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— News From The States —

EVENING WRAP



By [Sean Scully](#)

It's Friday before what we hope will be a long weekend for you all. Let's check into the news.

The Big Takeaway

In some kind of idealized world, government is supposed to stick up for the Little Guy, promote the well-being of all, and give comfort to the afflicted and downtrodden.

Back here on Planet Earth, meanwhile, [“Mr. Smith Goes to Washington”](#) is still the same corny work of fiction that it always was.

All too often, it is the well-off and well-connected that enjoy the benefits of government, while the poor, the dispossessed and the disfavored suffer neglect. Sometimes, it seems lawmakers and regulators are actively working to make life harder for those who are already excluded from the halls of power.

Consider Alaska, which this week became the 24th state to pass some kind of ban on transgender athletes competing in school sports on the team of their identified gender, [the Alaska Beacon reports](#).

The state Board of Education voted this week to require the Alaska School Activities Association Inc., the governing body of school sports, to create two divisions: teams that consist solely of athletes who were assigned as female at birth, and teams that are open to any gender.

Board member Lorri Van Diest, who has pushed the regulation several times this year, said it

was a simple matter of protecting the integrity of women's sports, arguing that people born male have physiological advantages.

“I will be voting for the regulation amendment because I am part of the group which prioritizes competitive fairness and safety for high school girl athletes,” she said, offering a litany of supposed advantages enjoyed by male-at-birth athletes.

The board’s decision comes after a previous similar resolution failed in March, and after lawmakers have repeatedly declined to enact a ban in state law.

The sole dissenting vote came from student representative Felix Myers, who pointed out that there have been no complaints related to transgender athletes ever reported in Alaska. An ASAA representative at the meeting confirmed that there have been no issues of “fairness” related to transgender athletes.

Myers said it is hard to believe that anyone would undergo a gender transition simply to gain advantage in sports.

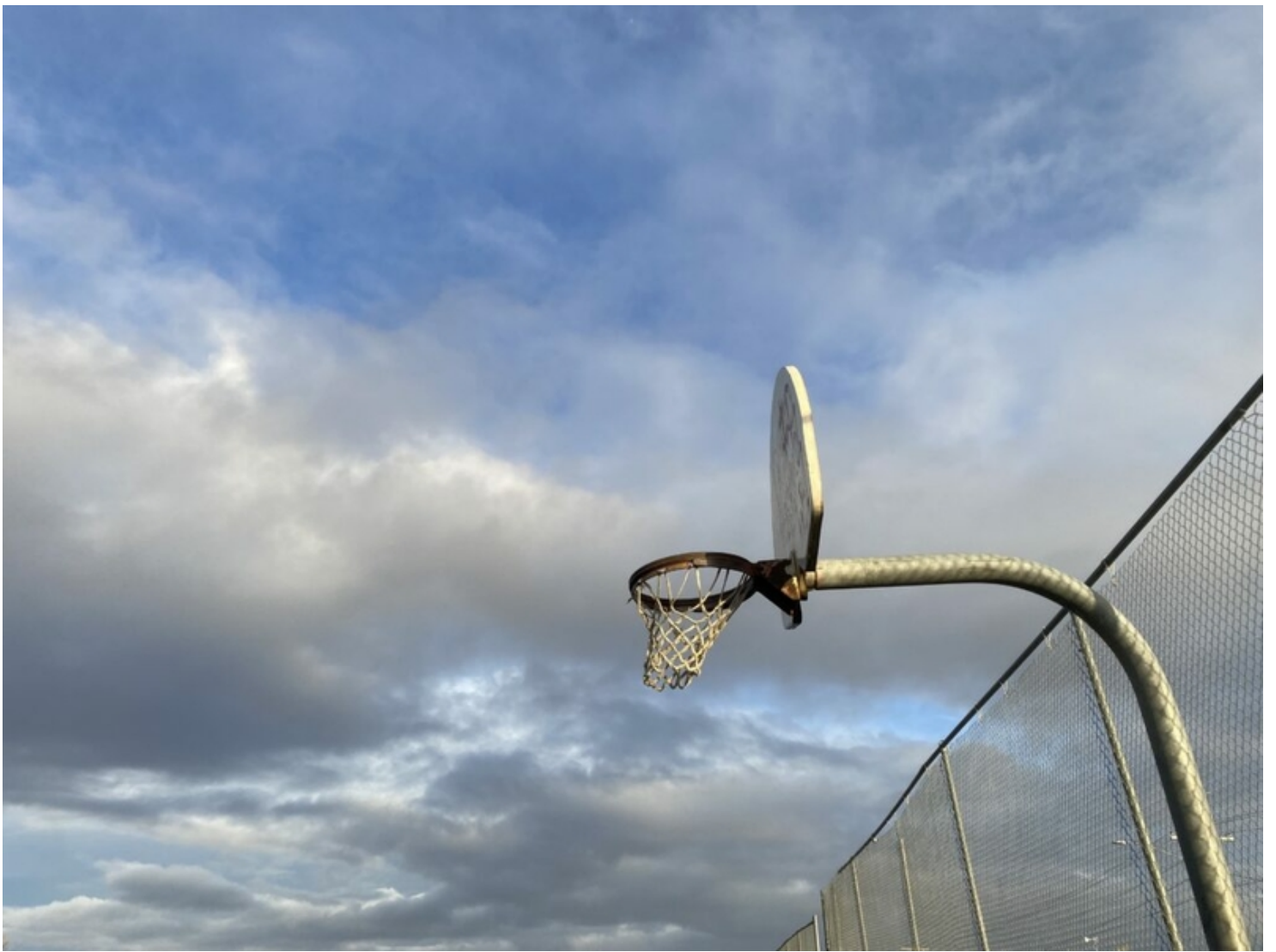
“I don’t think anyone would go through the strain, the bullying, the — all of the problems that come with being around kids when you’re different,” he said. “If someone is truly going to go out of their way to identify this way, that is a huge sacrifice and they are the bravest, bravest students among us.”

