



Indivisible Bainbridge Island Newsletter

Dec. 15, 2023

Guided by Indivisible's [Practical Guide to Defeating MAGA](#)

Help progressives win seats in state legislatures and Washington, D.C.

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On the Calendar

- Dec. 20, 2 pm, [Postcards on Wednesday](#) upstairs at the T&C – writing for Tom Suozzi, the Democrat running for Santos' old seat!
- Dec. 21, 5 pm to 6:30 pm, meet our (hopefully) new representative in Congress, Emily Randall (D) at OfficeXPats in the Pavilion on Madison. Emily is currently the state senator for LD 26.
- Jan. 6, a proposed "Vigil for Democracy" at the corner of Winslow Way and Highway 305. [Email Holly](#) if you are interested in attending.
- Jan. 12, 1:30 pm to 2:30 pm, Zoom, [Politics with David Harrison](#), hosted by the [Bainbridge Island Senior Center](#) (Date is TBD)
- Jan. 19, the stopgap funding bill for funding agriculture, energy and water, military construction, Veterans' Affairs, transportation, and housing expires
- Feb. 2, the stopgap funding bill for everything else expires

Quote of the Week



"Americans still don't understand the full extent of the president's powers and things Donald Trump could do, bubble wrapped in legalese, that would be damaging to the Republic."

Using the White House "Doomsday Book" (actions that can be taken in response to emergencies like a foreign invasion) "he could invoke powers we've never heard a president of the United States invoke, potentially to shut down companies or turn off the internet or deploy the US military on US soil. ... Weaponization of the government could extend ... to places we haven't seen it before: The Dept. of Education, the Dept. of Veterans Affairs, ways to wield that power and those

budgets to help his allies and to hurt his enemies. And to be clear, those aren't just elites. **To Donald Trump, his enemies include people who live in blue states.**" - Former Trump White House national security expert [Miles Taylor](#), speaking on Dec. 14 to Jen Psaki on MSNBC about the threat of a Trump re-election.

In This Newsletter

- [Do Something](#) – Postcards to win Santos' open seat! Join Take Action Network!
- [Holding Trump Accountable](#) – There are *two* expedited appeals!
- [Elections](#) – Dirty tricks in New York's CD 3 *and* Louisiana
- [President Biden and His Administration](#) – Zelenskyy left D.C. with nothing from the GOP
- [In Congress](#) – The House is gone for Christmas; the Senate works on
- [In the Courts](#) – SCOTUS takes up an abortion pill appeal
- [In the States](#) – Will Kate Cox's family and friends be sued?
- [In the World](#) – COP28 ends in disappointment
- [Daily Actions](#) - Tell our members of Congress what you think; we have new actions monthly

This newsletter is prepared weekly by Indivisible Bainbridge Island. Previous newsletters are archived [here](#). - [Kathy](#) and [Holly](#)

Do Something

- **Help us write postcards!** We're on a mission to flip the 18 congressional districts Biden won in 2020 but were lost to the GOP in 2022. We meet upstairs at the T&C for every Wednesday at 2 pm. We have addresses and a script in support of **Democrat Tom Suozzi**, who's running to replace George Santos in New York's 3rd CD. Or, pick up postcards from Holly's front porch at 8824 NE New London Ct. and [email Kathy](#) for the addresses and script. The special election is Feb. 13, so this is our highest priority now through January! Republicans have nominated a "Democrat" to keep this seat! See "Elections" below.
- **Join the Take Action Network!** You'll specify your areas of interest (environment, green energy, social justice, gun safety, etc.) and then receive emails with quick, easy things to do from your computer based on your areas of interest. The session in Olympia starts in January, so most if not all actions will be centered on bills in the state legislature. When a hearing is held on a bill in your area of interest, you'll get an email asking you to sign-in "PRO" on "CON" before the hearing. Legislators will know that, for example, 585 people are in favor of a bill that protects orcas and ten people are opposed. **Join Take Action Network** [here](#). **Want to lean more before joining? Go** [here](#).
- **Text SHAM to 668366** to sign MoveOn.org's petition to Congress demanding they do their jobs and stop engaging in political theater with the "Biden Impeachment Inquiry."
- **Call our senators** and tell them to vote "no" on any deal that sacrifices migrants' rights. Cantwell: (202) 224-3441, Murray: (202) 224-2621.

