

# News From The States

## EVENING WRAP

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By [Kate Queram](#)

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I just finished a very dense book about the 2000 election (I am increasingly not fun at parties), which was very exhausting because it proved, once again, that time is a flat circle. You've got people counting *some* votes, but not *all* votes. You've got both sides complaining about an election being *stolen*. You've got weeks of uncertainty and [preppy protests](#) and a horrible no good very bad Supreme Court decision, and honestly if they'd stuck a pandemic in there and changed a few names I might have believed it was a book about 2020.

In eight months, we'll do this — or some version of this — all over again. At the very least, let's hope the Supreme Court stays out of it.



### The Big Takeaway

The courts are, of course, already involved, because that is the inevitable conclusion when a major political party nominates — twice — a man who has spent the better part of his life [mired in legal battles](#). One of those fights concluded Friday in Georgia, where a judge ruled that Fulton County District Attorney Fani Willis may continue prosecuting Donald Trump for alleged election interference, provided she drops her ex from the case, [the Georgia Recorder reported](#).



*He's not mad, he's just disappointed. (Actually, he does seem sort of mad.)  
(Photo via the Georgia Recorder)*

[In a 23-page decision](#), Superior Court Judge Scott McAfee ruled that defense attorneys “failed to meet their burden” of proving that Willis had “acquired an actual conflict of interest” through her romantic entanglement with Nathan Wade, the lead prosecutor on the case. That relationship became public in January, when attorneys for a former Trump campaign official argued that Willis should be disqualified from the case for hiring her boyfriend and then profiting from his salary — to date, around \$650,000 — by joining him on trips he typically paid for. Both Willis and Wade [testified in February](#) that their relationship began before he was hired and concluded last summer. Willis added that she had reimbursed him, in cash, for her share of travel expenses.

**But McAfee did not excuse Willis’ conduct**, which he described as a “tremendous lapse in judgment” that created an “odor of mendacity” and a “significant appearance of impropriety that infects the current structure of the prosecution team.” As a result, he concluded, either Wade or Willis needs to go.

“As the case moves forward, reasonable members of the public could easily be left to wonder whether the financial exchanges have continued resulting in some form of benefit to the District Attorney, or even whether the romantic relationship

has resumed,” McAfee wrote. “Put differently, an outsider could reasonably think that the District Attorney is not exercising her independent professional judgment totally free of any compromising influences. As long as Wade remains on the case, this unnecessary perception will persist.”



*Not pictured: The odor of mendacity.  
(Photo via the Georgia Recorder)*

**Wade resigned Friday**, which seemed the more sensible choice than having Willis cede control of a marquee case she has pursued for more than three years. That’s a blow to Trump and his co-defendants, but the proceedings themselves are a bigger victory for Trump, whose only goal is to delay his many, many criminal prosecutions until after the election in hopes of using the powers of the presidency to dismiss most of them. The Willis/Wade sideshow has already pushed back the Georgia trial by several months, which could now be delayed until next year, depending on the appeals process. No one had officially contested the ruling as of Friday afternoon, but it’s only a matter of time, according to Steve Sadow, Trump’s lead defense counsel.

“We will use all legal options available as we continue to fight to end this case, which should never have been brought in the first place,” Sadow said in a statement.

**The echoes of Trump's *last* election continued to reverberate** in South Dakota, where an election-denying conspiracy group is coordinating a push to require hand-counted paper ballots instead of electronic voting machines and tabulators. So far, [South Dakota Canvassing](#) has filed petitions in two counties, with dozens more in circulation, [South Dakota Searchlight reported](#).



*Not checking her email, because there is no internet connection.  
(Photo by Makenzie Huber/South Dakota Searchlight)*

Per usual, the campaign is rooted in bogus claims of “election security” based on debunked and nonsensical theories, like being afraid that ballot tabulators can be hacked even though they [aren't connected to the internet](#), or being certain that hand-counting is more reliable than machine tabulation even though [hand-counting involves humans](#), who are error-prone and also generally bad at math. It is all crappity crap crap, is what I am saying, but a lot of people still buy into it, and that makes it a relatively easy sell in a red state like South Dakota, where county officials are required to hold a public vote on petitions once they've gathered signatures from just 5% of registered voters. The bar is so very low that the bar is, basically, just the floor.



