

## THE LAURA FLANDERS SHOW

### DEMOCRATS STAVE OFF DISASTER, FOR NOW?

**LAURA FLANDERS** - The midterm elections of 2022, failed to produce the "red wave" that history and so many pundits predicted. With democracy itself on the ballot and more dark money than ever being spent, voters nonetheless managed to cast millions of votes against extremist candidates in favor of bodily autonomy against slave labor, by people who are incarcerated and for history making candidates. Including the first woman governor in Arkansas in New York, the first woman an out lesbian governor in history from Massachusetts, Maryland elected its first black governor, California and Illinois their first Latinx senators. Vermont finally elected its first woman to statewide office. New Hampshire will send the first ever trans man and Florida the first GenZer to Congress. And the first Alaskan native ever to be elected, well, Mary Peltola, is leading in her reelection race, to return to Congress. Still election 2022 was no cakewalk. Voters of color, young and Native voters, faced especially onerous new voting rules. Many of us found ourselves in newly designed districts and everywhere nonstop ads were blaring lies. For this post-election round table, we have convened a group of frontline experts. Sakira Cook is the co-interim vice president of Color of Change, who works to overhaul the criminal justice system and safeguard democracy. Jacqueline DeLeón is an enrolled member of the Isleta Pueblo and is an attorney, with the Native American Rights Fund where she leads, the Native American Voting Rights Practice Group. Also with us, Heidi Sieck, the co-founder of Vote Pro-Choice. A longtime organizer in the reproductive rights and feminist movement. What did frontline democracy defenders face this election and what did they learn? Let me come to all of you first with an initial question, about what were your fears and who was top of your mind, as you went into these midterms this week? Let's start with you, Jacqueline.

**JACQUELINE DELEÓN**- Yeah, so thanks so much for having me. It's a real honor to be here. You know, we had for the first time, over 40 poll watchers across Indian country, monitoring races in especially tight states. You know, it has been a historically tight election year and you know, while our numbers aren't relatively very large, we are situated in key states like Nevada, Arizona, Wisconsin, where our votes can really make a difference. And where our votes can make a difference, we expected to see, you know, difficulty accessing the polls and difficulties with disinformation. And that's exactly what we did see. As the poll watchers reported, there were many structural issues, distances to polls, lack of residential addressing that made getting a ballot difficult, trouble with recognizing tribal IDs, and hindered some native voters throughout the country.

**LAURA FLANDERS**- Talk about your groups that you were watching, Sakira, what were you particularly concerned about going in?

**SAKIRA COOK**- Color Of Change has been working on a number of the issues that Jacqueline named, especially around mis and disinformation, proliferated online. And as we've seen with the recent takeover on Twitter, the incitement around hate speech and violence and discouragement around the election, has shot up significantly. So that was one of our major concerns. We were also watching very closely, some of the rhetoric around crime, right? Public safety has been a major topic of discussion, because of the both real and sometimes imagined spikes in crime across the country. But what we were hopeful about and what I think we did see is that progressive policies and individuals whether they're prosecutors, mayors, governors, who are legislators in many capacities, who were for transforming the criminal legal system, in many places were successful and voters rejected tough on crime rhetoric, as part of this election, which is something we are very excited about. And I think it will give a boost to the work that we will continue to do, around transforming the criminal legal system.

**LAURA FLANDERS**- On abortion and reproductive justice, Heidi, it wasn't just the candidates, it was also ballot measures having to do with, bodily autonomy and reproductive rights, that were up for bitter attack and misrepresentation in this race. What were you watching most closely?

**HEIDI L. SIECK**- Vote Pro-Choice has been around, because we knew that there wasn't enough support, for the concept of abortion as a foundational issue. And this year, we underestimate the impact of the Supreme Court, overturning a foundational right to body autonomy, for half of the population, plus all of their families. And so the amount of mobilization, that abortion was inspiring voters, was underestimated and unsupported at scale. So that is what was most concerning to us, is because we knew that this was an activating issue and we also saw across the board, a failure to invest in mobilizing folks that were really angry about this. I mean, we underestimate the impact of the overturn of Roe at our peril.

**LAURA FLANDERS**- Let's go to that very question, Heidi. We had a lot of critics of Democratic candidates saying, you know, voters had economics on the front of their mind, not abortion. We're not sure that this bet on abortion, as limited as you've just described it, as a motivating factor will really play out. That was driving me crazy and I'm sure it was you too, why?