Holding Trump Accountable (ordered by trial date, sort of)

14th Amendment Cases

- **Colorado, Minnesota and Michigan:**

- No news, but [watch](#) this deep dive into the issues from [Democracy Docket's](#) Marc Elias.

NY Attorney General Letitia James' Civil Fraud Case Against the Trump Organization; trial started Oct. 2.

- On Monday, Trump was supposed to testify in his own defense. “President (sic) Trump doesn’t cower! ... He is so firmly against what is happening in this court, and so firmly for the old America that we know—not this America—that he will take that stand on Monday,” [Habba insisted last Friday](#). But on Sunday, cower he did, based on her advice, [Habba said](#).
- On Wednesday, prosecutors called Dr. Eric Lewis, a Cornell University accounting professor, who testified that Trump Organization records lacked important financial disclosures. Trump’s lawyers brought their “A” game by [reading negative student reviews of Dr. Lewis](#) from “RateMyProfessors.com.”
- Earlier in the week, Trump attorneys [succeeded in irritating Judge Engoron](#) by asking the judge to dismiss the case for the fifth time.
- Judge Engoron corrected Trump’s claim that the judge had dismissed ‘80%’ of the New York fraud case. “Every use of a [false] statement of financial condition in business starts the statute of limitations running again,” the judge explained.
- A three-judge appeals court panel [dismissed Trump’s challenge](#) to Judge Engoron’s gag order. (Trump’s lawyers sued Engoron personally, which the panel noted was not the “proper vehicle” for challenging the order. Trump can still appeal through the “ordinary appellate process.”)

E. Jean Carroll's next defamation case; trial set for Jan. 15. (This is the first case Carroll filed when Trump was still president. She filed a second case after he left office; that case has already been adjudicated and this case is only being held to determine monetary damages.)

- An appeals court [told Trump](#) he's three years too late to claim immunity in this case. Habba vows to appeal!

Class Action Multi-level Marketing, Pyramid Scheme Case; trial date set for Jan. 29

- No news.

Special Counsel Jack Smith's Jan. 6 case; trial date set for March 4, 2024

- Last Thursday, Trump [appealed](#) to the D.C. appeals court Judge Chutkan's denial of his "presidential immunity" claim. On Monday of this week, Smith [asked the Supreme Court](#) to decide whether Trump has any immunity from criminal prosecution for alleged crimes he committed while in office. Prosecutors also asked SCOTUS to decide whether Trump is protected by double jeopardy. SCOTUS [agreed expedite consideration](#) of Smith's filing and gave Trump until [Dec. 20](#) to file a response, [two days later](#) than Smith requested.
- On Wednesday, Smith [asked the D.C. appeals court](#) to expedite their decision on that claim. The claim will be heard by the same three-judge panel that granted Smith's request. They are Judge Karen Henderson, (appointed by George H.W. Bush), Judges J. Michelle Childs and Florence Pan, both Biden appointees. The three-judge panel is the same group that granted the motion to expedite.
 - Trump's lawyers filed a motion in which they complained that "this proposed schedule would require attorneys and support staff to work round-the-clock through the holidays, inevitably disrupting family and travel plans. It is as if the Special Counsel 'growled, with his Grinch fingers nervously drumming, 'I must find some way to keep Christmas from coming. ... But how?'"
 - The appeals court ignored their kvetching, [ordered Trump's team](#) to file their first brief in the case by Dec. 23, and gave Smith until Dec. 30 to respond. Trump will then have until Jan. 2 to file to response to that filing. Oral arguments are not yet scheduled.
 - On Wednesday, Judge Chutkan paused all proceedings in this case pending resolution of Trump's appeal on immunity grounds. She paused based on [Griggs v. Provident Consumer Discount Co.](#), [Coinbase v. Bielski](#) and [Blasingame v. Trump](#). [Watch](#) attorney Ben Meiselas discuss.

