

# News From The States

# EVENING WRAP

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By [Kate Queram](#)

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Today I ate nearly an entire tin of almonds and then I literally ran into a wall, so I think we can agree it's best to just keep things moving here.



## The Big Takeaway

Today's biggest news comes from the U.S. Supreme Court, where a majority of justices on Monday appeared skeptical of a Republican-led effort to restrict communication between the federal government and social media companies on issues like elections, COVID-19 and national security, [our D.C. bureau reported](#).



*We must be allowed to protect democracy by retweeting conspiracy theories about election fraud!*  
(Photo by Jane Norman/States Newsroom)

[The lawsuit](#), filed in 2022 by two states and five social media users, accused the Biden administration of a coordinated push to censor free speech by urging platforms to remove posts it deemed false, misleading or dangerous. Sometimes, the companies acquiesced. Other times, the posts were left alone. Either way, those efforts did not violate the U.S. Constitution unless the government threatened the companies or tried to coerce them, argued Brian Fletcher, principal deputy solicitor general. And the states provided no evidence that it did, he added.

**The companies “routinely said ‘no’ to the government,”** Fletcher said. “They didn’t hesitate to do it, and when they said ‘no’ to the government, the government never engaged in any sort of retaliation. Instead, it engaged in more speech. Ultimately, the president and the press secretary and the surgeon general took to the bully pulpit. We just don’t think that’s coercion.”

Louisiana Solicitor General Benjamin Aguiñaga rejected that characterization, arguing that the federal government should combat disinformation publicly

instead of “pressuring platforms in back rooms shielded from public view.”

That, he added, “is not using the bully pulpit at all. That is just being a bully.”



*“Bully pulpit” is not available in the App Store.  
(Photo by Chris McGrath/Getty Images)*

**The sweeping argument did not impress the justices**, who compared interaction between the government and social media platforms to an administration official warning a journalist that a pending story could endanger national security. Neither appeared to violate the First Amendment, Justice Brett Kavanaugh said. The court also questioned whether the plaintiffs even had the right to sue — and whether the states had been truthful in their record of the case.

“I have such a problem with your brief,” Justice Sonia Sotomayor told Aguiñaga. “You omit information that changes the context of some of your claims.”

**Gun groups are embracing a comparably distorted view of the Second Amendment** in New Hampshire, telling voters that a bill to restrict firearm sales to people with a history of mental illness is “insane” and “crazy,” [the New Hampshire Bulletin reported](#).

The proposal, introduced two months after a former state hospital patient shot and killed a security officer, would add to a federal background-check database anyone involuntarily committed to a psychiatric hospital or deemed incompetent to stand trial. New Hampshire is one of only three states that withhold that information from the FBI.



*Error: No access to data.  
(Photo by Getty images)*

**It's a seemingly straightforward and commonsense measure** — unless you're a member of the New Hampshire Firearms Coalition, in which case it is an affront to your “God-given” right to own a weapon. People who are involuntarily hospitalized because they're a danger to themselves or others should not be *denied weapons*, the group argued. They should be *locked up until they are no longer dangerous*, after which they should be allowed to purchase as many guns as they like.

“[The legislation] would allow for violent people to be released on the street...and *then* say that they can't own a gun,” read a flyer sent by the group to some House Republicans and their constituents. “If these people are so violent that they need to be disarmed, *why are they released at all?*”

On the opposite side, a single sentence: “Crazy is as crazy does.”

HB 1711

**“The Meuse Violent Patient Release Act,”**

*is legislation that would allow for violent people to be released on the street...  
and then say that they can't own a gun.*

**IF** these people are **so violent** that they need to be disarmed,  
**why are they released at all?**

*Rep. Sytek is the Senior member of the Committee that is voting on this bill and he has yet to  
take a public stance against such an outlandish idea; putting violent patients on the streets  
thinking that it is acceptable as long as they cannot legally purchase a firearm. Haven't the  
legislators considered that these violent patients might steal a firearm or use a knife?*

*Call Rep. Sytek at **603-999-0000** or email him at [john.sytek@leg.state.nh.us](mailto:john.sytek@leg.state.nh.us)  
**and ask him to stop this bill***

*(please, always be courteous and do not call after 9 pm).*

*(please, always be courteous and do not call after 9 p.m.)*

*(Photo via the New Hampshire Bulletin)*

**That language was a strategic choice**, designed to reinforce the stereotype of people with mental illness as dangerous and violent criminals, said state Rep. Terry Roy, a Republican whose constituents received the flyer.

“It was insulting,” said Roy, the bill’s co-sponsor. “It was demeaning to anyone who has a mental illness, which a large portion of our population will at some point.

“I’m disappointed in the shortsightedness of the Second Amendment community,” he continued. “What they don’t seem to get is that we are better off not having dangerous people buying firearms because every time there is a mass shooting and someone has a mental health issue, there are calls for more restrictions on firearms.”

**More than 30 gun control bills are awaiting signatures from Virginia Gov.**

**Glenn Youngkin**, from [sweeping restrictions](#) on assault-style weapons and [untraceable firearms](#) to [expansions](#) of the state’s [existing](#) red-flag [law](#). Youngkin, a Republican, had vetoed one proposal and voiced his displeasure with another

by the afternoon of March 8, just hours after a man was fatally shot blocks away from the state Capitol, [per the Virginia Mercury](#).



