

News From The States

EVENING WRAP

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By [Kate Queram](#)

Both the calendar and the weather inform me that it's early spring, but I keep checking anyway. Surely, it must be at least October. Surely, the election is fewer than 229 days from now. Surely, this level of drama cannot continue for *another seven months*. Surely the weight of the news load will eventually collapse into itself long before then, creating a wormhole that sucks us all back to nine years ago, where we will awake so much younger, blissfully unaware of the endless catastrophes awaiting us in the very near future. *Surely, this has to be almost over already.*

I am a walking cautionary tale, living proof that the brain does what it can to [shield us](#) from our own trauma. This is why people have more than one child or run more than one marathon or, in my case, write a daily newsletter about politics while also somehow maintaining the internal illusion that we're not about to vote in the third consecutive election with Donald Trump on the ballot (and all the baggage that comes along with that). The delusion is warm, jump in and join me!



The Big Takeaway

Donald Trump on Tuesday urged the U.S. Supreme Court to grant him blanket immunity from [federal charges](#) related to his attempts to overturn the 2020

election, arguing that allowing the case to proceed would “incapacitate every future president with de facto blackmail and extortion while in office” as well as years of “post-office trauma at the hands of political opponents,” [our D.C. bureau reported](#).



*Not sure which side this guy is on, honestly.
(Photo by Chase Woodruff/Colorado Newsline)*

“The threat of future prosecution and imprisonment would become a political cudgel to influence the most sensitive and controversial presidential decisions, taking away the strength, authority, and decisiveness of the presidency,” Trump’s legal team wrote in [a brief](#) filed ahead of oral arguments on April 25. “The president cannot function, and the presidency itself cannot retain its vital independence, if the president faces criminal prosecution for official acts once he leaves office.”

Eighteen Republican attorneys general supported that argument in [a separate brief](#) that also accused federal prosecutors of slow-walking the election interference investigation to ensure that Trump’s indictment and ensuing trial coincided with the 2024 election.

“After waiting 30 months to indict President Trump, the Special Counsel has demanded extreme expedition from every court at every stage of the case. His only stated reason, the ‘public interest,’ is so thin it’s almost transparent,” wrote the group, led by [Alabama AG Steve Marshall](#), who almost certainly understands

that the colliding timelines are mostly due to Trump's endless delay tactics, up to and including this very brief! "The prosecution's failure to explain its extraordinary haste suggests one troubling answer: That the timing of the prosecution is designed to inflict maximum damage on President Biden's political opponent before the November 2024 election."



*AND SO I SAID, YOU DON'T GET TO INFLICT MAXIMUM DAMAGE! ONLY TRUMP INFLICTS DAMAGE!
AND IT'S THE BEST DAMAGE! HUGE!
(Photo by Win McNamee/Getty Images)*

It's a lot of legal word salad tossed together in an attempt to bolster a thoroughly ridiculous legal theory that former presidents are immune from prosecution from anything they did in office — even the seemingly illegal stuff! — as long as it was done in the course of “official duties.” It's not particularly clear how an attempt to subvert the U.S. Constitution fits into the “official duties” of a person whose entire job rests on an oath to uphold the U.S. Constitution, but never mind — the point is that you can't just go around *indicting former presidents* for the stuff they did *as president*, because that would make it impossible for anyone (except for, you know, literally [every other president](#)) to become a *former president* without being *indicted all the time* by their *political enemies*.

It's an interesting argument to make on behalf of the guy whose entire reelection campaign centers around the idea of transforming the presidency into a tool of [political retribution](#), a blatant hypocrisy that might matter if the main objective here were actually to advance a sound legal theory in hopes of triumphing in court. That goal is secondary to *the* goal of delaying the proceedings, ideally past Election Day, giving Trump a chance to [retake the presidency](#) and then use it to dismiss the charges on his own.