Special counsel filings [reveal](#) that he plans to use Trump's phone data at trial.

- Jack Smith has added former Deputy Solicitor General Michael Dreeben to his team. Dreeben has argued more 100 cases before the Court and briefed many more. The Court has enormous respect for him," former prosecuting attorney [Joyce Vance wrote](#) on SubStack.
- A filing on Dec. 9 shows that [Smith's team has interviewed](#) Trump's senior intelligence officials, and they all undercut his claims of outside 2020 presidential election interference.

Manhattan DA Alvin Bragg's Falsified Business Records case; trial set for March 25, 2024

- No news.

Special Prosecutor Jack Smith's Documents Case; trial set for May 20, 2024

- Before Jack Smith filed charges in this case, Trump and others (Walt Nauta and Carlos De Oliveira) [repeatedly contacted a former Mar-a-Lago employee-turned-witness](#).

DA Fani Willis Election Interference Case; trial date requested for Aug. 5, 2024

- Today, the federal judges hearing Mark Meadows' motion to move his Georgia case from state to federal court [appeared to be](#) dubious of the effort.
- Apology letters by Sidney Powell and Kenneth Chesebro [are one sentence long](#).

Other Trump News

- [“Checks and Balances Won’t Stop Trump](#),” by **Liz Cheney**, at the Wall Street Journal. The first few paragraphs are public, the rest is behind a pay wall. TheHill.com [summarized](#) it.
- **Desperation?** Trump has cut his mugshot suit, "the most historically significant artifact in United States history," into 2,024 pieces and [is selling them](#).
- On Dec. 6, 10 Wisconsin GOP fake electors [settled a civil suit](#) against them by affirming that Joe Biden was the winner in 2020. The GOP state senate majority leader [appointed](#) one of them, Bob Spindell, to the state's elections commission, despite Democratic objections.
- **Too little, too late:** In October, former Speaker Paul Ryan [said](#) ‘Trump’s not a conservative, he’s an authoritarian narcissist’ on a Teneo podcast.
- [A binder containing highly classified information related to Russian election interference went missing](#) at the end of Trump's term, raising alarms among intelligence officials that some of the most closely guarded national security secrets from the U.S. and its allies could be exposed.

Enablers

- **Rudy Giuliani/Ruby Freeman/Shaye Moss defamation case**
 - Today, the jury [decided that Giuliani must pay](#) Shaye Moss and Ruby Freeman \$148 million. After the verdict, Giuliani whined that he had not been allowed to present evidence of election fraud and vowed to appeal or ask for a mistrial.
 - Last July, Giuliani admitted that [he lied about Shaye Moss and Ruby Freeman](#) stealing votes from Trump. Before today's verdict, Giuliani doubled down on his lies when talking to reporters outside the courthouse. He also [vowed he would testify](#) in his own defense, but he did not.
 - Shaye Moss [described the harrowing threats](#) she received.

- In his Dec. 10 podcast, [Giuliani blamed the election of Barack Obama](#) for setting back race relations 40 or 50 years in this country.
- Six of the 15 Michigan fake electors [appeared in court for a preliminary hearing](#) on Wednesday on felony charges.

“Tourists”

- Klete Keller, Olympic gold medalist swimmer, [got 6 months in home detention](#) for Jan. 6 riot.
- Proud Boy who threw a rock at Capitol doors on Jan. 6 [sentenced to 5 years](#).