*This is not a gun control bill.  
(Photo by Graham Moomaw/Virginia Mercury)*

**The incident did not spark a moment of reflection for Republican lawmakers,** who instead harped on the fact that the shooting took place in a no-gun zone plastered with signs warning that weapons are prohibited. And the signs didn't stop the shooting, *now did they?*

“Believe it not, this criminal with evil in his heart ignored those signs,” said state Sen. Mark Peake, a Lynchburg Republican.

Maybe if the signs had been “bigger or meaner-looking,” he added sarcastically.

This would be a great argument but for the fact that substantive gun control measures are not the same thing as, you know, signage. Perhaps if we'd done something years ago to restrict the proliferation of firearms, there'd be fewer firearms, resulting in fewer shootings and perhaps negating the need for signs

(even the big, mean ones) altogether. Alas, that seems unlikely to happen in Virginia under Youngkin, who has made it clear he has no problem with the state's current gun laws. The problem, he said, is violent crime, [defined by the FBI](#) as murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault, none of which have anything to do with guns and can thus be solved without further restricting them. *Like duh.*

"I strongly urge the General Assembly to shift its focus towards proven strategies aimed at combating violent crime, mandatory minimums for armed criminals and the presumption against bail," Youngkin said in a [statement](#) vetoing a bill that would have tightened rules requiring people credibly accused of domestic abuse to give up their firearms.

## Blind justice

- [Senator seeks makeover for Alaska parole board — more members, more representation, more clarity](#)
- [Senate considers bill to prevent Arizona cities from ever being able to defund their police](#)
- [Records shed light on New Jersey program pairing cops with mental health professionals](#)
- [As demand surges under a new Utah law, advocates say domestic violence services remain underfunded](#)



## State of Our Democracy

If Donald Trump wins reelection in November, he'll have red-state attorneys general to thank, according to [reporting from our national bureau](#).

For months, a coalition of Republican AGs has worked behind the scenes to lay the groundwork for right-wing court battles, either to make it easier to contest the results of the election or to increase Trump's chances of winning. So far, the group, often led by Alabama AG Steve Marshall, has filed briefs urging judges to toss certain mail ballots, approve gerrymandered legislative maps, weaken long-standing protections against racial discrimination in voting, and empower state legislatures — rather than courts — to set election rules.

"These are all setting up an argument, potentially, to say that the 2024 election

was flawed because of all these state practices that are questionable,” said Paul Nolette, a political science professor at Marquette University in Milwaukee. “The AGs just have been critical in pushing these arguments.”



*Places to go, briefs to file, elections to influence.  
(Photo by Stew Milne for the Alabama Reflector)*

**Marshall’s office did not respond to a request for comment**, perhaps because he’s been very busy with the next stage of his plan: Helping Trump delay his many, many court cases. Most recently, that included leading a group of red states in submitting an [amicus brief](#) urging the U.S. Supreme Court to pause the Jan. 6 trial. Really, this is no surprise. Marshall has been an election denier since 2020, when he joined other state AGs in asking courts to overturn Trump’s loss.

**Chances are good that he’ll get another day in court**, according to election law experts, who said it’s likely that the election will be contested (because: Trump) and, potentially, decided by a panel of judges. Should that happen, GOP AGs will be prepared to submit convincing arguments for their guy in a direct assault on democracy itself, said Lizzie Ulmer, senior vice president of strategy and communications for the pro-democracy States United Democracy Center.

“A huge part of the overall anti-democracy movement is really based on

continuing to find ways to use legal tactics as a jumping-off point to spread the election denier message,” she said. “There are good and pro-democracy state AGs on both sides of the aisle. But the truth is there are AGs in office right now that have the potential to do real harm. And we’ve seen that in the past and we’re seeing it today.”

### **So that’s nice**

- [Some 800,000 people have voted so far in Florida presidential primary; no state primary for Dems](#)
- [Rep. Andy Kim’s push to overhaul New Jersey primary ballots lands in court](#)
- [U.S. Supreme Court upholds decisions barring Couy Griffin from ever holding elected office in New Mexico](#)
- [While Oregon lawmakers debated campaign finance limits, Phil Knight gave \\$2 million to Republican PAC](#)



### **From The Newsrooms**

#### **Gov & Politics**

- [Indiana bans sister-city agreements with ‘foreign adversaries’](#)
- [New laws could stem high turnover among New Mexico election officials](#)
- [Seniors in Pennsylvania are concerned about Social Security following Trump’s comments](#)
- [Cities and towns can’t always get what they want from the Rhode Island General Assembly. A lobbyist can help.](#)

#### **Education**

- [Can the Alabama legislature force universities to end DEI programs? It’s not clear](#)
- [Arkansas education co-ops concerned about effect of reduced funding](#)
- [\(Michigan\) ‘Their dream in this country is to stay alive’](#)
- [‘Districts should not torture children’: Seclusion and restraint in Wisconsin schools](#)

## Environment

- [Maine environmental board set to vote on clean cars rule, but some want the legislature to weigh in](#)
- [\(Minnesota\) Reclaimed ore, high prices spark mining scramble on the western Mesabi Iron Range](#)
- [Duke Energy unveils plans for new natural gas plant in North Carolina](#)
- [\(Washington\) The art and science of landslide preparedness a decade after Oso](#)



## One Last Thing

My husband asked me today to explain the “obsession with Banksy” and also if the famous street artist “has a day job and just does rogue art once or twice a year,” which I gather was in response to [the discovery of his newest mural](#) in London. And with that, I have imparted unto you every single thing I know about Banksy.

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