**HEIDI L. SIECK**- Well, here's the thing. We know across the board that 75% of this country does not want their elected officials making decisions, about their body autonomy or their pregnancies. Bottom line has always been that way. That's what the United States of America is all about. So we've gotta have that baseline in our minds. But when folks say economy or abortion? That is just an absolute misunderstanding of what we're talking about. Abortion is an economic issue. The economy is a reproductive justice issue. They are combined, connected and

totally 100% inseparable from each other, because you talk about, you're worried about how you're gonna pay your bills, how you're gonna pay your gas, fill your gas tank, how you're gonna afford groceries, do you know what's so expensive? And people are worried about being able to afford it, such as having children, children against their will, accessing healthcare, like driving to multiple states, to access safe reproductive healthcare. It's not disconnected. And so that is something that I have, for the 30 years that I've been involved, in the reproductive rights health injustice movement, that's always been very frustrating to me.

**LAURA FLANDERS-** Another kind of, you know, standard thought, conventional wisdom, particularly in democratic circles, Sakira has been that demographics are destiny, that as the population becomes more diverse, racially, ethnically and younger, we'll see a sort of drift in favor of reform candidates and for progressives, has that played out? Did that play out this time?

**SAKIRA COOK-** In the places that we've been watching? I would say yes. And there were some key races where an ex-public defender was just elected to be the prosecutor, the DA, some senate races where there were tough on crime candidates who were very vocal, about those views and the opposing progressive candidate, won in those races. So I think it is true that tough on crime or soft on crime rhetoric, has always circled around elections. But voters again, I think rejected in many places that idea and it's because people understand, right? There is broad support, broad support for things like marijuana legalization, right? Upwards of 70% of people across the country, broad support for removing barriers, to reintegration for people coming out of prison. Whether it's voting, whether it's economic barriers with employment or education, broad support for changing the way that we sentence in this country, right? And reducing the prison population. And no amount, in my view of rhetoric, is going to stop people from believing what they know is true. And that's mainly because I think there is less stigma, right? The work that we've done over decades to destigmatize the criminal legal system, at anyone's history, with respect to the criminal legal system. And people are now talking about their family members, who have been incarcerated and are reconnecting with them more publicly and speaking more vocally about those things, in churches and community centers and in educational settings.

**LAURA FLANDERS-** So correct me if I'm wrong, but I'm hearing it's not just, kind of the magic of demographics, but the actual hard work of education, that's made a difference.

**SAKIRA COOK-** Absolutely.

**LAURA FLANDERS-** There was an interesting race in Oklahoma, where a member of the Cherokee nation, the right conservative guy, thought that they were going to see a great turnout, by native voters. That's not what happened. That's not even who he was endorsed by. Can you talk about what happened there and what about this sort of cynical approach, to demographics as destiny?

**JACQUELINE DELEÓN-** So I think demographics, as destiny, definitely has its limits. Native Americans have long been here and you know, both parties have unfortunately, and all movements have ignored native voters. You know, there are many causes that Native Americans align with, you know, whether it be resource issues or you know, others that, you know, I think there are votes that are being left on the table across America. What we saw in Oklahoma was, you know, Governor Stitt is a Cherokee Nation tribal member, yet he has had, you know, incredibly anti-Indian policies. You know, he has challenged tribal jurisdiction. He has refused to renew tribal gaming compacts. And for the first time ever, all five or excuse me, more than five tribes in Oklahoma, have endorsed his opponent.

**LAURA FLANDERS-** It's still too early to tell what's gonna happen in Alaska. And we should say that at the time we're recording this, it is still too early to tell about the final control over, either the house or the Senate. There are lots of votes still up for grab, most notably Georgia at this moment looks dead, looks pretty certainly headed for a runoff. As we turn to the question of learning, I don't wanna present a picture, that everything was just fine on the democracy front. And coming back to you, Jacqueline, I mean there were concerted efforts through legislation, over the last two to four years, to make it harder for native voters to cast a vote, exploiting exactly those infrastructure challenges that you described. Did you hear stories on campaign, you know, on election day from the campaigns that you wanna share?

