

How police reforms passed without dissent

Rep. Steuerwald began talks soon after George Floyd's murder; HEA1006 passed unanimously

By **BRIAN A. HOWEY**

DANVILLE, Ind. – “Unbelievable.” State Rep. Greg Steuerwald had to search for his words in describing House and Senate final floor votes on HEA1006, poised to be the most impactful law enforcement law since a Minneapolis cop spent nine minutes kneeling the life out of George Floyd.

“I’m not sure what word to use,” Steuerwald said in his law office last week to describe HEA1006’s 96-0



passage in the House and 49-0 in the Senate on its way to Gov. Eric Holcomb’s signature. “I think it went through every committee, Senate Appropriations, on the floor in the Senate, House Criminal Code, Ways & Means and the floor without a single negative vote.

“That’s unbelievable,” the Avon Republican repeated. “I also think it’s a testament to Indiana, to members of the General Assembly, to (State Rep.) Robin Shackleford and the Black Legislative Caucus.

Continued on page 3

Storm clouds for INGOP

By **CRAIG DUNN**

CARMEL – There’s a storm cloud rising in Indiana Republican politics and we may get an ugly glimpse of it in the coming year leading up to the 2022 and 2024 elections. Perhaps it is because of an embarrassment of wealth and the inevitable expansion of the Republican base, but overwhelming success many times breeds discontent when the party’s leadership does not move party and public policy at the same speed and direction demanded by its new activists.

In my mind there are four types of Republicans: Fully committed Republicans who do the hard work of the party and who support our candidates



“This bill is a check and balance. There have been weaknesses revealed by this pandemic. SEA5 addresses those head-on.”

- State Sen. Chris Garten, defending SEA5 after it was vetoed by Gov. Holcomb. It was overridden 59-30 in the House and 36-10 in the Senate.



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Jack E. Howey
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whether we agree with them 100% or not; casual Republicans who lean in the direction of the party but need to be courted and cajoled into contributing time, money or even turning out to vote; opportunistic Republicans, who for personal benefit seek office or party leadership because it's just darn difficult to be a Democrat in Indiana; finally, those true believers who have a political philosophy that they attempt to use the Republican Party for purposes of spreading it to the masses.

On Election Day or during the election marathon that politics has now become, each of these groups adds votes to the bottom line, so all are critical to the Republican political dominance in Indiana. The marriage of these four groups has led to many successful outcomes, yet, at times, it has been a bumpy and troubled marriage.

In the last 20 years the Republican Party has witnessed a percolating power struggle at times between its conservative religious base, the Ron Paul libertarian movement, Tea Party revolution and the Trump wave. The Republican Party, which was formed in a tiny schoolhouse in Ripon, Wisconsin, in 1954, is a slowly evolving organization whose organizational objectives have greatly changed over time. This is true of the Democratic Party also.

The Republican Party has been given up for dead many times along its illustrious history, only to rise like a phoenix when it was least expected. Radically transformative at

its inception, the party has leaned to the conservative perspective since the 1964 Goldwater beating.

It is a pretty safe bet to say that there aren't many liberals calling themselves Republicans, and the moderates are normally bifurcated philosophically between economic and social perspectives. It is an uneasy and tense relationship that brings Republicans together in a common goal at election time. On Election Day, we normally set our differences aside and vote for the party that most nearly represents our individual interests. We rarely register our philosophical differences by voting for the Democrats.

The worst we may do when we are angry is not vote for a particular office or just stay at home.

The battle currently brewing in the Republican Party is between traditional organizational Republicans and a hodgepodge of religious conservatives, libertarians and Trump acolytes. We got a view of this struggle during the 2020 gubernatorial election when we saw an immensely popular Republican governor, Eric Holcomb, vilified as a tyrant for introducing pandemic regulations and labeled a RINO (Republican in Name Only) for not supporting draconian legislation demanded by social conservatives. This fight could have had severely negative outcomes had it not been for the almost complete absence of Indiana Democrats. Holcomb romped to a big victory bolstered by many a Democrat vote.

The 2020 election witnessed

unconscionable acts of political treason, as some Republican office holders openly endorsed the Libertarian candidate instead of their own party's nominee for governor. Most notable in this treasonous conduct was State Rep. Jim Lucas, who along with State Reps. Curt Nisly and John Jacob sowed discord amongst the electorate.

This electoral revolt spilled over into the legislative session as both Indiana House and Senate leadership could not stop attempts by its most conservative and reactionary members to deliver a political black eye to Gov. Holcomb by passing an obviously unconstitutional legislative effort to strip him of his emergency powers by allowing the legislature to call itself into special session. This Cromwellian gesture will be resolved bloodlessly, but it is an indication that trouble is brewing.

The next year will witness two battlegrounds in the fight for the heart and soul of the Republican Party. The Indiana legislature, without the time-consuming task of passing a biennial budget, will be free to wander off into the weeds looking for ways to promote a myriad of philosophies, some quite extreme and at loggerheads with our governor.

I believe next year will also see some political blood spilled at the GOP State Convention. We'll see some contested races and their outcomes will be decided largely based on who backs whom. I look for the kind of battles we witnessed during the 2008 convention when Ron Paul activists expressed their displeasure with the GOP establishment by backing attorney general candidate Greg Zoeller over Jon Costas, who was supported by Gov. Mitch Daniels and a host of Republican illuminati.

The rebels were successful in that convention battle and the same forces could butt heads again in 2022.

It is a difficult task to reconcile the need to expand the Republican tent as much as possible with the need to speak with a coherent concise philosophy. Party growth inevitably leads to philosophical differences. In the Indiana GOP, economic and national defense conservatives who are socially moderate must sometimes mesh with social conservatives who may or may not care one hoot about budgetary constraints or the number of aircraft carriers.

Libertarian Republicans must play nice with those who would restrict the personal behaviors of Republicans on reproductive issues or on matters of marital choice. It makes for lots of interesting organizational dynamics and leaves party leadership juggling quite a few bowling pins at the same time.

Republicans are learning a very harsh lesson about what happens when we fail to work for a common goal and allow sideshow issues to keep us from presenting a unified voting front. We end up with a president who is attacking every last issue and institution that Republicans hold dear.

Indiana Republicans need to make sure that intra-party political issues do not spill over into our future elections and help to dismantle what we have worked so hard to build over the last 16 years. To gently mangle what Gov. Mitch Daniels once said, "We cannot let perfect become the enemy of the good." ❖

Dunn is the former chairman of the Howard County Republican Party.

Steuerwald, from page 1

While Steuerwald hadn't watched the entire nine-minute video of the George Floyd murder on Memorial Day 2020, he was well aware of the social impacts, which included civil disturbances in downtown Indianapolis and Fort Wayne. He began reaching out to law enforcement groups and Rep. Shackelford and State Sen. Eddie Melton last summer.

"I told them early on what we were focused on, and I told them what we aren't going to do, and to a person, the response was 'How can we get this done?'"

On the "can do" side of the ledger were revising de-escalation training at the Indiana Law Enforcement Academy, as well as providing matching



grants for the minority of Indiana cities, towns and counties that have yet to outfit their cops with body and car cameras. And there was widespread support for identifying and taking action against the rogue cop, or, using the terminology of the groups involved, the "wandering officer."

What Steuerwald made clear from the beginning was what he would not include: Banning chokeholds, no-



knock warrants, and "I will not change anything dealing with qualified immunity."

In the context of the times, Exhibit A would be Minneapolis PD Sgt. Derek Chauvin, whose knee and other actions killed George Floyd, resulting in his murder conviction last month. Steuerwald noted that Chauvin had 17 negative citations leading up to his murder of George Floyd.

HEA1006 requires the Indiana law enforcement training board to establish mandatory training in de-escalation as part of the use-of-force curriculum. It defines "chokehold" and prohibits the use of a chokehold under certain circumstances.

It specifies that a law enforcement officer who turns off a body camera with the intent to conceal a criminal act commits a Class A misdemeanor. It establishes a procedure to allow the Indiana law enforcement training board to decertify an officer who has committed misconduct. And, HEA1006 requires an agency hiring a law enforcement officer to request the officer's employment record and certain other information from previous employing agencies, requires the previous employing agency to provide that upon request, and provides immunity for disclosure of the employment records.

HEA1006 appropriates \$70 million for the Indiana Law Enforcement Academy to enhance training per HEA1006, and it appropriates \$30 million for state and local police body cams.

In managing HB1006, Steuerwald listed the vast array of Hoosier stakeholders – Indiana State Police, Indiana State Police Alliance, Indiana Fraternal Order of Police, Indiana Sheriff's Association, Indiana Association of Chiefs of Police, Indiana Law Enforcement Academy, Hoosier State Press Association, the Indy Chamber of Commerce and the Public Defender Commission.

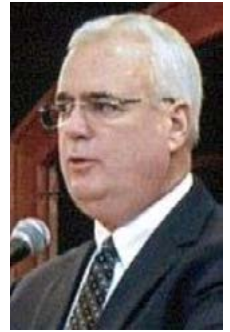
Steuerwald's mantra was, "As long as I can say on the floor that law enforcement supports all that we're doing, really tightening up this wandering officer stuff, I think we're going to get this done."

"This proposal is the culmination of months-long work among a bipartisan group of state policymakers, and local and state police departments," Steuerwald said. "Our public safety officials risk their lives to protect our communities, and they need the tools to continue keeping us safe. From improved training to increased accountability to weed out those who delegitimize the profession, these enhancements would help Hoosier police officers better serve and protect us."

"I can't give enough credit to law enforcement, and I can't give enough credit to the Black Caucus, too. They were great, great partners," Steuerwald said. "There were just very good open dialogue discussions. They were all tremendous partners."