Elections

- **A fast one!** In the special election to fill the open seat left by the expulsion of **George Santos**, [Republicans have chosen as their nominee](#) *registered Democrat*, Mazi Melesa Pilip, who has a background that allies say perfectly fits the political moment. She served in the Israeli Defense Forces as an Ethiopian-born Jew who fled to Israel as a child.
- **Another fast one!** Louisiana is defying the Supreme Court’s ruling that it create a second “Black opportunity district” under the Voting Rights Act. Instead, Louisiana has asked the 5th Circuit Court of Appeals to join the 8th Circuit in nullifying the Voting Rights Act by disallowing private parties from suing states for violations of the Voting Rights Act. Learn about it [here](#).
- **In Florida**, with at least 891,523 signatures needed by Feb. 1, advocates for a constitutional amendment protecting abortion [have gathered more than 621,000 signatures](#), so far. The signatures have to come from at least half of the state's congressional districts to get on the November ballot.
- **In New York**, as expected, the [top state court ordered new congressional districts](#) for 2024. The redistricting is [expected to result in four to six flippable seats](#).
- [GOP scrambles](#) after audio reveals candidate in must-win House seat blasting Donald Trump.
- **Trump past and future**
 - **Past:** He fought [wildfire](#) and [Covid](#) aid for blue states because we voted against him.
 - **Past:** He [revealed highly classified information](#) to the Russian foreign minister and ambassador within months of taking office. Plus, [Russian sources disappeared](#) after Trump declassified Christopher Steele’s evidence on his last day in office.
 - **Future:** Trump [plots to pull out of NATO](#) if he doesn’t get his way. At the very least, the he wants to put the U.S. on “standby” mode — and undermine NATO’s principle of collective defense. The only country that would benefit from that is RUSSIA.
- **Under-reported:** In the seven states where the election was closest in 2020, a [Reuters/Ipsos online poll taken Dec. 5 to 11](#) found that Pres. Biden has a 4 point lead among Americans who

said they are sure to vote. 31% of Republicans said they would not vote for Trump if he was convicted of a federal crime by a jury. The poll found that Pres. Biden is harmed more than Trump by the candidacy of Robert Kennedy Jr.

- Rallies are expensive and attendance is down, so Trump is using sporting events like Ultimate Fighting Championship to get in front of potential voters.

- **In Washington State**

- **Decline to Sign any petition for the rest of the year!** Multimillionaire Brian Heywood and State Republican Party Chair Jim Walsh are behind six proposed ballot initiatives designed to roll back the work our state legislature has done to improve public education, make communities safer and fight climate change. The initiatives are 2081, 2109, 2111, 2113, 2117 and 2124. For example, 2109 would repeal the capital gains tax on the wealthy that has added billions in education funding. More at [StopGreed.org](https://stopgreed.org).

President Biden and the Administration

- The U.S. declassified intel as the White House pushed for more Ukraine funding.
- Pres. Biden warned Netanyahu that Israel is losing support worldwide and its government must 'change.'
- **Pres. Zelenskyy was in Washington, D.C. this week.**
 - Pres. Biden announced \$200M in aid for Ukraine as Zelenskyy met with GOP skepticism in Congress.
 - The thumb-twiddler caucus toyed with funding while Ukraine fights for its very existence – then they left for Christmas break.

The Administration

- The top US diplomat to China is not 'optimistic' about future relations.
- Why Is the Pacific Northwest missing from FEMA's risk analysis?
- "Why the GOP Doesn't Really Want a Deal on Ukraine and the Border," by David Frum writing at The Atlantic. Unfortunately the substance of this article is behind a pay wall. It could be that the GOP doesn't ever want to solve immigration because doing so would deprive them of a valuable talking point.
- The EPA launched a safety review for the chemical spilled in the Ohio train derailment.
- **The economy:**
 - The November jobs showed a gain of 199,000 new jobs.
 - In November, inflation stood at 3.1%, down from 3.2% in October.

