



Indivisible Bainbridge Island Newsletter

Dec. 29, 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

- Jan. 3, 2 pm, [Postcards on Wednesday](#), 2 pm, upstairs at the T&C – writing for **Tom Suozzi**, the *real* Democrat running for Santos' old seat!
- Jan. 6, 3 pm to 4 pm, "Vigil for Democracy" at the corner of Winslow Way and Highway 305. [Email Holly](#) if you plan to attend.
- Jan. 12, 1:30 pm to 2:30 pm, Zoom, [Politics with David Harrison](#), hosted by the [Bainbridge Island Senior Center](#)
- 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.

In This Newsletter

- [Do Something](#) – Postcards to win Santos' open seat!
- [Holding Trump Accountable](#) – Now Trump *wants* SCOTUS to rule on immunity
- [Elections](#) – Nikki stepped in it
- [President Biden and His Administration](#) – The cupboard is bare for Ukraine
- [In Congress](#) – Home for the holidays
- [In the Courts](#) – SCOTUS decided to take up mifepristone case
- [In the States](#) – An amazing thing happened in Texas this week
- [In the World](#) – Armed indigenous activists are protecting butterflies in Central Mexico
- [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](#). **More info** [here](#).

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

14th Amendment Cases – follow these cases at [LawFareMedia.org](https://www.lawfaremedia.org)

- California's Secretary of State [keeps Trump on the presidential ballot](#) despite efforts to keep him off.
- Michigan's Supreme Court declined to take up an appeal, so Trump remains on the primary ballot there.
- **Maine**
 - Secretary of State Shenna Bellows [disqualified](#) Trump from Maine's primary ballot. The decision is stayed pending Trump's appeal to the state's top trial court, the Superior Court. The statute mandates the court move fast, with a decision expected by Jan. 17 to either affirm or overturn Bellows' decision.
 - Susan "he has learned his lesson" Collins (R-ME) [is displeased with the decision](#) and many are displeased with her.

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

- Closing arguments are scheduled for Jan. 11. A ruling is expected by the end of January.

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.)

- After briefing SCOTUS that it was **NOT** an emergency to hear Jack Smith's request for a decision on presidential immunity in the Chutkan case, Trump is now trying to delay this case by asking SCOTUS **for** an emergency hearing on presidential immunity. His lawyers did not claim presidential immunity for the several years since this case was filed. When Trump brought his presidential immunity claim to the Second Circuit Court of Appeals, it was denied on Dec. 28. [Watch](#) attorney Ben Meiselas discuss.

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

- [Summary](#). No news.

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

- On Dec. 23, Trump lawyers filed their [brief](#) with the D.C. appeals court on the matter of Trump's presidential immunity claim. Here's an [analysis](#) of this "alarmingly broad" brief. [Watch](#) attorney Ben Meiselas discuss this "perplexingly bad" brief. Oral arguments on Jan. 9.
- This case is paused while the D.C. appeals court decides Trump's claim of presidential immunity (arguments on Jan. 9), but Smith can still file motions. This week, [Smith filed a motion to bar Trump from making conspiracy theories](#) — such as his claim at rallies of selective prosecution or that President Joe Biden is behind the trial in order to silence his main competitor — part of his defense. "The government is making clear they have testimony from Trump lawyers and/or members of Congress," [said legal analyst Lisa Rubin](#).
- This week, [emails and recordings of Ken Chesebro's discussions with Michigan fake elector prosecutors](#) showed how the Trump team flew fake elector ballots to DC in a final push to overturn 2020 election. Smith will no doubt be interested.
- In a recording of Trump's call to pressure Wayne County, Michigan, election officials into not certifying their 2020 election results, RNC head Ronna Romney McDaniel pipes up with "If you can go home tonight, do not sign it. ... We will get you attorneys." [That could be bribery](#).
- The DC appellate court [appears to be ready to back up Judge Chutkan if she orders Trump to jail](#) for violating the gag order she imposed. "Some of Mr. Trump's speech poses a significant and imminent threat to the fair and orderly adjudication of the criminal proceeding against him," appellate judges wrote when they upheld the Chutkan's gag order. Since then, Trump has been pushing the bounds of that gag order with near-daily social media posts about Smith.

