



Friday April 16th, 2021

Dear Attorney General Miller:

I write to report that your former head of consumer protection, Bill Brauch, has identified a consumer fraud issue with Iowa businesses who automatically renew their customers' subscription and affirmatively make those customers cancel, lest they be forced to pay each month.

I don't need to tell you about Mr. Brauch, as he led your Consumer Protection Division for twenty years, [according to](#) vaunted journalist/activist/lawyer/epidemiologist Laura Belin. His credentials in the area of consumer protection speak for themselves.

Yesterday, April 15, Mr. Brauch took to Twitter to discuss the practice of soliciting donations through an online form that automatically checks a box that indicates the donor wants to make monthly rather than one-time donations to a political campaign, and puts this box in bright yellow so that the reader is sure to see it. A similar practice was recently used by [Planned Parenthood](#), though that organization did not highlight the pre-checked box in yellow to draw close attention to it.

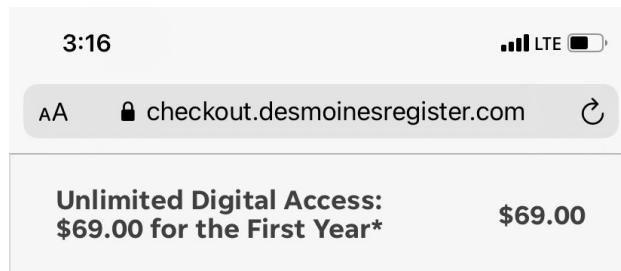
Mr. Brauch, with his 20 years' experience at the helm of your consumer protection division and with all the knowledge that comes with it, declared that "[If a business tried to do this to their customers they'd be facing consumer fraud lawsuits.](#)"

I take his statement seriously, coming as it does from Mr. Brauch. Clearly, a lawyer such as himself, who formerly headed your office's consumer protection division, would not make such a statement for political purposes. Although Mr. Brauch is a former Iowa Democratic Party State Central Committee member, his Twitter bio makes clear that he is a lawyer first and a partisan last: @brauch_bill, "[Lawyer. husband. father. son. Democrat.](#)"

I am therefore left with the only conclusion that one could come to in this situation: that a business who automatically enrolls its customers in monthly payments and makes those customers take further action to get out of those payments must be committing consumer fraud, regardless of whether the policy is disclosed.

And, alas, I have found two such examples. Both the *Des Moines Register* and *The Cedar Rapids Gazette* automatically renew their customers' subscriptions. In fact, unlike the political campaign example that Mr. Brauch highlighted, the *Register* and the *Gazette* don't give customers the option to "uncheck" the auto renewal function. It's hardwired into the system.

The *Register*, in fine print, also says that "your rate may increase" during these automatic renewals, which you cannot pre-select out of. Here is a screen shot for your review.



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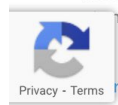
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I personally have no idea whether these policies violate the consumer protection laws. In fact , these practices seem common to me. But I am not a lawyer, and Mr. Brauch is. And because he is a lawyer with such great knowledge in this area, I wanted to immediately alert you to this grave consumer protection issue.

Thank you for your efforts,

Luke Martz
Publisher and Editor
Iowa Field Report