Aaron Poe, the father of two high school students, one of whom is trans, said the decision is “profoundly disappointing,” the Beacon writes.

“The Department of Education that is supposed to be lifting all kids in Alaska up and supporting them and helping them be productive members of their society is essentially doing a backdoor deal to target trans kids,” he said.

State Sen. Löki Tobin, D-Anchorage, attacked the board decision, saying it exceeded its authority and acted against the clear refusal of the legislature to create such a law.

“Removing all the artifice and double speak: any discrimination against a trans or non-binary child violates the foundation of what it means to be building a more perfect union,” she wrote in an email. “What we saw today is national politics, misinformation, and fear getting in the way of building a better future for all Alaskans. I find it appalling and a terribly sad day for the place I call home.”



Alaska Board of Education to transgender girl athletes: Drop that ball.

(Photo by Claire Stremple)

In Nevada, poor food and unsanitary conditions are making what is already a hard life in prison even more unbearable for the state's inmates, advocates told state officials this week, [reports the Nevada Current](#).

Members of the advocacy group Return Strong testified before the Nevada Board of Prison Commissioners, which includes the governor and other top elected officials. They said inmates had reported moldy, rotten, undercooked and contaminated food was routine in the prison.

“One of our incarcerated members at Ely State Prison said, ‘I have eaten toothpaste and tums antacids or even salt for hunger pains. It helps for a little bit,’” said Pamela Browning, one of the members of the group. “Another said, ‘I eat toilet paper and hot water.’ Please tell me how this is humane?”

Inmates told of having to choose between eating food that might make them sick and going

hungry.

“I have heard many times that the food was rotten and moldy,” Browning said. “An incarcerated member said they have gotten sick from eating meat that was either undercooked or bad.”

Health inspectors confirmed that there have been multiple violations at the four state prisons that have been inspected recently, including failure to sterilize kitchen equipment.

“Southern Desert Correctional Center had the most violations, which included handwashing sinks not stocked with soap or paper towels, high temperature dish machines in disrepair and ‘live roaches were observed throughout the culinary operations,’” the Current writes.

Department of Corrections officials told the board that they are working on it. They plan to ask the state for an additional \$8.3 million to update the kitchen operations.

“In my experience, the funding for critically needed culinary systems has been inadequately funded over the past 10 legislative sessions,” Kristina Shea, the deputy director for support services, told the board.

Return Strong member Yolanda Silva said that inmates, most of whom will someday be released back into the community, deserve a healthy environment even while they are incarcerated.

“The idea that when people are treated like animals they will act like animals is very real,” Silva said. “Incarcerated individuals are not being fed proper nutrition and are slowly being starved. This has lifelong effects on individuals. It’s up to us to make a change because they are human beings and should be treated as such.”



Um, no, thanks.

(Nevada Department of Corrections photo)

In Kansas, a federal court judge has agreed to largely vacate a four-year-old consent agreement that prevented the state from enforcing a policy against allowing transgender people to alter the gender on their state-issued birth certificates, [the Kansas Reflector reports](#).

In 2019, the court said the policy was likely unconstitutional but the state agreed to settle the matter and suspend the rules before going to trial.

Since then, however, the state legislature passed (over the objection of Democratic Gov. Laura Kelly) a law known as SB180, to narrowly define sex and gender in the law, a move that Republican Attorney General Kris Kobach argues gives the state the right to stop changing gender on birth certificates.

“As long as I am attorney general, the laws of Kansas will be enforced as written,” Kobach said.

“The Legislature decided that birth certificates must reflect biological reality, and they were quite clear in how they wrote the law. Today’s decision is a rejection of the activists’ and Governor Kelly’s attempt to twist the English language beyond recognition. The court has told the governor what the law clearly means. We now expect the governor to follow the law and cease changing birth certificates to something other than biological sex at birth.”

