

# News From The States

# EVENING WRAP

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By [Kate Queram](#)

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The good news: I have not [run into anything](#) today (though the day is young). The bad news: We cannot say the same for democracy.



## The Big Takeaway

In a move that should have surprised no one, attorneys for Donald Trump (and seven of his co-defendants) began the process of appealing [a court decision](#) that allowed Fulton County District Attorney Fani Willis to [continue prosecuting](#) the sprawling election interference case against them, [the Georgia Recorder reported](#).



*Didn't we like JUST talk about this?  
(Photo via the Georgia Recorder)*

**The fate of that request** lies with Fulton County Superior Court Judge Scott McAfee, who [ruled Friday](#) that defense attorneys failed to prove that Willis had “acquired an actual conflict of interest” through her romantic relationship with Nathan Wade, the lead prosecutor on the case. Still, her actions constituted 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,” which could be remedied only if either Wade or Willis left, McAfee wrote. Wade [resigned](#) hours later.

But that remedy was “insufficient to cure the appearance of impropriety the court has determined exists,” Trump’s attorneys [argued Monday](#). Absent an immediate review by an appellate court, that could leave the outcome of the case subject to retrial, they said.

“Whether District Attorney Willis and her office are permitted to continue representing the state of Georgia in prosecuting the defendants in this action is of the utmost importance to this case, and ensuring the appellate courts have the opportunity to weigh in on these matters pre-trial is paramount,” the defendants’ attorneys wrote.



*And if it takes until Nov. 6, it takes until Nov. 6!*  
(Photo by Win McNamee/Getty Images)

**McAfee's signoff is only the first hurdle** for the defense lawyers, who would also need to convince the Georgia Court of Appeals to hear the case. And that might be hard, because there's really no reason to relitigate this particular matter beyond delaying the trial, which seems unlikely to impress a panel of judges, according to experts.

"There were no legal grounds for Willis' disqualification and none of team Trump's delay tactics can change the facts or the law surrounding that," Obama-era ethics czar Norm Eisen and former White House ethics lawyer Richard Painter said in a joint statement. "It's time this case moves forward so voters can learn the truth about Trump's scheme to invalidate millions of Georgians' votes and steal the 2020 election."

**Anyone tuning into the Nebraska Senate Monday** learned a lot about state Sen. Steve Halloran, who advocated for keeping obscenity out of K-12 schools by inserting a Democratic lawmaker's name into a graphic rape scene read aloud from a [frequently banned](#) book, [the Nebraska Examiner reported](#).

Halloran, a Republican, had selected the passage from [hearing testimony](#) on [a](#)

[related bill](#), which he warned viewers and “Senator Cavanaugh” — state Sens. Machaela and John, siblings and Democrats — might be offensive. But he didn’t warn that he’d insert their names into the material, repeating “Senator Cavanaugh” at the end of multiple sentences, including one where a character requests a specific, and graphic, sexual act.



*Yeah, no.*

*(Photo by Zach Wendling/Nebraska Examiner)*

**It wasn’t clear which Cavanaugh he was referring to. It also doesn’t matter.**

There is no world in which this is appropriate behavior for a middle-schooler, let alone an elected member of the Nebraska Legislature. Halloran’s antics were a form of harassment and a slap in the face to senators who have personal experience with sexual assault, according to Sen. Machaela Cavanaugh.

“That was so out of line and unnecessary and disgusting to say my name over and over again like that,” she said. “You don’t know anything about anyone else’s life, and I can tell you that women in this body have been subjected to sexual violence. I didn’t know you were capable of such cruelty. That was so unbecoming of you and unbecoming of this body, and I hope that some other people who are Republicans will stand up and defend me.”

**Halloran was unrepentant Monday**, both about reading the scene aloud in the



first place (“I wanted them to hear what was in the book ... if you read the transcript it’s like a how-to lesson on how to rape”) and about inserting a colleague’s name into the material (“If you would have listened closely, I was addressing her lawyer brother ... John!”). [By Tuesday](#) he had sort of slightly reconsidered, telling colleagues that he should not have “interjected a senator’s name,” even though that senator was John, not Machaela. And by the way, he added in what he appeared to think was a point in his favor, he *also* referenced Sen. George Dungan, but nobody seems upset about *that*.

“Once the transcribers have transcribed what I read, I think you’ll notice that I first referenced them,” he said.