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

- DA Bragg is ready to prosecute this case if the Supreme Court delays Jack Smith.

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

- Judge Cannon gave Jack Smith a 'partial' win over Trump in this case by setting Feb. 28 as the date by which Smith and Trump's lawyers must provide to the court a jury questionnaire denoting of areas of disagreement. Smith had wanted the due date to be Feb. 2.
- Two recent court decisions show that Jack Smith wisely avoided disaster by filing this case in Florida. The past summer the U.S. Supreme Court created new law in a 6th Amendment "venue" case – that if the case is not brought in the correct venue, it must be moved to the correct venue and restarted there. Even though part of the Mar-a-Lago documents case happened in Washington, DC, most of it happened in Florida. If Smith had filed the documents case in D.C., he would have to move it to Florida and start over. [Watch](#) attorney Michael Popok discuss.

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

- The 11th Circuit Court of Appeals denied Jeffrey Clark's motion to pause DA Willis's case against him while he appeals the denial of the removal of his case to federal court. [Watch](#) attorney Ben Meiselas discuss how the DC Circuit Court of Appeals and Eleventh Circuit Court of Appeals have created a body of precedent that works against Trump. In denying Clark a stay, the 11th Circuit ruled that as a member of the executive branch Clark (and therefore Trump) had no right under the Constitution to police election integrity.

Other Trump legal woes

- On Friday, a panel of three D.C. appeals court judges allowed a lawsuit brought by a group of U.S. Capitol Police officers against former President Donald Trump to move forward, ruling that Trump is not entitled to absolute immunity from civil lawsuits. In [Blassingame](#), a three-judge D.C. appellate court panel ruled on Dec. 1 that Trump can be sued for inciting the Jan. 6 attack on the Capitol.
- Trump demands that a MAGA group illegally give him 'millions.' He wants a cut from a think tank that's raising money to support his agenda and staff his administration.

Elections

- **Nikki Haley**

- Her disgraceful answer to the question “what was the cause of the U.S. Civil War.”

- Haley was governor of the state – South Carolina – that was the first to announce its intention to secede from the Union when it issued its “[Declaration of the Immediate Causes Which Induce and Justify the Secession of South Carolina from the Federal Union.](#)” The Declaration, issued on Dec. 24, 1860, identified the “increasing hostility on the part of the non-slaveholding States to the Institution of Slavery.” This was shortly after the [election of Abraham Lincoln](#), who had campaigned on preventing the expansion of slavery into territories that would eventually be admitted to the Union. Democrats [John Breckinridge](#) and Stephen Douglas were also on the ballot and both campaigned for “popular sovereignty” whereby the white men living in the territory would decide whether slavery would be allowed.

- **Mississippi** lawmakers issued their [secession document](#) on Jan. 9, 1861, in which they declared that “Our position is thoroughly identified with the institution of slavery-- the greatest material interest of the world. Its labor supplies the product which constitutes by far the largest and most important portions of commerce of the earth. These products are peculiar to the climate verging on the tropical regions, and by an imperious law of nature, none but the black race can bear exposure to the tropical sun. These products have become necessities of the world, and a blow at slavery is a blow at commerce and civilization. That blow has been long aimed at the institution, and was at the point of reaching its consummation. There was no choice left us but submission to the mandates of abolition, or a dissolution of the Union, whose principles had been subverted to work out our ruin.”

- In 2010, Haley [defended the right of secession](#), Confederate History Month and the Confederate flag.

- New Hampshire [GOPers give Haley a pass](#) on Civil War remarks.

- Haley [says](#) she'll pardon Trump if he is convicted and she is elected.

- Beware the [five twists that could upend](#) Democrats' best-laid plans for the 2024 election.