But the case isn’t as clear as that. Judge Daniel Crabtree didn’t exactly rule that the new Kansas law is A-OK with the Constitution. Instead, he sided with Kobach on a legalistic argument: the passage of the state law had so changed the legal conditions that existed when the 2019 agreement was negotiated that it was appropriate to end most of its significant provisions.

That leaves open the possibility of a new lawsuit to challenge the constitutionality of the new law.

“We are disappointed that the court has saw fit to reopen the consent judgment, which has been in place for four years and operated without incident,” Omar Gonzalez-Pagan, counsel and health care strategist at Lambda Legal, said. “Let us be clear, however, today’s decision does not approve of SB180, as interpreted by the Kansas attorney general, but simply holds that the circumstances have changed. Indeed, the court went to great lengths to specify that it was not opining on SB 180’s constitutionality.”

Kansas ACLU executive director Micah Kubic said Kobach ought to rethink the “sheer indecency of this attempt to weaponize his office’s authority to attack transgender Kansans just trying to live their lives.”

More from the Haven’t They Suffered Enough? file: [\(North Carolina\) Judge wrongly resentenced man convicted of murder as teen, possibly delaying release, lawyers say ...](#) [\(Minnesota\) Forever chemicals found in tribal school well on Leech Lake reservation ...](#) [New report urges legislative action to provide SNAP benefits to Arkansas’ Marshallese community ...](#) [Louisiana backpedals on deal to pause youth transfers to adult penitentiary](#)

Also Trending

The nation faces many pressing issues that demand the urgent attention of our leaders: gun violence, aging infrastructure, overdose deaths, overseas crises, and, of course, easy access to Taylor Swift tickets.

At least a dozen states, along with the U.S. Congress, considered bills this year to regulate the online marketplace for concert tickets after the well publicized meltdown of the

Ticketmaster system in November on the day tickets went on sale for Swift's Eras Tour, [Stateline reports](#). The website crashed and there were widespread reports of irregularities and unexplained glitches even when it was working.

Lawmakers from both parties responded with unusual speed and vigor, proposing laws to require transparency in fees, crack down on automated "bots" that snap up in-demand tickets with inhuman speed, and regulate the secondary market of ticket resellers.

"There are a lot of issues that beg for a national focus, a national solution. But because of the political dynamics in Washington, D.C., we haven't gotten very many solutions. ... So states believe they have to act," said California state Sen. Bill Dodd, a Democrat, who is shepherding a fee transparency bill through the legislature.



*Nothing gets lawmakers moving faster than missing out on their Taylor Swift tickets.
(Kevin Winter/Getty Images for TAS Rights Management)*

But the issues raised by the ticket industry are proving surprisingly complicated. Not only is there the technological question, but also the very nature of the concert business. Almost by

definition, tickets go on sale at a set time and for hot shows, that means everyone jumping online at once to get their seat in the arena. Also, the market itself is a near monopoly, with only a handful of concert promoters and resellers left, making it hard to promote transparency and efficiency through competition.

Those handful of ticket sellers are also wealthy and politically powerful. Earlier this year, Colorado Gov. Jared Polis vetoed a bill to promote transparency in ticket pricing, saying it might further reduce competition and “risk upsetting the successful entertainment ecosystem in Colorado.” He cited concerns he heard from two consumer advocacy organizations, but, critics pointed out, both organizations are funded at least in part by the ticket industry.

“Ticketing fights are far more contentious than anyone anticipates,” Brian Hess, executive director of the nonprofit fan advocacy organization [Sports Fans Coalition](#), said. “Each side of the market likes to blame the other side, and consumers are stuck in the middle.”

More from the Real Pressing Issues file: [Arkansas Secretary of State seeks design submissions for anti-abortion monument at Capitol](#) ... [Few Texas Republican voters support Ken Paxton impeachment](#) ... [ACLU sues over new Indiana law making licenses, ID cards available only to Ukrainian immigrants](#) ... [\(Wyoming\) Lawmakers use power bill increase to target renewable energy](#)



From The Newsrooms

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- [Several Nebraska laws take effect Saturday, including permitless concealed carry](#)
- [\(Missouri\) Kansas City police made arrests based on rescinded warrants, records show](#)
- [Kansas lawmakers say guns shouldn't be blamed in spiking youth suicide rates](#)
- [Alabama state grocery tax drops 1%](#)



One Last Thing

We have, perhaps, reached peak UFO mania. After a summer of congressional hearings offering eye-witness testimony and (dubious) blockbuster accusations of massive coverups of alien technology, the federal government has finally opened a website devoted to the

phenomenon. Until recent years, both military and civilian agencies had been disinclined even to discuss UFOs, which they now prefer to call Unidentified Anomalous Phenomena, possibly in an effort to distance the discussion from the pop-culture image of saucers carrying little green men.

The website for the new [All-domain Anomaly Resolution Office](#) offers a look at trends and data related to UAPs and will soon offer a one-click way to report your own encounter with the unexplained.



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(Photo by David McNew/Newsweek via Getty Images)

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