**One petition was still denied Tuesday in Lawrence County**, where commissioners determined that a provision barring electronic voting devices was a violation of [federal law](#) requiring certain accommodations for elderly voters and those with disabilities. That placed it outside of the board's jurisdiction, allowing them to reject it, according to [a 2006 ruling](#) from the state Supreme Court. The petition group has since amended the language, according to Nichole Braithwait, the lead circulator in Lawrence County, who said she planned to seek a court order directing the board to hold an election on the proposal.

"This is not a fringe group," Braithwait said. "We're not some small group of people who are concerned about these issues."

**Republicans in Wisconsin, also totally not a fringe group, are forcing voters to weigh in on a different conspiracy theory:** The legend of "Zuckerbucks," otherwise known as municipal grants, partially funded by Facebook founder Mark Zuckerberg, that helped cities and counties conduct elections during the pandemic, [per the Wisconsin Examiner](#). Any municipality that applied for a grant received funding, which in Wisconsin totaled \$10 million across 38 counties. But most of that money went to just five counties, which *happen* to be where the five largest cities are, which *happen* to vote Democratic, like *hello*, connect the dots *sheeple*, bing bang BOOM right-wing conspiracy.



If you're not fluent in right-wing, the conspiracy is this: More money went to larger cities, which is definitely not because cities have more people and, accordingly, more precincts, but because cities are overrun with *Democrats* (and also [crime](#)), and so the money was *obviously* a bribe to increase *turnout*. (How would this even work? I don't know. Even my right-wing dictionary only goes so far.)

**Republicans have been big mad about this since 2021**, when they first attempted to pass legislation banning the use of third-party funds in election administration. That bill was vetoed by Gov. Tony Evers, a Democrat *who is probably in on the conspiracy* (and also the *deep state*, which is maybe *the same thing*). Rather than abandon their dumb fixation, Republicans decided to circumvent Evers altogether via a proposed constitutional amendment, which goes before voters once lawmakers approve a related resolution twice in consecutive sessions. That was easy-peasy for the GOP-majority legislature, which had spent decades [gerrymandering itself into power](#) for precisely this sort of maneuver.

Not that they framed it like that, exactly. More like “power to the people,” as long as “people” are not Zuckerberg, Evers, Democrats, or city-dwellers.

“The reason why it’s a referendum rather than a bill is because Gov. Evers would veto that bill,” said Kathy Bernier, a Republican and retired state lawmaker. “And so we let the citizens speak and make it a constitutional amendment. It would be a better provision to be by statute rather than the constitution. But it is what it is.”

Yeah, and what it is is *bad*, according to Jay Heck, executive director of Common Cause Wisconsin.

“This whole new trend now, whenever you can’t get something done, and you can’t get your way in the legislature, and you can’t reach agreement with the governor, you take it and you try to put it on the ballot,” he said. “It’s just not the way to make public policy. And amending the Wisconsin Constitution — the constitution is a document that’s supposed to give direction and stability. But if you’re going to amend it every time you want something but can’t get it, it sort of makes the constitution less, I think, respected by people and then it becomes a

partisan document.”

### Third-party documents

- [Working-class people rarely have a seat ‘at the legislative table’ in state capitols](#)
- [Trump leads Biden by some 6 points in new Florida survey, but among independents the race is a tie](#)
- [Lawmakers close in on online voter registration in New Hampshire](#)
- [Runoff elections will keep North Carolina primary season alive until May 14](#)



### Also Trending

Nebraska Gov. Jim Pillen [on Thursday](#) blamed eight elected regents for not naming a presidential successor for the University of Nebraska and for failing to retain its athletic director Trev Alberts, who confirmed his departure Wednesday, [the Nebraska Examiner reported](#).

“I am deeply disappointed by Trev Alberts’ decision to leave so soon after restating his commitment to Nebraska and I don’t fully understand or know his reasons why,” Pillen, a Republican, said in a statement. “I do know that the time for reflecting on the failures of university leadership, which led to his decision, must come later. Now is the time to act.”