*THE TRANSCRIPT WILL PROVE I ACTUALLY DID THAT*  
(Photo by MQ-Illustrations/Adobe Stock)

The non-apologies did little to appease ... humans, generally, who continued to rebuke Halloran from all sides of the aisle (and out the door into the parking lot, the Nebraska countryside and beyond). At least two lawmakers — state Sens. [Megan Hunt](#), a Democrat, and [Julia Slama](#), a Republican — called publicly for his resignation, as did the head of the state [Democratic Party](#).

Absent that, the legislature could vote to expel Halloran, formally rebuke him or

approve a censure. But nothing had materialized as of Tuesday, when Sen. John Arch, a Republican and speaker of the legislature, sought to lay the matter to rest by apologizing for the debacle and urging senators to move past it for the last two weeks of the session.

Still, though. He's sorry.

"I want to apologize to Sen. Machaela Cavanaugh," he said. "I do not condone the reading of the graphic rape scene or personally directing that passage to another member of the legislature, even if it is to make a point."

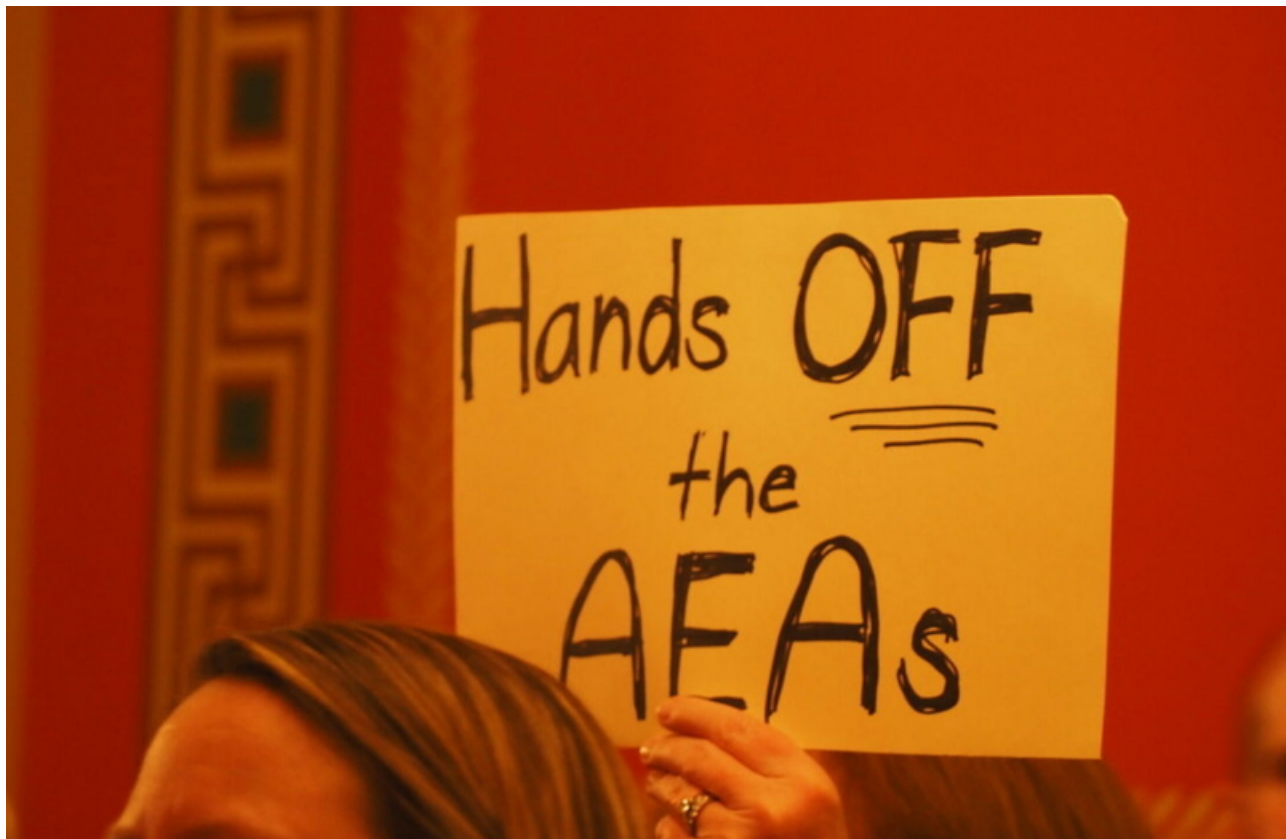
### **Even then!**

- [\(Arizona\) In a small Tohono O'odham village, Maricopa County uses tech to make voting more secure](#)
- [Idaho open primaries supporters say they are on the brink of qualifying ballot initiative](#)
- [Michigan attorney charged in tabulator tampering case arrested Monday on bench warrant](#)
- [Judge rules suit against Virginia felon disenfranchisement rule can proceed](#)