- In 2020, [Trump said the stock market would crash](#) if Joe Biden were elected. **This week, the Dow Jones Industrial Average [closed at over 37,000 points](#) for the first time ever.**

In Congress

The Senate – Still at work

- US Senate to [vote on Ukraine funding, border security](#) next week.
- Sen. Ed Markey (D-MA) and Rep. Melanie Stansbury (D-N.M.) are [introducing a bill](#) that would make available \$5 billion in grants per year over the next decade to recruit and train public health nurses with priority given for rural areas. The pandemic “laid bare the cracks in the foundation of our public health infrastructure, and it’s long past time we build it back up,” Markey said.
- Ted Cruz (R-TX) [gave a master class in bullying](#) when he interrogated judicial nominee, Adeel Abdullah Mangi, who would be the first Muslim on the U.S. Court of Appeals.
- [Senate Democrats press Thomas](#) to recuse himself from Trump immunity case.
- After Republicans [blocked consideration of aid](#) to Ukraine last week; [GOP senators left](#) it to Pres. Biden to figure out what the GOP wants.
- Sen. Jeff Merkley (D-OR) and Rep. Adam Smith (D-WA) introduced [S.3402](#), the “[End Hedge Fund Control of American Homes Act of 2023](#)” in an effort to [curb a practice](#) that has driven up the cost of housing.
- Last week, Senate Republicans [blocked debate on the assault weapons ban](#) and background checks bill. **Thoughts and prayers.**

The House – Gone for Christmas, back on Jan. 9

- When Democrats were considering impeaching Trump in December 2019, **Mike Johnson** [proclaimed repeatedly](#) that “the founders of this country warned us against a single-party impeachment because they feared it would bitterly and perhaps irreparably divide our nation.” Yet, **on Wednesday Johnson led a strictly party-line vote (221-212) to make official the GOP’s impeachment inquiry of Pres. Joe Biden.**
 - Trump — not Biden — got cash from 12 countries: [Dem fact-checks GOP](#) at impeachment hearing.
 - Comer accused the Biden family of having 24 limited liability companies they used to launder money, but [Comer has his own LLC problems](#).
- On Thursday, [Democrats joined Republicans](#) to approve the \$886 National Defense Authorization Act (NDAA) after it was stripped of hard-liners’ demands targeting abortion,

diversity and LGBTQ+ rights by a vote of 310-118. The Senate approved the bill Wednesday night by an overwhelming margin. It does not include money for Ukraine.

- The bill [includes a provision](#) from Sen. Tim Kaine (D-VA) and Marco Rubio (R-FL) preventing a president from unilaterally removing the United States from NATO without approval from the Senate or an Act of Congress.

- **House Speaker Mike Johnson**

- [Johnson has officially delayed votes](#) on competing proposals to reauthorize and overhaul a foreign intelligence surveillance authority known as Section 702, aka FISA – until April.
- GOP [pushes](#) Speaker Johnson to start picking sides in its endless battles.

- **Hunter Biden**

- As demanded by the GOP-controlled House, Hunter Biden was at the Capitol on Wednesday ready to testify in a public hearing but unwilling to testify in secret. “There is no fairness or decency in what these Republicans are doing. They have lied over and over about every aspect of my personal and professional life, so much so that their lies have become the false facts believed by too many people,” [he said](#). [Watch](#) his full statement.
- Hunter Biden [asked the judge to toss out gun charges](#). His lawyers also argued that the federal ban on drug users possessing firearms violates the Second Amendment, that the appointment of a special counsel to investigate Hunter Biden broke the Justice Department's own rules and that the case is a “selective and vindictive prosecution” stoked by Republican pressure.
- Hispanic Democrats [come out fighting](#) at prospect of asylum-Ukraine deal.

In the Courts

- **The Supreme Court**

- On Monday, **special counsel Jack Smith** asked the Supreme Court to take up and rule quickly on whether former President Donald Trump can be prosecuted on charges he plotted to overturn the 2020 election results. SCOTUS [set Dec. 20](#) as date by which Trump lawyers must respond to Jack Smith's request.
- On Wednesday, SCOTUS [decided to hear a case](#) that could undo a Capitol riot charge that was used against hundreds, including Trump – **obstruction of an official proceeding**.
- Also on Wednesday, SCOTUS [agreed to hear an appeal](#) regarding the abortion pill, **mifepristone**. Earlier this year, the fate of mifepristone was left in limbo after 5th Circuit

Court of Appeals agreed with a district court ruling that the FDA did not properly approve mifepristone for easier access, such as by mail. SCOTUS blocked that ruling and left the 5th Circuit to review it. The Biden administration and drugmaker Danco are now appealing the entire matter to SCOTUS. The justices will hear oral arguments early next year, with a ruling due by the end of June.