“The long-term success of our university depends immensely on having committed public servants as its leaders,” he added.



*Nebraska Gov. Jim Pillen and Chris Kabourek, interim (not permanent because they have not hired anyone)  
NU president, center.*

*(Photo by Zach Wendling/Nebraska Examiner)*

Alberts said Thursday that Texas A&M had approached him with a job offer, which he decided to accept based in part on a lack of leadership at the University of Nebraska.

“I’m not going to say anything bad about my alma mater,” Alberts told the Omaha World-Herald. “I love Nebraska. But I think it’s fairly obvious there are some challenges. ... I think some of the challenges are reflective of where we are as a society as far as divisive things that are part of our everyday culture. It is what it is.”

**Alberts and the university were the subjects of a federal civil rights lawsuit** from former Nebraska women’s basketball player Ashley Scoggin, who alleged that Alberts and women’s basketball coach Amy Williams did not act appropriately once made aware of a relationship between the player and an assistant coach.

Regent Rob Schafer said Thursday that the board would rush to the “crucially important” task of appointing a new president. That process, currently in its seven month, is progressing on a timeline similar to a 2014 search, which took



more than a year, and a 2019 search, which lasted about seven months, Schafer added.

**Pillen allegedly has some specific thoughts about the candidate pool** — namely, that it should include only people with Nebraska ties who are willing to stay in the job for at least 10 years and are not big fans of diversity, equity and inclusion efforts, which the governor opposes, according to several people familiar with the search process.

Pillen initially denied having made any requests of the regents or trying to influence their choices but capitulated after learning what the Examiner gleaned from its sources.



*RUSTY STARS ONLY*  
(Photo by sjhuls/Adobe Stock)

“Yeah, maybe I can clarify that ... I’ve been very, very public,” he said. “We need a great Nebraskan to be the leader of our university system. We don’t need a shiny star. We need somebody that understands Nebraska, understands the people of Nebraska and understands that the taxpayers are our boss.”

He also confirmed his desire for a 10-year term (“if you try to hire someone for

two years, you're spinning your wheels") and for someone who "understands what our Nebraska values are and what Nebraskans expect."

## THEY EXPECT A DOLLARD

- [State schools superintendent raises concerns over several bills in Alabama Legislature](#)
- [School voucher bill emerges from Georgia House with more momentum than in past years](#)
- [With bill sponsor absent, Kentucky House committee expands Senate curbs on diversity in higher education](#)
- [Rural North Carolina school system hopes to improve teacher recruitment, retention with housing option](#)



## From The Newsrooms

### Health Care

- [Arizona leaders misled public about scope of Medicaid fraud crisis](#)
- [Iowa pharmacy fined for life-threatening medication error](#)
- [Missouri doulas give up wages to serve women on Medicaid. Legislators hope to fix that](#)
- [West Virginia governor vetoes Rockefeller Institute funding that would have supported neuroscience research](#)

### Courts & Crime

- [\(Michigan\) James Crumbley found guilty of involuntary manslaughter in Oxford High School shooting](#)
- [Nebraska Supreme Court rules state agencies can charge 'special' fees to review document requests](#)
- [\(New Jersey\) Judge declines to dismiss Menendez charges over immunity claims](#)
- [After being censured, South Salt Lake councilman arrested for trying to enter City Hall](#)

### Environment

- [Proposed drilling near suburban Denver Superfund site raising flags](#)
- [Lithium Americas to get massive federal loan to develop Thacker Pass mine in Nevada](#)
- [New Mexico AG agrees with law firms' argument seeking more funds for Hermits Peak-Calf Canyon Fire victims](#)
- [All gas companies in Oregon fail to gain approval for plans on meeting state's climate goals](#)



## One Last Thing

When workers at the Richmond Wildlife Center in Virginia interact with an orphaned red fox kit, they [wear red fox masks](#) and try not to sound or seem too humanlike. It looks weird, but it helps to prevent the kit from imprinting on humans, which can make it more difficult to re-release her once she's rehabilitated, staff said.



*I KNOW THE ANSWER OBVIOUSLY JUST SEEING IF YOU ALSO KNOW  
(via [Giphy](#))*

# News From The States

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