Sen. Melton, D-Gary, called the legislation "historic," adding "As a Black man in Indiana, seeing this proposal pass with overwhelming unanimous support gives me hope for our future, and I will continue supporting and fighting for legislation that works to improve our criminal justice system."

Senate Minority Leader Greg Taylor added,



Key stakeholders in the passage of HEA1006 include Porter County Sheriff Dave Reynolds, ISP Supt. Doug Carter, State Rep. Robin Shackelford who heads the Indiana Black Legislative Caucus, State Sen. Eddie Melton, and Leo Blackwell of the Indiana Fraternal Order of Police.

"HB1006 is a testament to what we can do when we work together in the best interest of Hoosiers instead of politics. This is good public policy that will save lives, and is a step in the right direction in our efforts to address police reform."

Origins in another HB1006

Steuerwald told HPI that in drafting and passing the historic criminal code sentencing guidelines in 2014, he developed relationships that kicked in last summer. One of those was with Porter County Sheriff Dave Reynolds, who heads the Indiana Sheriffs Association. "I was talking to Sheriff Reynolds sometime last May on jail overcrowding issues and we were trying to focus on what we could do," Steuerwald said. "The discussion about George Floyd came up, and Dave says, 'You know, Greg, everything begins with training. Everything we do begins with proper training. We then talked about how we could improve the Indiana Law Enforcement Academy."

That conversation led to a conference call with a number of sheriffs and police chiefs. "Sen. Eddie Melton was on that call," Steuerwald said. "That kind of started the whole conversation."

As the summer progressed, he had conversations with ISP Supt. Doug Carter, State Reps. Shackelford and Earl Harris Jr., as well as the FOP. "We just need to start meeting together so we have a coordination of efforts here because everyone was telling me the same thing: 'Greg, it all begins with training.'"

The stakeholders finally met in September. "We

had our first kind of meeting with all the groups. We had a lot of discussions about various aspects of law enforcement," Steuerwald said. "Training was at the forefront. We talked about car and body cams and there was universal support for those. Everybody wants the truth. Just give us the facts.

"It came down to three major topics, training, car and body cams, and then the elimination of the rogue officer; now they call him the wandering officer," Steuerwald said.

Body cam funding

The first complexity came with police cameras. "We just had trouble trying to figure out all the policies the locals had," Steuerwald said. Accelerating Indiana Municipalities had done informal surveys to determine how many government units had body cams and what the cost would be to make that coverage universal.

Steuerwald told HPI that Speaker Todd Huston and Ways & Means Chairman Tim Brown solved the first dilemma. "Doc Brown said, 'We'll just put that in the budget.'" Thus, the matching grant program became the first key plank.



Rogue 'wandering officer'

"Then we really got into a major major discussion on the wandering officer," Steuerwald said, adding that it was Hendricks County Sheriff Bret Clark who brought up the concept of decertifying an officer. "Everybody said we want to get rid of the bad officer," Steuerwald said. "That was a universal position by everybody. There was no push-back."

As opposed to a local merit board firing an officer, HEA1006 calls for a decertification process that would keep a rogue cop from just ending up employed a county or two over. Steuerwald said that often an officer accused of misconduct simply quits. Under the new law, a resignation will not stop the decertification process.

"Under current law, it's extremely difficult to decertify an officer in Indiana," Steuerwald said. "If I remember correctly, the old standards were one felony, or two misdemeanors. And they said we probably only decertify one or two officers a year."

He noted that Leo Blackwell of the FOP told him, "I am glad you're starting this process in September and not during the session. We started looking at expanding decertification."

"We took a deep dive into the practice of decertification," Steuerwald said. "All of us said if we're going to expand decertification, we're going to have to look to make sure the process is fair. We wanted to protect due process rights. Everyone agreed they should be granted a complete evidentiary hearing, reasonable discovery prior

to hearing with right to counsel. We worked very hard on the language, what the hearing would look like, the process leading up to that hearing."

Chokehold and deadly use of force

The third dilemma was how to respond to calls by groups like Black Lives Matter against the use of chokeholds and no-knock warrants. "If you ban chokeholds, what you are saying is I can use my firearm to a level of deadly force but I can't use a chokehold. So when you think of it in those terms it doesn't make sense," Lafayette Police Chief Patrick Flannely told WLFI-TV.

The law also punishes police officers who turn off their body cameras with an intent to conceal. Under the law, officers who do so could be charged with a Class A misdemeanor. It also bars police officers from using chokeholds unless they are in a life-or-death situation. Banning them completely was not something Chief Flannely supported.

"House Bill 1006 did a really good job of finding some things that needed to be improved upon and I think we struck a balance there so I think we are all pretty satisfied with the results of this legislation," said Flannely.

Epilogue

Gov. Eric Holcomb signed HEA1006 on April 2, though he did not make a signing statement. But his signature underscored his statewide televised address last summer in which he called the George Floyd murder an "inflection point."

That HEA1006 passed without a dissenting vote during the entire 2021 process was unexpected, given all of the outlying tension.

"It is encouraging to see the state truly invest in minority communities," Shackleford said of both the biennial budget and HEA1006. "The Black community has been pushing for fundamental changes to institutions like law enforcement and health care, but the necessary funding wasn't allocated. Now, thanks to the impressive funding in the next budget, I am confident that our minority communities will have the resources they need to make real change. We'll start to rebuild community relations with law enforcement through enhanced training and body cameras, bring back trust between minority communities and their health care providers and make sure our Hoosier families have access to healthy, wholesome meals."

"Each investment is another step in the right direction," Shackleford said. "I look forward to seeing where these investments lead our communities and will continue to make recommendations for future federal and state funding to ensure our communities are served."

This came about during the Derek Chauvin trial and conviction, and after racial tensions flared on the

House floor and out in the Statehouse hallway.

Asked if the racial tensions jeopardized the passage of HEA1006, Steuerwald said no, then mentioned

two aspects of his legislating style. "I listened more than I talked," he said. "I have a Democratic co-author on every one of my bills." ❖

Legislature overrides Holcomb's SEA5 veto

By **BRIAN A. HOWEY**

INDIANAPOLIS – To the surprise of no one, the Indiana General Assembly Republican super majorities overrode Gov. Eric Holcomb's veto of SEA5. The House voted 59-30 Monday afternoon while the Senate voted 36-10.



State Sen. Chris Garten, the bill's author said, "It is the local elected officials, who have been chosen by the people, from a particular community, who understand that community, have a seat at the table to determine policies that are so far-reaching that they can have

unforeseen consequences. Some of these include bankruptcies, which we have seen, and business closures ... and even suicides.

"This bill is a check and balance," Garten (pictured) concluded. "There must be a check and balance in place. There have been weaknesses revealed by this pandemic. SEA5 addresses those head-on."

When he issued the veto last week, Holcomb said, "Local health officers and their departments must frequently make urgent, complex decisions to safeguard public health where time is of the essence and expertise is critical. Right now it is critical that we maintain our local health expertise, flexibility and all tools needed to respond. We must not do anything that jeopardized this."

In the Senate, where debate rambled on for more than an hour, Holcomb's veto was defended by Democrats. Sen. Jean Breaux, called it "another power grab" and said we are "in the middle of a Republican civil war."

Sen. J.D. Ford added, "Once again, we are called on to referee a food fight between Statehouse Republicans and the governor." And Sen. Eddie Melton said, "Undoing this veto means undoing the important work our public health officials have done to keep us safe this past year. Overriding this veto will have consequences, whether they be intended or unintended, and those consequences will have an immediate impact on the vitality of our communities."



With nine GOP House members not showing, had the Democrats walked, a quorum could have been denied, delaying the override.

Holcomb reacted to the override, saying, "I would have hoped that such sweeping change could wait until we gathered all the relevant experts and stakeholders to strike the right balance regarding local health authority during emergencies and avoid discouraging laudable service in the field of public health, especially knowing that it's locally elected officials who appoint the local department of health board that hires the local health director in the first place. My administration will do just that over the coming months to supply the legislature with up-to-date data before the next regular session."

Speaker Huston reacted, saying, "Hoosiers have made it clear that they want an opportunity for their voices to be heard through their elected officials when restrictions can have significant and long-lasting impacts on individuals, businesses and communities. This law brings better balance to the local process while continuing to prioritize public health and safety."

And Senate President Pro Tem Rodric Bray added, "We fully expect our local leaders to heed the advice of those with expertise around them, including local health officers. However, our local elected officials were elected to lead their communities, just like the governor leads the state, and those local officials are ultimately accountable to the voters."

Holcomb has issued five vetoes since taking office, and three this year, with all of them overridden.

Still hanging in the balance is HEA1123, which allows the General Assembly to call itself into session, something Holcomb believes is unconstitutional.

In another hallmark of the super majority era, Republican Attorney General Todd Rokita is contesting Gov. Holcomb's ability to hire outside counsel to press the case expected to end at the Indiana Supreme Court.

As the state's top legal official, Rokita claims it is he who "shall have charge of and direct the prosecution of all civil actions that are brought in the name of the state of Indiana." Both Rokita and Holcomb's offices confirm that the AG rejected the governor's attempt to hire outside legal counsel.

Former Republican attorney general Greg Zoeller told the Fort Wayne Journal Gazette, "I think there's a good argument to say the governor can't go to court without the consent of the attorney general." ❖

Hoovering out the Grand Old Party

By **BRIAN A. HOWEY**

INDIANAPOLIS – What we’re watching these peculiar days on the Washington to Mar-a-Lago axis isn’t so much Rep. Adam Kinzinger’s “rearranging the deck chairs on the Titanic,” but more of a Hoovering out of the Grand **Old** Party.



But first, a bit of family history. My Grandma Cunningham used to delight the family by saying she only voted in one election in her life: 1928. She voted for Herbert Hoover. “And then look what happened,” she would say.