And so far, it's working. The trial — one of four on Trump's calendar this year — was originally scheduled to begin March 4 but has been on hold [since February](#) amid various court decisions and appeals. It will remain on pause until the Supreme Court hears oral arguments in April, roughly seven weeks from the time it accepted the case. (In the legal world, this is an “expedited schedule.”) A final decision is unlikely to come until the summer, all but guaranteeing that the trial does not begin until the fall — and the thick of the presidential campaign.

Trump scored another (partial) win Wednesday courtesy of Fulton County Superior Court Judge Scott McAfee, who signed off on a request to have an appeals court review [a court decision](#) that allowed county District Attorney Fani Willis to remain at the helm of a sprawling election interference case against the former president and seven co-defendants, [the Georgia Recorder reported](#).



The approval comes just five days after McAfee's initial ruling, which found that defense attorneys failed to prove that Willis had “acquired an actual conflict of interest” through her now-defunct romantic relationship with Nathan Wade, the lead prosecutor on the case. Still, the relationship constituted a “significant appearance of impropriety that infects the current structure of the prosecution team,” which McAfee concluded could be remedied only if one of them left the prosecution team. Hours later, Wade [resigned](#).

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.

McAfee conceded the point Monday, agreeing that the issue “is of such importance to the case that immediate review should be had.” His approval kicks the case over to the Georgia Court of Appeals, which will decide whether to accept it after reviewing the original order and subsequent filings. Crucially — and bigly sadly for Trump — that process does not halt the prosecution, though it does allow the attorneys to seek to disqualify Willis as things move forward.

“The Court intends to continue addressing the many other unrelated pending pretrial motions, regardless of whether the petition is granted within 45 days of filing, and even if any subsequent appeal is expedited by the appellate court,” McAfee wrote.



*I voted that we did, indeed, *just* talk about this.
(Photo by Montinique Monroe/Getty Images)*

Attorneys for the state of Florida made the opposite request of an appeals court Tuesday, asking judges to overturn a lower court ruling that dismissed an election fraud case against a convicted felon accused of voting illegally in the 2020 election, [per the Florida Phoenix](#). The case, one of 20 initiated in [heavily Democratic counties](#) by Gov. Ron DeSantis' [election crime task force](#), was tossed on a technicality: It had been fronted by a statewide prosecutor, who lacked the authority to bring charges for a crime that did not occur in multiple judicial circuits, according to a December 2022 ruling from a circuit judge in Broward County.

DeSantis appeared to endorse the personnel choice during [a press conference](#) in August 2022, where he lamented that local prosecutors hadn't been sufficiently aggressive in charging election crimes.

"I do think there's probably some prosecutors that have been loath to take these cases," he said. "Well, now we have the ability with the attorney general and statewide prosecutor to bring those on behalf of the state of Florida."

The case in question centers on Terry Hubbard, who was excluded from a constitutional amendment restoring voting rights to felons due to a pair of child

sexual abuse convictions in 1989. But when election officials sent him a voter registration card, Hubbard assumed he was eligible to vote in the 2020 election — so he did. Attorneys for the state alleged Tuesday that Hubbard knew he was voting illegally, *and* that his alleged fraud spanned two counties (Broward, where he voted, and Leon, which processed his registration), allowing the court to reinstate the charges.



*Supporters rallying for Amendment 4 way back in 2019, when we were still so much younger.
(Photo via the Florida Phoenix)*

“His aim was to vote in the 2020 election,” said Allison Preston of the Florida Attorney General’s Office. “That is one of the most important transactions someone can engage with the state in, but for Mr. Hubbard we allege that that transaction was criminal because he knew that he couldn’t vote but registered and did anyway.”

Hubbard’s attorney sidestepped the question of intent, focusing his arguments instead on the jurisdictional mystery. The process of registering to vote and then voting, he told the court, did not actually require stepping foot outside of Broward County.

“All it requires is the signing and executing of the voter registration form and all it requires is voting,” he said. “Those acts in the stipulated facts all occurred exclusively in Broward County. This is a single-circuit case.”