- On Friday, *The NY Times* released "[Inside the Supreme Court's Dismantling of Roe.](#)" It's behind a paywall but may be viewable on cell phones. Gorsuch, Kavanaugh, Alito and Thomas voted to take up the case. Amy Coney Barrett voted against taking it up. Justice Breyer worked with Roberts to try to find a compromise around a 15-week abortion ban, but that was scuttled when the draft opinion leaked. **Alito, anyone?**

- **Lower Federal Courts**

- A federal judge [approved a settlement](#) **barring migrant family separations.**
- Former FBI official Charles McGonigal, who served as chief of counterintelligence in the bureau's New York City office, [was sentenced Thursday](#) to more than four years in prison for his illicit work for a Russian oligarch.

In the States

- Former Fox host Tucker Carlson [is launching his own streaming network](#) with interviews and commentary for the low, *low* price of \$9/month.

- **In Texas**

- [Kate Cox left Texas to get an abortion.](#) Can anyone sue to claim their \$10,000 bounty? Who knows! Under SB 8, "anybody with knowledge who's actively participating to help the pregnant person achieve an abortion — driving them to the other state, flying with them, being there step by step with that person — those are the individuals that would be at risk," [said Joseph Veith, a criminal law attorney in El Paso.](#) In another case, a judge determined that people who are not directly affected by an abortion do not have standing to sue — despite SB 8.
- [Dozens of Texas businesses back a challenge](#) to the state's abortion ban: 'This is why our economy is taking a hit.'

- **In Washington**

- The Dept. of Ecology [announced the results](#) of the 4th Climate Commitment Act auction. Regulated parties purchased nearly \$500 million in order to comply with our state's carbon emissions limit. "The marketplace is validating a firm cap on carbon emissions

as an effective tool to fight climate change,” wrote Clean and Prosperous Washington in an email.

- The Supreme Court [rejected an appeal](#) on behalf of a family counselor in Washington, Brian Tingley, who sued Washington over a 2018 state law that threatens therapists who engage in conversion therapy with a loss of their license. The SCOTUS decision means that our state's ban on conversion therapy still stands.
- Two streets [renamed on Bangor base](#) to cut Confederate ties.
- After pushback, Bremerton's [plan for a new homeless shelter](#) will wait until January.

In the World

- This is what the [Arctic's record-hot summer](#) looked like.
- Catch up on the year-end state of foreign affairs by listening to [Al Franken's podcast](#) guests Anne Applebaum and Frank Foer.
- **COP28**
 - Environmentalists erupt when [fossil fuel 'phaseout' is dropped from proposed climate deal](#) as summit organizers urged nations to be flexible and compromise.
 - COP28 is now on the verge of complete failure,” Al Gore said.
 - [Right-wing media use COP28](#) to dismiss climate-related deaths.
- **Israel/Hamas War**
 - On Tuesday, the UN General Assembly [voted to demand a humanitarian cease-fire](#) in Gaza.
 - [‘Buying quiet’: Inside the Israeli plan that propped up Hamas](#),” by Mark Mazzetti and Ronan Bergman, originally published behind a paywall at *The NY Times*, but available from the *Seattle Times*.
 - [Unguided ‘dumb bombs’](#) have been used in almost half of Israeli strikes on Gaza.
- **Ukraine/Russia**
 - Zelenskyy [says](#) he only has air defenses to protect Kyiv.
 - Israel [began flooding Hamas' tunnels](#) in Gaza with seawater this week.
 - Sanctions aren't working: [How the West enables Russia's war on Ukraine](#).
 - [Hungary held up a \\$54 billion EU deal for Ukraine](#). Hungary's Prime Minister Viktor Orbán is a Putin loyalist. The deal will be reconsidered in January.
 - Putin foe [Alexei Navalny is missing in Russia's penal system](#) just as Putin [announced](#) [he's running for re-election](#).