President Trump continues to have a D.C. Stephenson-like hold on the GOP, despite becoming the first president ever to lose the House and Senate majorities (the latter coming on Jan. 5 with the spectacular loss of two Georgia seats), going 1-for-2 in presidential races while never carrying the popular vote.

You would think that trifecta would have prompted Jim Banks, Jackie Walorski and Todd Young to reproduce their 10-foot poles when it comes to enlisting the future of the GOP with Trump, particularly after the Trump-inspired Jan. 6 insurrection at the U.S. Capitol that killed five people and injured 130 cops that won’t play well in suburbia. Banks, Walorski and their Hoosier delegation colleagues are about to dispatch U.S. Rep. Liz Cheney from her party post because she keeps conjuring the bad B-roll from the Jan. 6 insurrection.

Cheney had the audacity to say in a Washington Post op-ed last week, “In public statements again this week, former president Donald Trump has repeated his claims that the 2020 election was a fraud and was stolen. His message: I am still the rightful president, and President Biden is illegitimate. Trump repeats these words now with full knowledge that exactly this type of language provoked violence on Jan. 6. Trump is seeking to unravel critical elements of our constitutional structure that make democracy work — confidence in the result of elections and the rule of law. No other American president has ever done this.

“The Republican Party is at a turning point,” Cheney declared, “and Republicans must decide whether we are going to choose truth and fidelity to the Constitution.”

According to Banks, Cheney’s on-going sin is to not get with the program, the House GOP agenda that is

telling corporate America to go to hell while courting the Trump voter. “I know the belief that I have, that a majority of our conference have, that she has lost focus on the single mission that we have in winning back the majority, to push back against the radical Biden agenda, is the reason that she needs to be replaced,” Banks told Chris Wallace on Fox News Sunday.

This morning when I got to my office, I found this statement from Trump: “The major Michigan Election Fraud case has just filed a bombshell pleading claiming votes were intentionally switched from President Trump to Joe Biden. The number of votes is MASSIVE and determinative. This will prove true in numerous other States. All Republicans must UNIFY and not let this happen. If a thief robs a jewelry store of all of its diamonds (the 2020 Presidential Election), the diamonds must be returned. The Fake News media refuses to cover the greatest Election Fraud in the history of our Country. They have lost all credibility, but ultimately, they will have no choice!”

So the Republican fixated on the past, as opposed to the sprawling, progressive agenda of President Biden isn’t so much Liz Cheney, as it is Donald J. Trump.

When Wallace pressed Banks on the “big lie,” by asking if Biden’s 7 million vote plurality victory really happened, Banks responded, “I’ve never said that the election was stolen. I’ve said I had very serious concerns with how the election was conducted last November because of

COVID rules that loosened voter identification laws. That’s why I objected on January 6th. I’ll never apologize for that.”

In 2018, I likened the congressional Republicans and White House staff following around a crazy man in the Oval Office to the movie “The Madness of King George,” whose coterie of aids would follow orders, no matter how insane they were. Majorie Taylor Greene and Matt Gaetz go on tour; Cheney gets the boot.

Appearing on New York Times podcast with Kara Swisher, Republican pollster and Kevin McCarthy roomie Frank Luntz observed, “More than two-thirds of Republicans believe that the election was stolen.”

Swisher: “So it’s working. This ‘Big Lie’ thing is working.” Luntz: “It is working. What Donald Trump is saying is actually telling people it’s not worth it to vote. Donald Trump single-handedly may cause people not to vote. And he may be the greatest tool in the Democrats’ arsenal to keep control of the House and Senate in 2022.”

That’s what happened in the two wafer-thin losses of Georgia on the day before the insurrection after Trump kept shooting his mouth off.

“If Donald Trump runs for president as a Republican, he’s the odds-on favorite to win the nomination,” Luntz adds. “He could never win a general election, but I can’t imagine him losing a Republican primary. I would bet on him to be the nominee and I would bet on him losing to whatever Democratic nominee there was.” ❖



Rep. Spartz assesses ‘dysfunctional’ House, but won’t say whether Biden’s win legitimate

By **BRIAN A. HOWEY**

CARMEL – U.S. Rep. Victoria Spartz’s first week in Congress was unlike any other in American history. A few days after taking the oath of office, the Jan. 6 insurrection changed many things we had taken for granted, like the peaceful transfer of power and the sanctity of this citadel for democracy.



Spartz found what she describes as a highly “dysfunctional” system in the House that she originally likened to “high school” before steadily downgrading it

past “middle school” and, finally, pre-K.

HPI conducted this interview with Rep. Spartz a day after meeting with State Rep. Greg Steuerwald to discuss how HEA1006, a sprawling police reform bill, passed the General Assembly without a dissenting vote. After hearing Spartz tell her initial thoughts about Congress, it is hard to fathom how anything as complicated as immigration reform or President Biden’s multi-trillion dollar infrastructure bill will ever get done.

“Most people are tired of drama from both sides,” said Spartz, who kept the “purple” 5th CD in the Republican column with a 50-46% victory over Democrat Christina Hale by 16,985 votes. “Most people understand we have some challenges in the country. It will take some unity and working together to overcome these challenges. I hope we can set a different tone. This is not the first time our country has gone through a turbulent time. Hopefully we’ll come out of this as a stronger country. We are the beacon of freedom.”

Spartz also entered Congress after spending less than a full term in the Indiana Senate during an unprecedented pandemic that has claimed close to 600,000 American lives. The political atmosphere is turbulent as vaccine hesitancy is gripping close to 50% of the Republican Party base, while reverberations from the 2020 election have



sent the GOP House conference into a wild leadership test.

Spartz won’t say whether she will vote to remove Conference Chair Liz Cheney from her post later this week, though she echoes House leadership that Cheney has not unified the caucus. “I’m going to listen to what she has to say and some other members and then make a decision on what’s best for the conference,” Spartz said.

At the heart of that cataclysm is the legitimacy of President Biden’s seven million vote plurality over Donald Trump last November that threatens to undermine a fragile, crucial cornerstone of the American democracy experiment. Cheney upped the historic stakes in a Washington Post op-ed last week: “Trump is seeking to unravel critical elements of our constitutional structure that make democracy work – confidence in the result of elections and the rule of law. No other American president has ever done this. The Republican Party is at a turning point, and Republicans must decide whether we are going to choose truth and fidelity to the Constitution.”

HPI asked Spartz, “Was the 2020 presidential election legitimate?” Her answer was opaque. “It’s very difficult to say after the fact whether it happened or not,” she said. “The way our system was set up, if we’re going to have strong, integrity elections, we’re going to have to have good controls during the election process and before the election processes.”

A few seconds later, Spartz articulated the gist of Cheney’s complaint against Trump that the election wasn’t stolen. “It doesn’t matter what the president thinks or what I think, it’s if the American people lose trust in the integrity of the election, this is very dangerous for democracy,” she said.

With rank and file Republican voters across Indiana and the U.S., who witnessed huge boat parades on Lake James last summer, the zeitgeist appears to be baked in: The election was stolen, and Republican members of Congress beyond Cheney and a few others aren’t pushing back on that fallacy, despite warnings from Republicans like Dan Coats that preserving the legitimacy of the electoral process is precious.

As for 2022, Spartz believes that united House GOP leadership will boost chances to regain a majority. She announced for reelection, saying, “Unfortunately, after just four months in Congress, I can reconfirm to you that our House of Representatives is badly broken, full of political posturing and ever-increasing powers of the speaker. It’s easy to see why people who want to make good policies and deliver results don’t seek federal office. I had to think long and hard, but after much deliberation I have decided to run for another term representing Indiana’s 5th District.

"There is a lot at stake for our country and I believe I can be valuable to my constituents and fight for good policy solutions badly needed for our nation," Spartz said.

Hale told HPI she is waiting to see how the new 5th CD is drawn before deciding on a rematch. IndyStar columnist James Briggs reported, "Hale is working on resuming her career in the private sector and she's not planning another run for office." Former Hamilton County Democratic chairman Joe Weingarten is considering a run.

As for a primary challenge, Spartz easily won the GOP nomination in 2020 with 40% of the vote in a double-digit field, riding a Club For Growth endorsement and TV ads to victory. No one in that field of vanquished Republicans appears ready to challenge a second Spartz nomination, to date.

Here is our first HPI Interview with Rep. Spartz:

HPI: What are your initial impressions of entering Congress?

Spartz: I didn't have very high expectations from Congress as most American people don't. The reason I am saying that was I thought it was going to be like a high school. I was recently talking to a colleague and I said, "It's more like middle school." Pretty soon it's going to be like kindergarten or pre-school. It's a very polarized and hostile environment right now. I asked (Congressman) Don Young of Alaska, who has been in Congress since 1973, "Has it always been this bad?" He said, "It's gradually been getting worse and worse, but (now) it's as bad as it gets." It's awful right now. An enormous amount of power is centralized with the speaker. Even Democrats don't have much input at what's happening. There is no work in the committees, no deliberation, no debates. All major legislation goes from her office to the floor. There is nothing productive happening, no grandstanding or drama. She holds her conference pretty tight. People are afraid to challenge her. She completely doesn't work with Republicans. She doesn't meet with leadership. The president didn't meet with leadership. I think it's a very unhealthy environment and there's too much power with the speaker.

HPI: Have you reached out to any Democrats to work on legislation?

Spartz: I actually have. I'm working on two of the most polarized committees, Judiciary and Education & Labor, and I have reached out to the chair of the Education & Labor Committee. I looked at what his interests are and I said, "We probably agree on a lot of issues." But one issue, juvenile justice prevention, I completely agree with you. We need to work better to provide more opportunities to at-risk youths while they're still young and have access to wrap-around services and still able to be productive members of society. Let's work on that. Unfortunately he didn't take my amendments, even though they were good amendments. We actually submitted an appro-

priation for juvenile justice (issue) together. That was one issue I could work with him. It won't work now. Democrats were told not to work with Republicans. On the Judiciary Committee, I was invited by Democratic members to go to the border and I learned I was the first Republican ever to go with them. They said that was pretty brave to go with very liberal Democrats, but it allowed me to have a conversation and a dialogue on a personal level regardless of with agree or not. I've reached out to other members. I feel it's



important for us to be a functional institution. There is so much power in the Senate, an enormous amount of power at the presidential level. The Senate has some input but the House has pretty much become irrelevant and that's not really good. We represent the people and the Senate represents the states.