**JACQUELINE DELEÓN-** Absolutely. So NARF has been fighting for a long time against laws that are aimed at capitalizing on the infrastructure failings in Indian countries. So at the end of the day, we don't have residential mail delivery, to so many of our homes. We don't have working roads, when the election is in November during the winter time. You know, we have incredible distances, that we have to travel in order to get to county seats, in order to access registration services. We don't have access to the type of IDs, getting to the DMV is 50 miles away. These types of absurd realities are exploited, when you have laws that are designed to make it more difficult for Native Americans, specifically to vote. And we know that it was Native Americans, specifically that were targeted, because they had actual returns at the ballot box. So in a place like Montana where Jon Tester has been credited with flipping that seat, to a Democrat seat, we have seen an absolute campaign against native votes. You know, we have had to spend the last, you know, almost four years battling against Montana laws, specifically a ban on ballot collection, when Native Americans don't have residential delivery to their homes. And access to a post office can be incredibly far and access to dropping off a ballot can be incredibly far. We had to have the state court find that ballot restriction unconstitutional twice. And they also banned same day election day registration.

**HEIDI L. SIECK-** I wanna echo what Jacqueline said about infrastructure, lack of infrastructure and the long term failure to invest in our political ecosystem and infrastructure. The same

infrastructure that was able to overturn Roe, using state and local investment, is also the exact same infrastructure that is passing these anti-democracy legislation. The Ohio right to life is also the infrastructure that was oppressing voters in Ohio. And even we look in North Carolina. North Carolina, the Senate race, we should have won. When you talk to black voters in North Carolina, they will tell you no campaign talked to them at all. That is malpractice, that is democracy malpractice.

**LAURA FLANDERS-** There's also been this kind of undercurrent of intimidation. Do you wanna talk a little bit about what that looked like, in the areas that you were watching? Because we were watching some races, North Carolina, Georgia, where there was real intimidation at the polls.

**SAKIRA COOK-** So this is, these aren't new tactics, right? Voter discrimination and limiting access to the ballot, is been a longstanding problem, in the African American community in the United States, for years, for decades, for centuries, maybe even, right? And what we saw is anti voter laws, as Heidi mentioned, proliferated since 2020 excuse me, since 2020. And that is one layer. But the other layer is misinformation. That's, I think, spurns right? That type of intimidation and threatening tactics that people like to use at the polls. Investment in voter infrastructure is critical. If you don't have poll workers who know the laws, who understand the laws and there's proper training for them, if you don't have expanded access, where you can vote pretty much anytime you need to. Up until the last minute on election day, I live in Washington DC I moved recently from one ward to another ward. I was able to go to any voting center in Washington DC, in order to vote. It didn't matter where I lived in the city. And yes, Washington DC is not a state, it's not a large place, but actually it has a large population, comparable to many states. What we see is the opposite in many states, especially sort of white right wing extremist states, who try to limit access to voter freedom, because they know that the demographics and the education around all of the issues are not on their side.

**LAURA FLANDERS-** We have heard this over and over again.

**SAKIRA COOK-** Over and over again.

**LAURA FLANDERS-** I mean what you just said about this being the, particularly criminal justice reform being the civil rights movement of our time. That's what Larry Krasner, one of the district attorneys that has been so in the cross hairs, told us just a week ago on this program, speaking from Philadelphia in Georgia, the show that we did about what went into the victories of 2020 emphasized exactly what you are all talking about. So I wanna move to learning, like what actually do we need to learn from this experience? And maybe it's not we who have to do the learning, but some other people. One of the questions that I, you know, hear a lot and one of the issues that we talk about a lot on this program is siloing, siloing of issues. Heidi, you've

talked about siloing economics from, you know, bodily autonomy, really? We also have heard a lot about, kind of siloing native issues, from issues of the environment, from issues of green energy. And yet every time we do a show on the subject, we hear how integrated those are and how important tribal sovereignty is, to a sort of sustainable future. Jacqueline coming to you on that. Are there candidates who have you excited out there, leaders that have you excited that may be won or on the verge of winning by not siloing their issues away?

**JACQUELINE DELEÓN-** Well, I think we see in Alaska a perfect example of how a candidate can unite a diverse demographic and talk about, you know, sustainable issues while also integrating the native vote. So, you know, Mary Peltola talked a lot about salmon. That was her campaign issue. She understands that, you know, there's a lot of ways that you can respect tribal interests, while also campaigning for broader rights. And I think that appealing to native voters on the issues is actually key to winning their votes. It's not really rocket science, right? At the end of the day, it's understanding that native voters have a legitimate and really necessary role in today's demographics, in today's tight races, a voice that they can contribute and appeal to their broad range of interests.