- The Democratic Legislative Campaign Committee (DLCC) [is targeting GOP state lawmakers](#) who have Jan. 6 credentials.

- Lauren Boebert (R-CO) [said she's running](#) in Colorado's CD-4 (left vacant by the departure of Ken Buck (R)) in an effort to save herself a seat in the House. Adam Frisch (D) who nearly beat

Boebert in 2022, said he's continuing his campaign regardless of whomever the GOP coughs up. The Cook Politico Report rates CD-4 as Colorado's most solidly Republican district (R+13).

- Neither the [Democratic](#) candidate nor the [Republicans](#) running to represent CD-4 are happy with the Colorado 'carpetbagger.'

- **Redistricting**

- Federal District Court Judge Stephen Jones [locked in](#) Georgia's new congressional map that draws Rep. Lucy McBath (D) out of her district. McBath says she will run in the newly drawn district.
- A three judge federal panel [ruled that 13 Michigan legislative districts](#) must be redrawn before the 2024 election. All 13 districts are currently represented by Democrats.

- **In New York**

- Gov. Kathy Hochul (D) [signed a law](#) aligning local races with state races in even-numbered years in effort overcome voter fatigue. [Mike Lawler \(R-NY\) is upset!](#)

- **In Washington State**

- Can a Republican [really win](#) the Washington governor's race?

President Biden and the Administration

- First Lady Jill Biden [invited The Dodo](#) (maker of animal YouTube videos) to meet her cat Willow at the White House.
- Bidens [continue holiday tradition](#) of visiting Children's National Hospital ahead of Christmas.
- Bidens spent Christmas at Camp David and [plan to spend](#) New Year's in St. Croix.

The Administration

- The Biden administration [announced](#) \$250 million Ukraine military assistance package as US exhausts available funding.
 - On Dec. 15, Hungary [blocked](#) €50bn of EU funding for Ukraine. The EU says it will try again in January.
- The Biden administration is [quietly shifting its strategy](#) in Ukraine to a more defensive posture.
- This week, Secretary of State [Antony Blinken met with with Mexico's President Andrés Manuel López Obrador](#) to discuss ways to slow down the influx of migrants across the southern border. Obrador said he wants to see progress in U.S. relations with Cuba and Venezuela, two of the top sources of migrants, along with more development aid for the region.

In Congress

The Senate – Christmas break, back on Jan. 8

The House – Christmas break, back on Jan. 9

- [Five big funding questions await Congress](#) in January, and this time a short-term patch is not an obvious escape hatch.
- How Republicans are [weaponizing antisemitism](#) to take down college diversity, equity and inclusion programs, claiming that the programs exacerbate anti-Jewish prejudice.
- The House Oversight Committee that's trying to impeach Pres. Biden [doesn't want to hear from Lev Parnas](#). In 2019, the DOJ prosecuted Parnas along with fellow Giuliani associate Igor Fruman, accusing them of setting up a shell company to funnel hundreds of thousands in Russian donations to Republican candidates. Parnas was sentenced to a year and eight months in prison.

In the Courts

• **The Supreme Court**

- The justices [will review a lower-court ruling on access to the abortion pill, mifepristone](#). Earlier this year, the Fifth Circuit Court of Appeals upheld a district court ruling that found the FDA had improperly expanded use of mifepristone (for example, by allowing it to be taken at home) in 2000 even though it has been used safely for more than 20 years.