HPI: What did you learn at the southern border? It's being described now as a "crisis" while I've been skeptical, having viewed it as a crisis for years, if not decades. What are your impressions and what can we do to fix it?

Spartz: The crisis didn't happen overnight, but it has escalated in the last six months. I'll tell you why: The situation has been debated and it has been politicized for too long and hasn't found solutions. When Biden became president, he eliminated every single policy President Trump had. Even if it's a good or bad policy, you have to replace it with something else. We have to provide border security; we have to end the perverse incentives for the cartels who use very desperate people to make a lot of money. They enslave some people. Cartels have an enormous amount of power at the border. It's very unhealthy. When you have so many migrants at the border, the Border Patrol is not able to function, secure the border, keep criminals and terrorists from coming through. It has escalated significantly. We have cities (of people, the size of Noblesville) coming in every month. This is just one sector of the border. So I think it's getting pretty bad. They've created this environment for unaccompanied children. They are desperate people. The problem now is that shelters are overrun; the Biden administration decided to water down processes and procedures. That has created opportunities (for the cartels). They don't do background checks because they can't handle it. That's not a good solution to move kids out. There are a lot of challenges out there. Out of

one facility with a thousand children they had one representative from HHS. Even if they believe differently on how things need to be handled, send help. There is little testing for coronavirus. The Border Patrol doesn't have the resources. Well, send them help to do that. They have 72 hours to process (people), but there are no facilities to hold them. They put them on buses and send them all over the country with no documents at all. There are no notices to appear. That is a big problem, too. It's in very bad shape at all.

HPI: With the House as dysfunctional as you say, then it's pretty unlikely there will be a solution.

Spartz: It's very difficult right now. As a member of the Immigration Subcommittee, I actually met some of my colleagues and said this is a "chicken or egg" situation. One side says, "We have to provide border security" and the other side has a different view, that we have to reform our asylum laws. The solution has to be more comprehensive. Like any negotiation, you have to invest, provide legal infrastructure, that we have better tools for the Border Patrol, invest in points of entry, streamline commerce so cartels don't take advantage of weaknesses of our system. But we also need to have a conversation about how we streamline legal immigration. Maybe we need more high skilled visas for high skilled labor, maybe we need to think how the green cards work. We need a discussion on how we can have a better legal system. It is clogged and very dysfunctional, very bureaucratic. It takes years to become a legal immigrant, but in an hour you can become an illegal immigrant with no documents. That is a very broken system. I am going to try to work with both sides and at least have a conversation.

HPI: The hot topic right now is the leadership fate of Liz Cheney. You've met her. What is your take? Are you going to vote against her?

Spartz: Well, we'll see what is going to happen. I find out about everything from the news, too. I think she's a very intelligent lady, but unfortunately for her, you should be able to move on, don't hold grudges or have bad blood. It's unhealthy if you want to move forward. You have battles, you win, you lose, you look to move on and go forward. Her inability to really get over her personal vendettas and be able to work with Republicans to get us together and for us to be able to win the House so we can bring good policies, to have the check and balances ... it is not healthy for us as a conference. As a leader, you have to be able to lead and set up the goals for the institution above your personal beliefs. That is very difficult for her. We'll see what happens. I'm going to listen to what she has to say and some other members and then make a decision on what's best for the conference.

HPI: I am getting emails from Donald Trump. He's still saying on a daily basis that there was widespread fraud in the 2020 election, that President Biden's election is not legitimate; that the election was "stolen" when Attorney General Barr said there was no systemic fraud. Yet

Secretary Lawson told me last September there was no evidence of any widespread fraud in Indiana or nationally. Dan Coats wrote an op-ed saying the most important aspect for our democracy is to maintain the legitimacy of our elections, while Trump is doing just the opposite of that. Was the 2020 presidential election legitimate?

Spartz: There is a lot of frustration from president Trump and all his supporters. I'll be honest with you, the Republican Party and the Republican National Committee should have done a better job to make sure they had the proper mechanism and controls before the election happened and working with the states to ensure there was less opportunity for fraud. It's very difficult to say after the fact whether it happened or not. The way our system was set up, if we're going to have strong, integrity elections, we're going to have to have good controls during the election process and before the election processes. If they had concerns about some of the states,



they should have addressed that beforehand. After the fact it becomes a matter of speculation. Opportunities for fraud exist when you make changes without the proper legislative framework. What is important for us, it doesn't matter what the president thinks or what I think, it's if the American people lose trust in the integrity of the election, this is very dangerous for democracy.

HPI: It is.

Spartz: I've had town halls in the northern part of my district and people are very upset. So we need to make sure that as elected officials, how do we make sure we look at this system, whether we need cyber security, whether we need to have better controls on registration, whether we need to have better oversight, whether there is proper training so that people don't override procedures? We have to make sure people feel comfortable with that. I truly believe this is more of a states' issue than a federal issue because we don't want to centralize a federal issue. The federal government can play a role in providing tools and mechanisms. The federal government could have risk limited audits of the election. I have a lot of issues with HR1 but that part of it I agree.

HPI: Last September we asked Secretary Lawson whether she or her 49 U.S. colleagues were concerned with widespread fraud. She said there was "no evidence" of that and went on to say that she and her 49 counterparts realized how important it was to preserve the integrity of the process. With Trump's continued assertion that

the election was “stolen,” this has seeded the doubt you say you’re hearing in the northern part of the 5th CD.

Spartz: To tell you the truth I don’t have as much knowledge about the states of Georgia, Texas or Florida and what they do. As someone who registered people ... I can tell you we have good processes in the State

of Indiana. I’m very comfortable with what happened in Indiana, but some other states could do more. When I campaigned in Georgia for Senate candidates, I saw a tremendous amount of frustration and I have to tell you, the Senate should have done more to make the people on the ground comfortable. We have to work on that.

HPI: You announced for reelection this past week. How could the delay in redistricting impact your race, since you won’t know where your district is until late summer or early fall?

Spartz: Elections are about competition; we have to be ready. I want to bring some value. People have put a lot of trust in me. I want to give back some good legislation and some good policies for this district. I feel we will have a good chance in two years to win the House. I will try to do my best to get something done in the Democrat House, but I think I can do much more in a Republican-controlled House. I’ve promised people here I will work very hard on health care, education and workforce development.

HPI: The delay in redistricting, what does that do



- May 3, 2021 -

Statement by Donald J. Trump, 45th President of the United States of America

The Fraudulent Presidential Election of 2020 will be, from this day forth, known as THE BIG LIE!

to your campaign planning?

Spartz: My district is a very diverse district. It’s going to remain a diverse district. I like it that way. It has many different parts that allow me to see best practices. It makes you a better legislator to deal with multi-prong issues. That is what America is, right? I

understand urban areas, suburban areas and rural areas. I don’t worry about it. I’m very honored to represent this district regardless of how it looks. I will make my case and ultimately people will decide. If they believe someone else can represent them better, I can go back to business and my children.

HPI: Are you concerned about vaccine hesitancy?

Spartz: President Biden should go through the process to have the vaccine as a non-emergency, to have regular authorization from the CDC. When you talk emergency approval, it makes a lot of people nervous. I think we have enough data to go through the normal process. That will make people comfortable. If the bulk of people get vaccinated, it will be good for us so we can control this virus since it’s created a lot of harm. We can rethink a lot of things. I am co-sponsoring a telehealth bill in the House. Two years ago (in the General Assembly) that was a tough discussion. We can look at how we have better access to high speed internet, how businesses can change business models, how we can secure our supply chain. It gives us opportunities to become more innovative. ❖

Campaigns began to sprout last week

By **BRIAN A. HOWEY**

CARMEL – This is the quadrennial non-election year in Indiana, but this past week has been full of campaign futures.

Freshman U.S. Rep. Victoria Spartz kicked off this week by announcing she would be seeking a second term in the still undrawn new 5th CD. Then came the first gubernatorial explorer from former Greater Fort Wayne CEO Eric Doden, who also served on Gov. Mike Pence’s IEDC. Fort Wayne Mayor Tom Henry says he is considering running for a record fifth term. Fort Wayne Councilman Tom Didier launched his Republican



mayoral bid on Friday. And Sen. Todd Young, who will be seeking a second term in 2022, has been making the rounds of Hoosier police and sheriff departments, perhaps an attempt to inoculate himself from the U.S. Capitol insurrection that left 130 cops injured while resulting in three deaths (Officer Brian Sicknick due to a stroke, two others to suicide).

Governor: Doden first to explore

Eric Doden is the first to explore a run in a crowded 2024 GOP gubernatorial field that will almost certainly include Lt. Gov. Suzanne Crouch (who was in Kokomo lauding the state’s new official snack, popcorn), Attorney General Todd Rokita, GOP Chairman Kyle Hupfer, and former state senator Jim Merritt. Others who may enter the race are “self funders” that include U.S. Sen. Mike Braun, and U.S. Rep. Trey Hol-



lingsworth who has self-term limited himself.

"As a lifelong Republican, I am eager to support others in the party who have vision, character, and who want to see Indiana be bold. With three years before the 2024 primary, we will work not only to win the Republican nomination for governor, but to ensure that high-caliber Hoosiers who want to make Indiana even better have a chance to do just that," Doden said.