**LAURA FLANDERS-** Early in the night. One of the results that got me feeling, little bit more cheery was when I saw that outta Florida's 10th district, the old district of Val Demings, you had a working family party endorsed young man, 25 years old Maxwell Alejandro Frost, who ran on a re-imagining justice platform, among other things and came out ahead handily. Any thoughts about this sort of new crop of candidates, secure that's coming up? I know he wasn't alone running on that platform and succeeding. And let's not forget the ballot measures, you know, Ohio voted for a ballot for bail reform. They weren't the only ones. There are also ballot measures ending finally the practice, of allowing unpaid labor, basically slave labor, by people who are incarcerated.

**SAKIRA COOK-** Absolutely, for years, elected officials have repeatedly proposed the same old solutions that continually fail to keep the community safe. And so newly elected officials need to lean in on evidence-based solutions that are proven to increase public safety and enhance policing reform measures in particular. Safety solutions that don't focus like I said, on criminalization or incarceration as the primary lever of change, but really recognize to your earlier point, the intersectionality between education and economic opportunity and social support, right? And family supports as part and parcel of what happens and how we respond to crime. I think many of these candidates, who have run on those platforms, right? Positive progressive reforms have to ensure that they stand up for those things once they get into office and lean into them even in the face of adversity that will come.

**LAURA FLANDERS-** Yeah, when none of us are gonna pretend that it's gonna be a cakewalk for anybody, in the next two years. And that good candidate, Maxwell Frost, said a beautiful

thing where he said, you know what's needed is all the things all the time. I think he was quoting his band leader. Heidi, coming to you. I mean you are up against it. The people that you care about, the issues that you care about, reproductive autonomy, bodily autonomy, we're up against it.

**HEIDI L. SIECK-** Yes. Two things is you look at what the young people did, look at the, this is about the young people have mobile, they they know, they know what's at stake. They're worried about their futures, they're worried about their body autonomy, they're worried about the climate. They showed up. Over the course of the last seven years, we have supported over 1500 down ballot races. We had 560 of them this cycle. These are school boards, criminal legal positions. These are critical leadership pipelines. And let me tell you what we've seen over the years. The most inspiring part of democracy, why I don't lose hope and why I continue to stay connected, is there are women, people of color, black women, young people who are stepping up and running in all of these races, school boards and mayors and city councils. And they are engaged. But we have to make sure that we're paying attention to supporting these races, because they're gonna be our future leaders. And as we look to the future lessons learned, look there. In 2023, there's gonna be over 94,000 open seats on the ballot. We get so obsessed with these federal elections. No. The real community policy happens at the school board level. Like in North Carolina, we supported some school board races, where there were folks running against other, GOP supported candidates who wanted to ban books and had anti-trans policies on their docket. Like, no, no, no. We need to be focused on that. And we have so much opportunity this year to do that. And Maxwell Frost is the beginning and there are so many more Maxwell Frosts out there, that are actually stepping up and running, for more local races. And that's where I want our focus to be, as we prepare for 2023 and 2024.

**LAURA FLANDERS-** What do you think the story will be, that the future tells of this moment? And let's start with you Heidi, briefly, 30 seconds.

**HEIDI L. SIECK-** We are a pro-choice nation, always have been. We have a community, a country that understands its autonomy. People say, oh, it's the economy. No no it's the autonomy.

**LAURA FLANDERS-** Love it, Sakira to you.

**SAKIRA COOK-** Redefining public safety is a winnable issue. If you run on transforming the criminal legal system and on creating a better alternative to incarceration and criminalization, people will be with you and they will always stand up for you. And that's down the ballot and up the ballot.

**LAURA FLANDERS-** Jacqueline.

**JACQUELINE DELEÓN**- Democracy is for every American citizen. And that at the end of the day, if you include the weakest, if you include the most disenfranchised, you will have an inclusive and promising America. If you exclude and cheat your way out of including the people, the people, all the American people, democracy will lose.

**LAURA FLANDERS**- Well that's all we have time for. Thank you. Sakira Cook from Color of Change, Jacqueline DeLeón from the Native American Rights Fund, Heidi Sieck from Vote Pro-Choice. You can find all the information about the episodes we refer to in our archives at our website. And don't forget, you can subscribe to the free podcast, for all our uncut versions. Till the next time, stay kind, stay curious and thanks for joining me, I'm Laura.

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