The ruling, whenever it comes, will likely determine the specifics of future cases, like whether the decision to bring charges should be determined at the community level or by appointed officials in the state capital. At least three similar cases are pending before other appellate courts, meaning the final say could eventually come from the state Supreme Court.

Extreme supreme

- [Kentucky AG Russell Coleman’s biggest donor is a California pharmaceutical exec](#)
- [Second gentleman says Biden wants second blue dot from Nebraska](#)
- [Ohio’s U.S. Senate race is set: Republican Bernie Moreno will face U.S. Sen. Sherrod Brown](#)
- [Where Oregon Senate races stand ahead of the primary](#)



Also Trending

The drama runneth long today, but I can’t leave without giving you a glimpse of the state of education in Georgia, where Republicans waved their terrible red wands and transformed a bill designed to bolster [mental health](#) among student athletes into a bill banning trans students from bathrooms, kicking trans kids off girls’ sports teams, requiring schools to notify parents whenever kids check out books from [school libraries](#) and prohibiting sex education before sixth grade.



*Trying to look busy, because she wasn't allowed to read the assigned book and has no idea what's going on.
(Photo by Willie B. Thomas/Getty Images)*

The sleight of hand took place in a Senate committee hearing in the waning days of the 2024 legislative session, when lawmakers often graft their own long-dead bills onto the remaining stragglers, turning every piece of legislation into a horrible zombie-fied version of its former self. Republicans blamed this particular creation on Lt. Gov Burt Jones, who they said “strongly supported” every extra appendage sewn onto the original bill, [per the Georgia Recorder](#).

“I’m thankful for the opportunity to propose this legislation and these several pieces of the different bills, many of which we have heard in this committee and passed out of committee this session,” said state Sen. Clint Dixon, chair of the Senate Education and Youth Committee. “While this bill has several parts, I think they each have a common thread of empowering parents to ensure that children are learning and competing in safe and supportive atmospheres, also dealing with sports.”

This was actually Republicans’ *second* attempt at playing Dr. Frankenstein; the first was earlier this month, when they [added a ban on puberty blockers](#) to a bill expanding the availability of overdose prevention drugs. On Tuesday, LGBTQ+ advocates called it what it was: Contemptible.

“This is disgraceful politics: hijacking one bill designed to address student-athlete mental health concerns and another designed to fight the opioid crisis, and replacing them with attacks on Georgia’s LGBTQ+ youth,” said Bentley Hudgins, director of the Human Rights Campaign Georgia. “The original bills garnered overwhelming support in the House and held the promise of improving the lives of individuals in crisis. Instead, they have been transformed into legislation that jeopardizes the well-being of our LGBTQ+ youth. Georgia’s lawmakers should focus on passing solutions that address real problems that our citizens face.”

But why bother, you know?

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- [New Hampshire Department of Education blocks key data in audit of education freedom accounts](#)
- [North Carolina’s largest public school district moves to step up conversations about firearms, secure storage](#)
- [Some lawmakers call South Carolina Arts Commission funding a ‘waste.’ Supporters say it’s essential.](#)



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Environment

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Gov & Politics

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- [\(Utah\) Is there hope for](#)

[on spending bills as another Friday deadline nears](#)

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[bipartisanship when political extremism dominates?](#)

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Immigration

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- [Colorado Democrats in Congress seek prompt work authorization renewal for DACA recipients amid delays](#)
- [Iowa House sends bill making illegal immigration a state crime to governor](#)
- [Texas’ new immigration law is blocked again](#)



One Last Thing

Aaron Rodgers lost out on the “Jeopardy!” hosting gig mostly because it [wouldn’t have worked](#) with his football schedule, leading him to (allegedly, and [allegedly briefly](#)) consider the far less time-consuming job of vice president of the United States. Here’s hoping my brain protectively jettisons this information within a matter of hours.

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