Cities

Fort Wayne: Didier announces, Henry may seek 5th term

As for Mayor Henry, he appeared to have ruled out a fifth term, but told WPTA-TV, "The City of Fort Wayne has achieved several major successes in recent months. As your mayor, and with the bipartisan support of many, we are poised to continue that unprecedented momentum. I am well aware that no person has served five terms as mayor of the City of Fort Wayne. While it would be an honor to serve a fifth term as mayor, no decisions have been made and all options remain open as to my political future."

Didier believes contentious Republican mayoral primary elections in recent times have tended to divide the party, hurting the nominee's chances when they go against the Democrat in the General Election (WANE-TV). "Like a welder, I'm trying to weld everything back together. There's pieces of the Republican Party, we've got to bring ourselves all back together as a team and make sure the spot welds are all there and we're getting everybody on the same page," Didier said Friday at the Fort Wayne Firefighters Union Hall, where he confirmed he will seek the GOP nomination two years from now. First elected in 2003 to serve Fort Wayne



City Council's 3rd District, Didier beat out Henry in that race, becoming the only person who's beaten Henry in a local election.

President

Pence goes to Texas, schedules NH trip

Former veep Mike Pence participated last Friday in a Texas donor forum along with Florida Gov. Ron DeSantis, former New Jersey Gov. Chris Christie, former Secretary of State Mike Pompeo and U.S. Sens. Tom Cotton, Marco Rubio, Tim Scott and Rick Scott. Pence has also has scheduled a June 3 trip to New Hampshire. USA Today: "Republicans across the country are pondering Mike Pence's chances of becoming president – thanks in part to the man who remains at the heart of GOP politics and made Pence vice president, Donald Trump." Long GOP strategist Sarah Longwell, who ran a group called Republican Voters Against Trump in 2020, said Pence's challenges in a 2024 race are many. "No. 1, Trump is going to attack him as insufficiently loyal. People who love Trump don't like him, and people who hate Trump don't like him."

AP Poll has Biden approval at 63%

President Joe Biden is plunging into the next phase of his administration with the steady approval of a majority of Americans, according to a new poll from The Associated Press-NORC Center for Public Affairs Research. The survey shows Biden is buoyed in particular by the public's broad backing for his handling of the coronavirus pandemic. In the fourth month of his presidency, Biden's overall approval rating sits at 63%. When it comes to the new Democratic president's handling of the pandemic, 71% of Americans approve, including 47% of Republicans. The AP-NORC poll also shows an uptick in Americans' overall optimism about the state of the country. Fifty-four percent say the country is on the right track, higher than at any point in AP-NORC polls conducted since 2017; 44% think the nation is on the wrong track. ❖



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Torma poised to head St. Joe Democrats

By JACK COLWELL

SOUTH BEND – Mark Torma, who directs a six-county program providing legal services for the needy, could soon perhaps provide political direction for a needy St. Joseph County Democratic Party. The need is clear for



a party in a “Democratic” county in which all three elected county commissioners are Republicans.

Torma is likely – though not certain – to be selected county Democratic chair on May 2

If he is, it will be an indication that the tone of a meeting at Mishawaka’s DiLoreto Club prevailed over the angry tone of battling factions in a divisive contest for chair in March.

The private, informal DiLoreto meeting of party leaders on April 27 was just a little over two months after Democratic precinct committee members reelected Stan Wruble as chair after a contest featuring personal attacks, allegations of wrongdoing in the party and a nasty split between Wruble and South Bend Mayor James Mueller.

With Wruble’s sudden announcement that he was resigning, moving to accept a position with an Arizona law firm, there loomed possibility of another contentious battle for chair.

Debbie Ladyga-Block, long-time Mishawaka city clerk and the party vice chair, wanted no divisive repeat as she moved to interim chair with Wruble’s resignation. So, she invited some key party leaders to a meeting to talk things over and change the climate from the blustery days of selection in March. They met in a room at the DiLoreto Club just two days before Wruble’s public announcement of his resignation. He had alerted Block and other party officials earlier.

Among those at the DeLoreto meeting were former U.S. Sen. Joe Donnelly, Indiana Democratic Chair Mike Schmuhl and Mayor Mueller. Also attending were some prominent Black Democrats, labor leaders and a few other influential Democrats.

Block said the meeting went “very, very smoothly,” with all participants agreeing to keep communications open and concentrate “on how we

can move forward,” not on the quarrelsome days of March.

Torma didn’t attend. And Block and others who were there stressed that there was no vote of endorsement of him or of anybody else. In fact, they wanted to discourage statements of support and opposition that could again be divisive.

But Torma, first to declare for chair, benefitted from the tone the leaders were establishing. He’s not known for battling with or against any party faction. His party involvement has been more behind the scenes in efforts such as recruitment of candidates for township offices.

Torma says he couldn’t quickly decide when Wruble, who told him of his upcoming resignation, asked about interest in becoming chair. “It was not something I was looking at,” he says. “I didn’t know he was leaving.” Torma decided to run. He began contacting precinct committee members.

The 46-year-old lawyer is executive director of the Volunteer Lawyer Network, providing pro bono services for the needy in civil, not criminal, matters. He is a Notre Dame graduate in anthropology and did graduate work in that field. His law degree is from the University of Minnesota.

Torma said he would seek to recruit top candidates for local offices without regard for where they are along the party’s political spectrum. “Politics is a numbers game,” he says. “It’s bad strategy to limit your pool,” so establishing a litmus test “is a fool’s errand.”

In finding township candidates to win in Republican areas, he says, he “recruited people along the entire spectrum.” He says there is a good start already with the intention of Jason Critchlow, former county chair and past mayoral candidate, to run for one of those Republican-held commissioner seats.

Precinct committee members, the ones who pick the chair, will decide whether they prefer the DiLoreto approach or want a feistier contest, and whether Torma or somebody else is the best choice to lead a needy party. ❖



Colwell has covered Indiana politics over five decades for the

South Bend Tribune.

Mother's Day thoughts in age of COVID-19

By MICHAEL HICKS

MUNCIE – With Mother's Day upon us, it is time to do what any loving son and husband must, and write about that sentimental topic of labor force outcomes for women. Of course, this year we have to dwell heavily on COVID and what it means to American women. The experience of women has differed from that of men in some key respects, some better and some worse.



To begin, it is useful also to set down some pretty straightforward facts. First, women engage in formal work at a lower rate than men, but it is not a spectacular difference. Men work at about a 10% higher rate than do women. Most of this is attributable to at-home childcare, which women do at higher rates than men. Second, women on average earn less than men, but nearly all of that difference is due to the choice of occupation, educational attainment and tenure on the job.

None of these facts suggests there is not job discrimination; there surely is. But, it is equally certain that most of the differences in wages and occupation choice are due to labor market choices. Perhaps we'd all be better off if there were no gender differences in occupational choice, or rates of childcare duties. That is an important discussion. For our purpose, suffice it to say that gender differences in occupational choice have their start long before a young person looks for a job.

COVID led to a major drop in the labor force participation rate of women. After a huge drop off this time last year, it leveled off at 1987 rates.

Today, only 56.1% of adult women participate in formal labor markets. Men's labor force participation rate dropped last spring and likewise recovered, but it has now leveled off at just over 67%. That is lower than at any pre-COVID time. There are today 3.8 million fewer women working, and 4.2 million fewer men employed than at the start of the COVID recession.

The topline labor market effects seem fairly similar when adjusting for labor force participation. But as we look a bit deeper, we begin to see growing differences between the experiences of men and women. In 1979, women were enrolled in college at the same rate as men. By the start of the pandemic, almost 60% of four-year college students were women. COVID affected enrollment, with first-year enrollment of women dropping by 2.2%, but closer to 7% for men. When we include two-year colleges, enrollment was down closer to 16%.

Women have been doing noticeably better than men in educational attainment for 30 years, but their occupational choices have evolved more slowly. COVID imposed economic effects on sectors with large shares of female employment – education, healthcare, travel and hospitality. Still, it seems women stuck with college plans with more diligence this year. Data on their chosen major track isn't yet available, but there's little to suggest it would change dramatically.

We can hope that most of these prospective students took a COVID gap year. If so, we may have better enrollment this fall, which is especially important in states with low levels of educational attainment. But, whatever happens, women fared better than men in the college attendance effects of COVID.

Of course, not all women are mothers, but labor market outcomes during COVID may have been particularly hard on parents. By my reckoning, of the 56 million kids in school, about 11 million live with a single mother, and another 25 to 30 million live with two parents who both work. With about half of the single moms working, that means as schools closed last spring, the families of something like 31 million to 36 million kids were caught in a tough bind. Even if we exclude high school kids, some of whom might be able to fend for themselves at home, this leaves more than 17 million kids needing home supervision. This happened in March 2020, and lasted until June. So, it is hardly a surprise that the employment of women dropped from 74.8 million in February 2020 to a low of 61.5 million in April, just two months later.

The end of summer saw only 40% of schools reopened, and as late as March 2021, only 53% of kids were back in classrooms. This meant that single parents (disproportionately moms), along with two-worker families, faced tough choices about job and home life. I don't have good data on the distribution of effects on parents. But, if I've learned anything in my 50-plus trips around the sun, it is that mothers bore the brunt.

By the way, this is not a critique of schools, whose disproportionate employment of women was a unique challenge not faced by their critics.

It is too early to know the full effect of these changes. What is certain is that COVID will prompt many families to reassess their work and family life balance. I suspect that many millions will shrink their participation in labor markets and will instead spend more time at home – raising and partially educating their children, eating more meals as a family, and watching more Little League games.

COVID has offered many lessons, including the fragility of life and the uncertainty of our sense of normality. Given this, it would be unsurprising if many families decide to work less and spend more time together. We should respect these decisions. Doubtless, it will reduce the available formal workforce, which may permanently reflect COVID changes.