### **Also Trending**

The Iowa Senate on Monday approved an amended education bill Monday, voting 28-22 to allow schools to seek private contracts for special education services and sending the measure back to the House for review, [per the Iowa Capital Dispatch](#).



*Except not.*

*(Photo by Robin Opsahl/Iowa Capital Dispatch)*

As written, [the proposal](#) would allocate the bulk of special education funding directly to school districts, which can decide for themselves whether to spend the money on contracts with state-sanctioned area education agencies, or AEAs. Only the remaining 10% would go directly to the AEAs, which would also receive 40% of each district's funding for general education and media services for the first year after the bill takes effect — and after that, nothing. The funding changes would come with a decrease in oversight responsibilities, which would transfer from the AEAs to the Iowa Department of Education. The bill would also decrease a proposed bump in starting pay for new teachers, offering a minimum of \$46,251 instead of \$50,000.

**Iowa Gov. Kim Reynolds had prioritized AEA changes** at the beginning of the 2024 legislative session based mostly on [a report from a consulting firm](#) that compared Iowa's per-pupil special education spending (above average) to its special education test scores (below average). But critics of the bill have disputed those findings, [warning lawmakers](#) that the proposed changes would harm services and outcomes for students with disabilities.

Democrats said they'd received thousands of emails from constituents detailing

their support for and personal experiences with AEAs, most of them begging lawmakers not to move forward with the bill. More than half of Iowans view AEAs favorably, according to a recent [Des Moines Register/Mediacom Iowa Poll](#) — a higher approval rating than any elected official included in the survey.

“In reading this bill, it is abundantly clear that you haven’t listened,” Senate Minority Leader Pam Jochum said Tuesday. “You haven’t listened. I have never received so many emails in opposition to some legislation pending as I have this.”

### **Inbox more-than-zero**

- [By one vote, Alaska Legislature fails to override Gov. Mike Dunleavy’s education veto](#)
- [\(Maryland\) DOJ investigation finds deceased UMBC swimming and diving coach abused students on team](#)
- [Revamped bipartisan Michigan school safety legislation gets first committee hearing](#)
- [If schools won’t ban kids’ cellphones, some lawmakers, including Oklahoma’s, say they will](#)



### **From The Newsrooms**

### **Reproductive Rights**

- [A Democratic senator needs an abortion. She told her colleagues about Arizona’s ‘cruel’ laws.](#)
- [Kansas abortion ‘coercion’ bill touted by out-of-state think tank that produced retracted research](#)
- [New ballot initiative seeks to ban Nebraska abortions after first trimester of pregnancy](#)
- [Medication abortion rates grew 10% over the last few years, report shows](#)

### **Environment**

- [Louisiana’s crawfish industry counts losses while awaiting federal](#)
- [\(New Mexico\) What to expect from the Rio Grande SCOTUS oral](#)



[disaster declaration](#)

- [\(Nevada\) Lake Tahoe remains murky after 25 years and a \\$2.9 billion investment](#)

[arguments](#)

- [Bipartisanship on Great Salt Lake: Utah Rep. Moore, California Rep. Panetta talk water conservation](#)

## Gov & Politics

- [What's happening with gambling? No one in the Alabama Legislature knows](#)
- [Arizona Republicans want to ask voters to ban early voting, put 1,000-person cap on precincts](#)
- [Ending gerrymandering? Ohio redistricting reform supporters outline problem and proposal in panel](#)
- [Jay Ashcroft proposes slashing state budget to eliminate Missouri income tax](#)



## One Last Thing

Amazon is looking to reboot “Are You Smarter Than a Fifth-Grader?,” and Travis Kelce is [reportedly in talks](#) to host. And because I fear the wrath of the Swifties, that is all I will say about that.

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