• **Lower Federal Courts**

- On Dec. 20, a federal judge ruled that the removal of a memorial to Confederate soldiers at Arlington National Cemetery can proceed. The monument was installed in 1914 and includes a woman standing on a 32-foot pedestal who is supposed to represent the American South as well as a Black woman depicted as "Mammy" holding what is said to be the child of a white officer, and an enslaved man following his owner to war. [Arlington became a cemetery in 1864](#) when the existing D.C.-area national cemeteries (Soldiers' Home and Alexandria National Cemeteries) ran out of space to bury the Union dead.
- A federal judge [rejected Bob Menendez' request](#) to delay his corruption trial. The trial is scheduled to start May 6.
- A federal district court judge [ordered the woman](#) who set fire to Wyoming's only full-service abortion clinic to pay a nearly \$300,000 fine. She is also serving a five year prison sentence.
- **Catching up:** In November, [home sellers won \\$1.8 billion](#) after a jury found conspiracy among realtors. The influential National Association of Realtors and several brokerages were ordered to pay damages to home sellers who said they were forced to

pay excessive fees to real estate agents. The DOJ filed a “statement of interest” in which DOJ antitrust lawyers said the proposed settlement didn’t do enough to end the commission rule but instead only tweaked it.

- An Arizona man was [arrested and charged](#) with making threats against federal officials, saying they should be tortured and killed.

In the States

- Study finds that [US utilities are on track](#) to be 100% renewable by 2060.
- Police are solving fewer crimes. [Why?](#)
- The US is poised to see a [record drop in yearly homicides](#) despite public concern over crime.
- **In Florida**
 - Jacksonville’s new Democratic mayor, [Donna Deegan](#), had a [Confederate monument removed](#), despite GOP pushback. “Symbols matter,” she said.
- **In Idaho**
 - A federal judge [has temporarily blocked](#) Idaho’s ban on transgender youth health care.
- **Massachusetts**
 - [Bodycam footage shows a cop searching](#) for a copy of the book ‘Gender Queer’ in a middle school.’
- **In Ohio**
 - After talking with parents of trans youth, [Gov. Mike DeWine \(R\) vetoed a bill](#) that would have banned gender-affirming care for trans youth. The gerrymandered GOP Ohio legislature has the supermajority needed to override a veto.
- **In Pennsylvania**
 - A conservative ‘parental rights’ activist and failed candidate for Lt. Governor was [arrested for punching a teen and providing minors with alcohol](#) at her daughter’s birthday party.
- **In Texas**
 - Eighty-four years ago, [a racist mob destroyed Opal Lee’s home](#) in Fort Worth. Habitat for Humanity is giving the land back to the 97-year-old Lee and building a home for her on it. Lee is considered the Grandmother of Juneteenth.
- **In Washington**
 - Three policies our newest state representative, Greg Nance, [will pursue in Olympia](#) to help fix our state ferry system.
 - State’s minimum wage, military pay for active duty, civilian workers [going up in 2024](#).

In the World

- In Central Mexico's forests, [armed indigenous community activists](#) are defending an iconic butterfly from cartel-backed logging.
- EU [agrees to landmark AI rules](#) as governments aim to regulate products like ChatGPT. Meanwhile, Congress dithers and [states take the lead on regulating artificial intelligence](#).
- **Israel/Hamas War**
 - Netanyahu [was heckled](#) by hostages' families during a speech on Israeli offensive.
 - IDF killing of 3 hostages '[could have been prevented](#),' investigation finds.
 - Battalion chief told hostage to approach; when he did, a soldier shot him, [probe finds](#).
 - Thousands stream south in Gaza; Israel [expands operations](#) in Khan Younis.
- **Ukraine/Russia**
 - While Republicans are enjoying their Christmas break, [Russia unleashed the biggest air attack](#) on Ukraine since start of full-scale invasion. This attack is thought to be in retaliation for [Ukraine striking a Russian warship](#) in a Crimean port.
 - [Russian lawmaker found dead](#) at 46 after 'falling out of a window.'
 - Two Russians poets [got heavy prison terms](#) for reading aloud and in public their poetry against the war in Ukraine. Both were convicted of "inciting hatred" and "calling for activities threatening state security."
 - Jailed Russian opposition leader Alexei Navalny, currently serving a 19-year prison sentence, [has been transferred to a penal colony north of the Arctic Circle](#).
 - A Russian court [has jailed Navalny ally](#), Ksenia Fadeyeva, for nine years.
 - Seven ways [the exodus of Western companies has cratered](#) the Russian economy.