The growing educational gains of women and a

more equal balance of occupation choice means that a growing share of men will be at home with children. Still, in 2021 it is certain that the biggest share of new stay-at-home parents will be women.

Hopefully, businesses can think of ways to more seamlessly allow people to enter and leave work without facing long-term wage penalties. It is surely in their interest to do so before government makes such an attempt. We might also expect that, with more parents at home, our schools and other important local institutions will experience a flood of new talent.

Many of these changes might be welcomed and give us some benefit from an otherwise very difficult year. Whatever other changes COVID brings us, it is certain that America's mothers deserve a bit of extra pampering after this long pandemic year. ❖

Michael J. Hicks, PhD, is the director of the Center for Business and Economic Research and the George and Frances Ball distinguished professor of economics in the Miller College of Business at Ball State University.

What they don't tell us

By **MORTON J. MARCUS**

INDIANAPOLIS – When new population data concerning Indiana become available, the cry goes out in the Statehouse, "Better call B&P!"

Bluff & Puff is the public relations department for the State. Their latest triumph was to note that Indiana's population growth rate from 2010 to 2020 was greater than that of any of our four neighboring states. B&P would have us think this superiority over our neighbors is something new, something worth a trophy. Yet, for the past three decades (1990 to 2020), Indiana's growth rate has exceeded that of our four neighboring states.



B&P didn't say Indiana's 4.7% increase in population was well below the nation's 7.4% growth rate. In addition, they were

silent about the 2019 data which foreshadows the 2020 results to be released later this year.

Those 2019 numbers show 55 of our 92 counties losing population since 2010. Would we want Hoosiers to know 99.9% of our 2010-2019 population growth was in the 65+ age group a 71.8% gain nationally.

Every Indiana county saw an increase in the population 65 and older. Can you say, "Baby boom"?

Indiana gains in the age groups, 18 to 44 totaled 60,180. However, the ages 0 to 17 and 45 to 64 lost 59,861 persons, for a net statewide gain of only 319. That's only our children and most experienced labor force.

The Census Bureau displays age data in six groups.

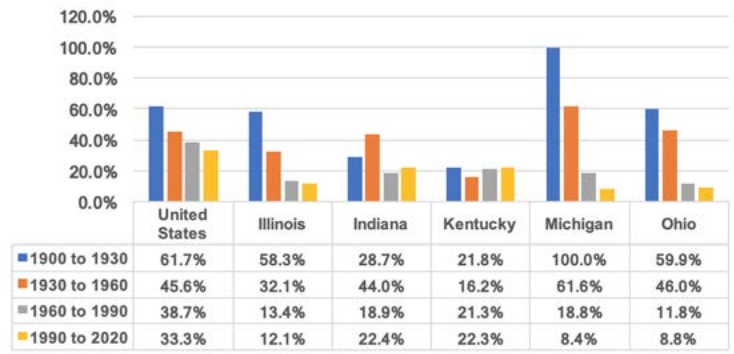
Only six of Indiana's 92 counties saw each of those age groups grow. Half of those six were in the Indianapolis metro area (Hamilton, Johnson and Boone); the other three were Tippecanoe, Clark and Bartholomew.

For 40 counties, that gain in the 65 and older

Percent change in population in intervals of three decades

U.S., Indiana & neighboring states

Source: U.S. Census Bureau via STATS Indiana



group was the only population growth they enjoyed. In five counties (Steuben, Shelby, Montgomery, Gibson and Carroll), however, despite losses in all other age groups, the 65+ gains were sufficient to yield a net increase in population.

Thus, for 35 counties, population losses overwhelmed the gains in the 65+ group. Lake County had the largest loss of population; a 16,132 gain of the 65+ population was not sufficient to match their 26,586 loss in other age groups. The net result was a loss of 10,454 persons, equal to a 9.4% population decline for the period 2010 to 2019.

If our future doesn't count for much, this isn't a bad report. Old folks don't demand much from our education system. They keep our health care professionals busy. They don't cause much congestion during the commuting hours. Few of them appear in police and fire reports.

Bluff and Puff, operating from the Statehouse, will keep us smiling, no matter what the future holds. ❖

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Trump's distortions still resonate

By **KELLY HAWES**
CNHI News Indiana

ANDERSON – I was struck by a line in one of Brian Stelter's daily "Reliable Sources" newsletters.

"News that is inescapable, to some consumers, is invisible to others," he wrote. "And that's partly what accounts for the divergent points of view about this subject."



The subject he was exploring was coverage of the Capitol riot.

"Some media outlets are rightly treating this as a huge ongoing story," wrote Stelter, who is CNN's chief media correspondent. "Others are minimizing it. And others are ignoring it altogether."

Fox News hosts, meanwhile, are focused on Liz Cheney and her consistent refusal to endorse "the Big Lie" that Donald Trump actually defeated Joe Biden in the 2020 election. Cheney, daughter of former Vice President Dick Cheney, now faces removal from her position in House leadership because she won't bow down to Trump.

"We Republicans need to stand for genuinely conservative principles, and steer away from the dangerous and anti-democratic Trump cult of personality," Cheney wrote in an op-ed in the Washington Post. "We believe in the rule of law, in limited government, in a strong national defense, and in prosperity and opportunity brought by low taxes and fiscally conservative policies."

Her party doesn't appear to be listening. Some are focused instead on what's happening in Arizona.

Rick Hasan, an election law expert from the University of California, Irvine, tweeted about a query from a reporter for the Trump-favored One America News Network.

"I wanted to get your opinion on, hypothetically, what happens if an election is overturned after a new president takes office?" the reporter wrote. "Does the Constitution make any provisions for such a situation? Again, hypothetically, what would happen if an election was proven to be fraudulent beyond any doubt? Would a new

election be held? And how would the laws and executive orders passed by the fraudulent president be handled?"

Hasan reported that he had declined the invitation to comment, but was that the right response?

Perhaps instead he could have followed the lead of Cindy McCain. During an appearance on CNN's "State of the Union," the widow of the late presidential candidate and Arizona senator John McCain described the audit as "ludicrous."

"The election is over," she said. "Biden won. I know many of them don't like the outcome, but elections have consequences."

The former president, of course, has a different take. "Let's see what they find," he told those gathered at his Florida resort. "I wouldn't be surprised if they found thousands and thousands and thousands of votes."

He suggested there might then be similar findings in Pennsylvania, Georgia, Michigan and Wisconsin. "This was a rigged election," he said. "Everybody knows it, and we're going to be watching it very closely."

It was that "Big Lie" that led to the former president's ouster from social media platforms such as Facebook and Twitter.

In a much anticipated announcement, Facebook's oversight board upheld the platform's ban, but it said the company was wrong to make the suspension indefinite and gave it six months to determine a "proportionate response."

The former president's team greeted the news with a fundraising appeal.

"President Trump is still BANNED from Facebook!" it said. "Ridiculous! We are handing him a Donor List with the names of EVERY PATRIOT who publicly stood with THEIR PRESIDENT when the Left came after him. If you step up in the NEXT 10 MINUTES, we'll make sure your name is the FIRST name on the list."

The Trump communication strategy seems to be working. A recent CNN poll found that 70% of Republicans did not believe Biden won enough votes to be president.

News that is inescapable to some is invisible to others. The riot and its aftermath aren't news. The election was rigged.

Big Tech is silencing conservatives.

Disinformation works. And democracy suffers. ❖



Kelly Hawes is a columnist for CNHI News Indiana. He can be reached at kelly.hawes@indianamedia-group.com. Find him on Twitter @Kelly_Hawes.

What's the meaning of the 'common good'?

By **LEE HAMILTON**

BLOOMINGTON – I've always been impressed that the Preamble to the Constitution begins, "We the People of the United States." We've heard the phrase so often that we don't even stop to think about it. But as the proposed constitution was being debated in 1787, there were people who did – notably, Patrick Henry, who in a famous speech to the Virginia ratifying convention asked why the drafters hadn't said, "We, the states."



By their phrasing, the founders made clear that they were creating a government, as Lincoln later put it, "of the people, by the people, and for the people." They were making a case that

government should strive for the common good, which they went on to lay out: "Establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty."

Though they also laid out the rights of individuals that government couldn't touch – speech, religion, the ability to read a free press, and so on – they made clear that there needed to be a balance. "Government is instituted for the common good...and not for profit, honor, or private interest of any one man, family, or class of men," John Adams wrote.

So what do we actually mean when we talk about the "common good," which politicians like to do frequently? One notable point about the Constitution's preamble is that phrases like "the general welfare" and "domestic tranquility" are vague. The founders left those ideas open for debate, and in the centuries since, much of our country's political history has revolved around how to define them and where individual interests leave off and the public interest prevails.

We can see this at play almost anywhere we look today. It is in our common interest, for example, that as many people as possible be vaccinated against the coronavirus; that's the best way to protect everyone. But there are plenty of people who don't want to get vaccinated. Whether and how to respond is a topic of hot debate among businesses and state governments. Indeed, the entire course of the pandemic has laid bare the tension many people see between public health and individual rights.

Similarly, we can probably all agree that it is in the common interest that Americans be able to live up to their economic potential. But when you get down to brass tacks, as in the Biden administration's huge in-

frastructure package, pretty much every interest group in the country will be pushing its own interests – and couching them as for the common good. So who stands back to look at what actually is in the best overall interest of our nation and its long-term economic future?

The key point is that there isn't a single definition of "the common good." Instead, we live in a country that was designed to allow us to debate the question, change our answer as public sentiment evolves, find common ground to move forward, and do so in the belief that even if our direction doesn't satisfy everyone, at least it has broad popular backing, or that we can change if needed. In other words, in our system maybe the greatest common good is the opportunity to define the common good.


