do have goes to my children and necessary living expenses. When I found out that the Sheriff was collecting this money from me and other people in the community without following the law, I was shocked and disappointed. A lot of people in the community, myself included, cannot afford to make these payments, which causes a lot of stress on top of life as a low-income, single mother already being stressful.

3. I have a fixed income of approximately \$1,500/month. My rent is \$800 per month, of which I pay \$400. I rely on SNAP benefits for groceries, but that usually is not enough so I

typically spend about \$200–300 extra in groceries. My utilities cost about \$330 per month. My phone bill is about \$60 a month. I am also on a payment plan of \$50 a month to pay back my court costs. After those expenses, I only have a little left over to pay for transportation for my kids, clothes for my kids, school supplies, other activities for my children, and other household necessities. The father of my children sometimes helps with their expenses, but it is often very difficult to get by. Simply put, I cannot afford the fees the Sheriff says that I owe.

4. In 2022, I served a total of nine days in the Black Hawk County Jail for two offenses, both of which were for operating a motor vehicle while under the influence. Those cases were docketed in the Iowa District Court for Black Hawk County as Case Nos. OWCR242017 and OWCR244151. In Case No. OWCR242017 (the “first case”), I served a total of 4 days on January 3–5, 2022 and on May 12–14, 2022. In Case No. OWCR244151 (the “second case”), I was sentenced to 9 days in jail, with credit for the time I served in the first case. I served an additional 5 days for my second case, on July 13–15, 2022 and August 31–September 3, 2022.

5. Serving time at the jail was probably the hardest thing I have done in my life. I had a lot of anxiety leaving my children and not knowing how they were and what they were doing. It was very dirty at the jail and the food was terrible. I slept on a concrete pad with no pillows. In my opinion, the jail provides only the bare minimum of care for individuals at the jail.

6. At the same time, I understood that I needed to serve that time to pay for the serious mistakes I made. I wanted to get the experience behind me so I didn’t have to stress about the experience any longer.

7. I first learned I would be charged jail fees on May 14, 2022, the final day of my sentence for my first offense.

8. On that day, I was brought from the common area of the jail upstairs to the area in the jail downstairs used for booking. I went straight to a bathroom to change into the clothes that I had when I was booked into the jail.

9. In that bathroom, I changed into my clothes and then handed my jail-issued uniform through a window in the wall.

10. When I returned to the booking room, two female Sheriff's deputies were present. One of the deputies told me to sign some paperwork and then I could leave.

11. I remember reviewing two forms: a property release form and a form for room and board charges. I remember reviewing the room and board document because I served my sentence in two separate stints, so I wanted to make sure the number of dates was correct.

12. When I received the document, the terms had already been filled out. The only blank space I remember was for my signature. I had no chance to negotiate the terms.

13. I signed the document because I felt I did not have a choice. I thought that I had to sign it to be released. They had my belongings so it seemed like I had to sign it to get those back and be released.

14. Once I signed the document, I received my property, which I remember included my phone and my rings.

15. I did not have identification on me at the time I signed the document.

16. When I signed the document, no one at the jail informed me that I had certain rights I would be giving up by signing. I did not have a chance to consult with an attorney to ask questions about the document. I did not understand that I would be waiving any right to challenge the fees imposed in the document. No one informed me that my signature meant I was waiving important rights.

17. When I signed the confession of judgment, the handwritten notes around the margins of the page were not present. Also, the notary signature and stamp were not present. No one notarized the document while I was present.

18. After being released from jail and before I served my second sentence, I remember an employee of the Sheriff's Office called me about the jail fees. At that time, I told them that I could not afford the fees because I live on a fixed income and have to support my three children. On the confession of judgment form, there is a handwritten note that says: "8-17-22 she said she can't make payments she needs to feed her 3 kids." I do not remember the exact date of this conversation, but I believe it occurred around August 17, 2022.

19. Shortly after that conversation, I returned to the jail to serve the final two days in my second case.

20. Again, before I was released from the jail, I was given a confession of judgment for jail fees. As before, the terms were already filled out. I did not believe that I had any choice but to sign the paperwork. The only blank space was the space for my signature. At the time I signed the paperwork, two female Sheriff's deputies were present. Another male deputy was present. I knew this male deputy because he is an acquaintance from my personal life. I interacted with him only briefly; we had a short conversation and he said something to me along the lines of "I don't want to see you back in here."

21. Both times I signed the confessions of judgment, I had no chance to negotiate the terms and I had no opportunity to consult with an attorney.

22. After I was released the second time, in or around October 2022, a uniformed deputy from the Sheriff's Office visited me at my home. He knocked on the door and I believe he handed me a piece of paper. I do not remember what the paper said. I do remember that he told me I owed the jail money and that as long as I made payments every month, the Sheriff would not bother me.

23. Being a Black woman in Waterloo, I want to have as little interaction with law enforcement as possible. The fear of police interaction is very real in Waterloo. In my experience, if someone is interacting with law enforcement, nothing positive happens. I know some people in the community have had bad experiences with law enforcement officers. Having the least interaction with police is the best thing for me and my family.

24. In order to make sure I wouldn't have any more interactions, I made monthly payments of \$5 to the Sheriff's Office for the jail fees. My mom was already going down to the Sheriff's Office every month to make payments towards her debt, so I had her deliver the payments for me when she went to the jail. Up until the Sheriff's deputy came to my house, I had not made any payments because I could not afford it.

25. I do not know what I would do if I was forced to pay the amount that the Sheriff claims that I owe. I do not have savings that I could draw from to make these payments. In order to make the payments, I would have choose between paying the debt and providing for my kids. I cannot even begin to imagine what it is that I could cut back on in order to afford the balance. If I had to pay, I would be unable to afford essentials for me and my kids.

26. This whole situation is emotionally draining. The threat that I could be garnished if I do not make these payments stresses me out. Also, the threat that I may have further interactions with law enforcement causes me to worry and have anxiety.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 24, 2024 in Waterloo, Iowa.


Leticia Roberts