Why does any of this matter right now? In part, because we depend on our institutions of government to get it right, and to earn our respect while doing so. In the Federalist Papers, James Madison wrote, "No government, any more than an individual, will long be respected without being truly respectable; nor be truly respectable without possessing a certain portion of order and stability." We've come through a trying time of disorder, and there's a lot at stake as government tries to rebuild.

Even more important, our ability to discern and act on what's in our common interest depends on believing that we, as Americans, all have something in common. In countries divided by internal conflict – places like Syria come to mind – ethnic, religious, or ideological identities often override the sense of a shared political community. We've seen worrying signs of something similar taking shape in the U.S. Our future depends on refocusing on what unites us, not what divides us. ❖

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YOUR FRIENDS ALL HANG OUT HERE... DO YOU?

How long-term Senate equilibrium could shape the filibuster fight

By **LOU JACOBSON**

CHARLOTTESVILLE, Va. – With their party in control of the White House and the House, Democrats have been chafing at their bare majority in the Senate, currently a 50-50 tie that can be broken by Vice President Kamala Harris. Given the party’s ambitious agenda – from infrastructure and safety-net spending to election and policing legislation – more than a few Democrats, both inside and outside the chamber, have fantasized about a Senate without a filibuster.

The filibuster is a tool that can be used by a Senate minority to stall legislation unless 60 senators vote to take up the measure. In our era of intense partisanship, Democrats harbor little optimism that their most desired bills can secure the backing of 10 Republicans, which is the bare minimum required even if all Democrats are united behind a particular measure. So, with the exception of either non-controversial bills or ones where the “reconciliation” rule allows simple-majority passage, the Senate has become a legislative graveyard. But if the filibuster were to disappear, it might not be.

The filibuster isn’t etched in stone. In 1917, the Senate voted to empower a supermajority of 67 to cut off a filibuster and move on to other business, using a motion known as “cloture.” Then, in 1975, the Senate voted to lower the supermajority to its current 60 votes.

To dismantle the filibuster either partly or fully wouldn’t take 60 votes. Using a method known as the “nuclear option,” a bare majority can change the rules. For decades, there was a norm against doing so, but by now, both parties have used it – by Democrats, to end the filibuster on presidential appointments other than the Supreme Court, and, a few years later, by Republicans to end the filibuster for Supreme Court nominations.

To be sure, getting rid of the filibuster wouldn’t be easy. One Democratic senator, Joe Manchin of West Virginia, is strongly opposed to the idea of ending the filibuster, and others have expressed concerns about ending it, including Kyrsten Sinema of Arizona. In the Senate’s current lineup, a “no” vote by either Manchin or Sinema would be enough to kill any effort to ditch the filibuster.

But the existence of the nuclear option means that, at least in theory, there’s a way to do it. And given that reality, one urgent question is whether it would be in the Democrats’ long-term interests to pursue that course.

A look at partisanship patterns in the Senate can shed some light on that question.

In recent years, most of the 50 states have become either solidly Republican or solidly Democratic on the presidential level; these days, only a handful are “swinging.” Equally important, a state’s presidential preference increasingly gives that party a big edge in winning its Senate seats. Put simply, there are few states today that vote one way for president and another way for senator.

With this knowledge, it’s possible to game out the basic contours of what the Senate “should” look like in the near future, barring some unexpected upheaval.

There are 23 states that Donald Trump won in

2020 by at least five points: Alabama, Alaska, Arkansas, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, North Dakota,

Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, West Virginia, and Wyoming.

And there are 19 states that Joe Biden won in 2020 by at least five points: California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maine, Maryland, Massachusetts, Minnesota, New Hampshire, New Jersey, New Mexico, New York, Oregon, Rhode Island, Vermont, Virginia, and Washington state.

This leaves eight states where the Trump-Biden margin was within five points: Arizona, Florida, Georgia, Michigan, Nevada, North Carolina, Pennsylvania, and Wisconsin.

Let’s add to this list of close states a few additional ones that were close-ish, and which could be in the future. From the Republican list, let’s add Iowa, Ohio, and Texas; from the Democratic list, let’s add Minnesota and New Hampshire.

This leaves 20 solidly Republican states, 17 solidly Democratic states, and 13 battleground states.

If you allot two Republican Senate seats to the 20 solidly Republican states, two Democratic seats to the 17 solidly Democratic states, and one seat for each party from the 13 battleground states, then the basic, near-term equilibrium would be 53 seats for the Republicans and 47 for the Democrats. (This counts the chamber’s two nominal independents – Vermont’s Bernie Sanders and Maine’s Angus King – as Democrats.)

The Democrats, of course, are currently doing three seats better than this equilibrium benchmark.

They have managed to poach seats from two solidly Republican states: Manchin’s from West Virginia and Jon Tester’s from Montana. And they have also swept both Senate seats in four of the eight core battleground states: Arizona, Georgia, Michigan, and Nevada. That’s a stronger showing than the GOP, which had battleground sweeps in just two of the eight, Florida and North Carolina.

What does this mean? It means that the Democrats had to rely on a near-miraculous set of circumstances just to reach a 50-50 tie that can be broken by a vice president of their own party.

To do it, the Democrats had to hold what are



effectively borrowed seats in West Virginia and Montana and win two Senate seats each in Arizona and Georgia (two states with entirely Republican Senate delegations as recently as 2018) as well as hold one of the two seats in Ohio, a state that's increasingly challenging for Democrats.

It's probably safest to assume that the Democrats won't always be so lucky.

Are there ways

Democrats can improve their position in the Senate? Yes, to an extent. In 2022, they will be gunning to flip GOP-held seats in Pennsylvania and Wisconsin, the two states with currently split delegations among the eight core battlegrounds. And they could up their game by poaching some seats in Florida, North Carolina, and Texas in future election cycles, all competitive states where Republicans currently hold both Senate seats.

But from today's standpoint, there's no guarantee that Democrats will be able to make all of these inroads into GOP territory -- or, for that matter, keep their endangered red-state seats in hand.

So how do these calculations shed light on the filibuster?

If the long-run equilibrium for Senate Democrats is somewhere in the range of 47 seats, then, mathematically at least, the filibuster could serve as more of a hindrance to the GOP than to the Democrats. If the GOP is threatening to pass a bill Democrats detest, the existence of a filibuster means that Republicans -- with something like 53 seats -- would still need to get about seven Democratic votes to secure cloture.

That's a decent bit of leverage. But if the Democrats got rid of the filibuster, that leverage -- one of the few bits of leverage they may have as a minority party -- would disappear.

Inevitably, there are some caveats.

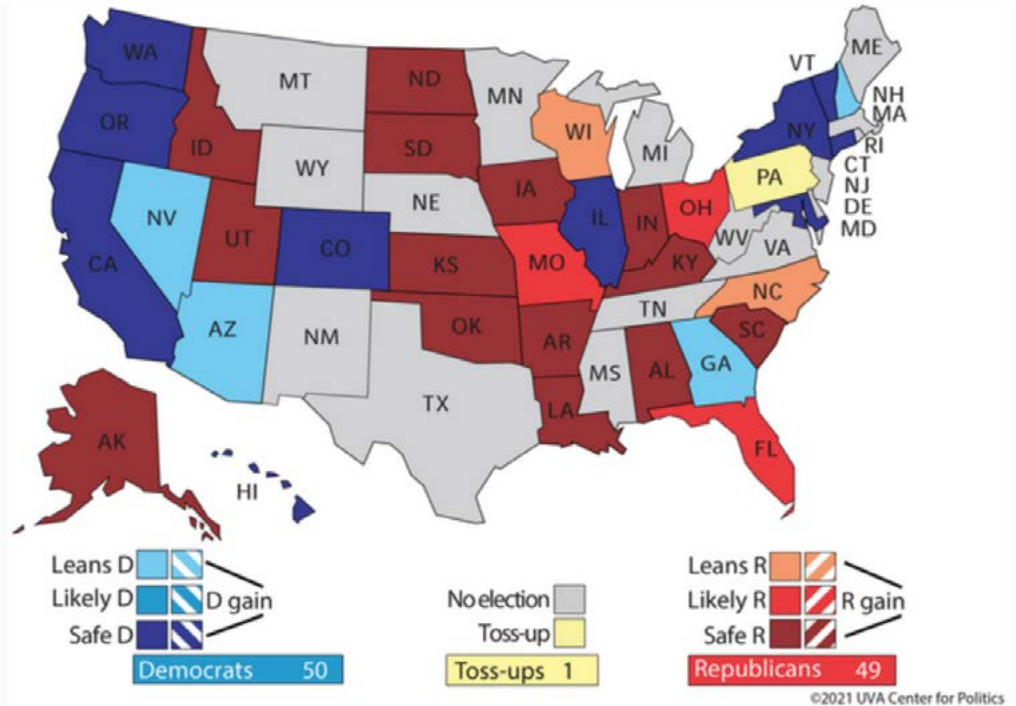
One is the possibility, as we noted earlier, of an "unexpected upheaval." The political environment can change. As noted above, Democrats holding two Senate seats in both Arizona and Georgia would have been far-fetched just a few short years ago. Prior to the 2018 cycle, few Democrats would have expressed much optimism about a seriously competitive Senate race in Texas, but the 2018 Senate race was close -- thanks largely to an anti-Trump drift in the suburbs that couldn't have been predicted a few years earlier.

The counter-argument is that, given the chamber's staggered, six-year terms, upheavals like this would change

the Senate's composition only slowly.

Another caveat is the term we used earlier: "mathematically." Ideological impulses can complicate this equation.

In general, Democrats are likelier than Republi-



cans to favor ending the filibuster because it "stands in the way of using the federal government to address national problems," said Steven S. Smith, a political scientist at Washington University in St. Louis who specializes in the Senate. "Liberals argue, with good reason, that popular programs, once established, will be difficult to repeal even with simple-majority cloture."

Democrats could decide that the numerical calculations above are outweighed by other factors. "If you think that climate change, social justice, and fate of democracy are genuine crises, then taking a risk on future parliamentary disadvantage may seem like a risk worth taking," Smith said.

Meanwhile, Democrats may not fear retribution from Republicans if they "go nuclear," since Republicans -- as opponents of large federal programs -- may be reluctant to retaliate with any procedural changes that make it easier to pass new programs, Smith said.

In the end, the continued opposition of senators like Manchin and Sinema may make the anti-filibuster push moot. But as long as it remains a possibility, calculating the long-term Senate equilibrium at least makes clear to Democrats what the potential cost could be. ❖

Louis Jacobson is a Senior Columnist for Sabato's Crystal Ball.

Sarah Baxter, Times of London: The name's Klain — President Klain. Washington insiders delight in assigning the White House chief of staff this mischievous title as the driving force behind the actual president, Joe Biden. The man himself, Ron Klain, would never describe himself this way, but his firm grip on the levers of government has enabled the 78-year-old president to cruise through his first 100 days in office without breaking sweat. Everybody who is anybody in Washington knows Klain, although few people outside the Beltway have heard of him. He is a powerful, confident operator who knows the business of government inside out. Trusted to exercise power and take decisions, he keeps his boss informed while lifting the burden of office from him. Klain, 59, has recently emerged from the shadows as the surprising face of the administration on Twitter. That bounce, such as it is, is down to Klain, the ultimate enabler. He is determined to secure Biden's place in the pantheon of presidents, with Franklin Roosevelt and Lyndon Johnson, who built the American welfare state. ❖



Thomas L. Friedman, New York Times: President Biden's early success in getting Americans vaccinated, pushing out stimulus checks and generally calming the surface of American life has been a blessing for the country. But it's also lulled many into thinking that Donald Trump's Big Lie that the election was stolen, which propelled the Capitol insurrection on Jan. 6, would surely fade away and everything would return to normal. It hasn't. We are not OK. America's democracy is still in real danger. In fact, we are closer to a political civil war — more than at any other time in our modern history. Today's seeming political calm is actually resting on a false bottom that we're at risk of crashing through at any moment. Because, instead of Trump's Big Lie fading away, just the opposite is happening — first slowly and now quickly. Under Trump's command and control from Mar-a-Largo, and with the complicity of most of his party's leaders, that Big Lie — that the greatest election in our history, when more Republicans and Democrats voted than ever before, in the midst of a pandemic, must have been rigged because Trump lost — has metastasized. It's being embraced by a solid majority of elected Republicans and ordinary party members — local, state and national. It will leave us with "a Republican Party where you cannot rise without declaring that the sun sets in the East, a Republican Party where being willing to help steal an election is literally a job requirement." This is not an exaggeration. Here is what Representative Anthony Gonzalez, one of the few Republicans who voted to impeach Trump, told The Hill about the campaign within the party to oust Representative Liz Cheney from her House G.O.P. leadership position, because of her refusal to go along with the Big Lie: "If a prerequisite for leading our conference is continuing to lie to our voters, then Liz is not the best fit. Liz isn't going to lie to people. ... She's going to stand on principle." Think about that for a second. To

be a leader in today's G.O.P. you either have to play dumb or be dumb on the central issue facing our Republic: The integrity of our election. You have to accept everything that Trump has said about the election — without a shred of evidence — and ignore everything his own attorney general, F.B.I. director and election security director said — based on the evidence — that there was no substantive fraud. What kind of deformed party will such a dynamic produce? A party so willing to be marinated in such a baldfaced lie will lie about anything, including who wins the next election and every one after that. There is simply nothing more dangerous for a two-party democracy than to have one party declare that no election where it loses is legitimate, and, therefore, if it loses it will just lie about the results and change the rules. ❖

Peggy Noonan, Wall Street Journal: It all comes back to the Capitol insurrection. It's at the heart of the battle that is, four months later, tearing the House GOP apart. Increasingly, Republicans paint 1/6 as a rowdy and raucous event, an arguably understandable but certainly embarrassing one in which hundreds of people illegally marched into the Capitol and, for a few hours, occupied its halls. There was some unfortunate violence; it should be prosecuted. But you don't endlessly, ruthlessly and for political reasons bring governmental force down on members of a crowd that got carried away. America is a nation in which crowds get carried away. They didn't tear the place apart, as street rioters did last summer. It was goofballs dressed in antelope horns. So get a grip, maintain perspective There is some truth in this. But it dodges the larger, defining and essential truth. That has to do with the expressed aim and intention of many rioters. It wasn't to roam the halls and yell. It was something grave and dark: to disrupt and prevent the constitutionally mandated counting of the Electoral College votes in the 2020 presidential election. It was instigated by a lie, the one Donald Trump told his supporters starting the day after the election: that it had been stolen and was fraudulent. And, in time and implicitly, that the certification of results could be thwarted. After the election every attempt to prove it was stolen failed. Recounts failed, more than 60 court challenges failed, some before Trump-appointed judges. Dominion Voting Systems launched lawsuits against those who slandered it. The nutty Trump lawyers dummied up and scrambled. The former president is undeterred. He insisted in a statement this week that the idea that he lost the 2020 election is "THE BIG LIE!" Rep. Liz Cheney famously responded in a tweet: That the election was stolen is actually the big lie. Why did she take the bait of this slowly waning figure, Mr. Trump, and the gravy-train operatives around him whom others in Washington call "the unemployables"? Because, if the former president is allowed to keep telling his lie unchecked and unresisted it will only dig in and spread, and the foundations of the Republic begin to crack. ❖

Holcomb to order work requirements

INDIANAPOLIS – Changes are coming to the unemployment benefits many Hoosiers are receiving (Brownless, [WANE-TV](#)). Indiana Governor Eric Holcomb is set to sign another executive order this week that will reimplement the work-search requirement for anyone filing for unemployment. This means people must actively search for work each week to remain eligible for benefits. "I've asked the Department of Workforce Development to complete a demographic analysis of unemployed Hoosiers over the past 16 months so I have the best information available to make an informed decision about whether the state should continue to participate in federal pandemic unemployment programs," Governor Holcomb sent in a statement. "Part of that analysis is to compare our workforce now versus before the start of the pandemic. Our unemployment rate stands at 3.9 percent, which is near pre-pandemic levels, and our labor force mirrors pre-pandemic levels when we also had worker shortages."



Indy Council reinstates orders

INDIANAPOLIS — The Indianapolis City-County Council on Monday reinstated pandemic public health orders from the Marion County Department of Public Health, just a few hours after Indiana lawmakers undid them in a veto override (Muniz, [IBJ](#)). The Democratic-majority council's vote—which passed 19-5 along party lines—keeps a citywide mask mandate and restaurant capacity limits in place in Indianapolis. The Republican-controlled Legislature met earlier Monday to override Gov. Eric Holcomb's veto of a bill that strips local health officials of the authority to impose restrictions that are stricter than the state with-

out first receiving approval from the local legislative body. In Indianapolis, that's the City-County Council. That law took effect immediately after the override vote. So on Monday night, Dr. Virginia Caine, director of the county health department, asked the council to "take swift action" to reinstate the department's orders, warning in response to questions that the area would have essentially no pandemic regulations otherwise. "Basically if you do not pass this proposal, we have no restrictions for Marion County," Caine said.

Indy Council passes immigrant fund

INDIANAPOLIS — The City-County Council on Monday voted to spend \$100,000 on a new legal protection fund aimed at asylum-seekers, immigrants seeking citizenship and those living in the area without legal permission ([IBJ](#)). The city's Office of Public Health and Safety plans to match the money with \$50,000 from its budget to establish the Immigrant Defense Fund. "This administration is very supportive of all people living in Marion County, including our immigrant neighbors, and they do deserve representation, just like everybody else," said Lauren Rodriguez, the agency's director. It passed 20-5 along party lines. "One thing we've heard so often from many of our colleagues is that there needs to be more money spent on mental health," said Republican Councilor Brian Mowery. "Only, when we find money, we're spending it on illegal immigration."

McDermott sues on judge elections

HAMMOND — Mayor Thomas McDermott Jr. wants voters, not governors, electing Lake County's 16 Superior Court judges (Dolan, [NWI Times](#)). The mayor is suing in U.S. District Court to overturn the judicial merit selection system that has been picking judges in the county over the past five decades. "Just because its

old doesn't make it right or constitutional," the mayor said Monday. He labels the current nonpartisan appointment of criminal, civil and juvenile court judges as racially discriminatory and a violation of the state constitution and federal voting rights law. He also is challenging the Republican-dominated Indiana General Assembly's new law that tweaks the judicial merit selection system to give Indiana Gov. Eric Holcomb, also a Republican, even more say in picking Lake judges. "It takes a system that already was unconstitutional, and made it more political," he said.

Lilly to bring employees back

INDIANAPOLIS — Global pharmaceutical company Eli Lilly is planning for employees working from home to return to their Indianapolis offices this summer ([Indiana Public Media](#)). Officials say this is another step towards businesses returning to what operations were before the pandemic. With about 40 percent of adult Hoosiers reported vaccinated – nearly 32 percent of all Hoosiers – company officials believe it can start returning to pre-pandemic operations with some safety precautions and flexibility. The company's plan is to bring 25 percent of its 7,000 employees currently working remotely back to the office on June 1. Those in the first wave will be fully vaccinated. Face masks and social distancing will still be required.

Judge orders 'police tapes' release

SOUTH BEND — The South Bend "police tapes" case will not go to trial after all ([South Bend Tribune](#)). St. Joseph Superior Court Judge Steven Hostetler ruled Monday that a group of current and former police officers do not have legal standing to challenge the release of certain audio recordings that allegedly contain racist comments and discussion of illegal activity. Hostetler's ruling means the South Bend Common Council's sub-