

Tuscola County Democratic Party Newsletter

June 2022

Volume 1, Issue 3

Our Goals

- Ensure honest and transparent government.
- Restore and protect our environment.
- Support strong economic growth and opportunity.
- Strengthen voter access and turnout.
- Promote affordable education and health care for all.

Contact Info

Tuscola County
Democratic Party
P.O. Box 605
Caro, MI 48723

(989) 262-9885

TuscolaDemocrats
@gmail.com

Notice of the June meeting

The June meeting of the Tuscola County Democratic Party will be held on **Thursday, June 16th, 2022**, at the Brentwood, 178 Park Drive, Caro, MI. Social hour will begin at 5:30 p.m. and the meeting will begin at 6:30 p.m. Democratic candidates for state and national office will speaking at the meeting and answering questions. The meeting will be indoors, so please wear a mask to keep everyone safe.

We hope you will join us.

Highlights of the May Meeting

The meeting was called to order at 6:30 p.m. on May 19th by Chair Deb Parker. Fifteen members were in attendance. A motion to allow Secretary Lisa Bertsch and Treasurer Charles Stockwell to switch positions was made, seconded, and approved by voice vote. Paul Whitney, Democratic candidate for Representative of the 97th District in the Michigan House of Representatives, spoke to us about his background and platform and answered our questions. Vicki Leland reviewed the petitions currently being circulated in our area. Deb Parker discussed renting a storefront in Caro for the upcoming election season. The meeting was adjourned at 8:04 p.m.

Rural Power Lab

On May 20th, Deb Parker, Bob DeCoe, Lisa Bertsch, and Chuck Stockwell drove to Lansing to attend a training session conducted by a group called Rural Power Lab. They offered ideas and supporting materials to help us promote Democratic values and candidates during the upcoming election campaign. We look forward to working with these folks.

Fundraiser for Paul Whitney



Paul Whitney is having a fundraiser from 4:30 to 6:00 p.m. on Wednesday, June 15th, at the Cork Pine Eatery & Saloon, 45 E. Huron Street, Vassar, MI.

You're all invited.

As you know, Paul is running as the Democratic candidate for State Representative of the 97th District. He has been a life-long resident of Vassar with his wife, Kortney, and their two children, Nolan and Paige. He serves as Vice-president of Wolverine Human Services, which provides foster care and adoption services for children. He has worked for that institution for more than thirty years and has been Police Officer for the City of Vassar for thirty-one years. Paul has always been an active member of his church and community. He was named Vassar Citizen of the Year.

Women's Rights in Michigan

In 1931, Michigan lawmakers enacted a law that made it illegal to have an abortion. The law stated that " Any person who shall willfully administer to any pregnant woman any medicine, drug, substance or thing whatever, or shall employ any instrument or other means whatever, with intent thereby to procure the miscarriage of any such woman, unless the same shall have been necessary to preserve the life of such woman, shall be guilty of a felony, and in case the death of such pregnant woman be thereby produced, the offense shall be deemed manslaughter." Performing an abortion would be punishable by a mandatory sentence of one year in prison. Manslaughter would be punishable by up to 10 years in prison. The law allows no exemption for pregnancies of women who were raped or victims of incest.

This law is still on the books, but because federal law takes precedence over state law, it has been dormant since the *Roe vs. Wade* decision in 1973, which made abortion legal nationwide.

It looks as if the Supreme Court will soon repeal *Roe vs. Wade*. If it does, then Michigan's 1931 antiabortion law will once again go back into effect. Michigan Attorney General Dana Nessel has said she will not prosecute any cases using this law. However, Nessel is up for election this fall and her GOP challenger, Matt DePerno, said that he would prosecute all abortions.

On April 7th, Planned Parenthood of Michigan filed a lawsuit to block enforcement of the 1931 antiabortion law. On May 17th, Chief Judge Elizabeth Gleicher of the Michigan State Court of Claims issued an injunction that restrains the Attorney General and all state and local officials

under her supervision from enforcing the 1931 law. The injunction means that even if the Supreme Court overturns *Roe v. Wade*, Michigan's law would not go back into effect at least until Planned Parenthood's lawsuit is resolved.

Judge Gleicher's injunction applies only to the Attorney General and those under her supervision. It doesn't apply to county prosecutors, who may decide to prosecute under Michigan's 1931 law if *Roe vs. Wade* is repealed. Governor Whitmer has filed a lawsuit to block these county prosecutors from enforcing the 1931 law. Her lawsuit names as defendants the prosecutors of the 13 Michigan counties in which abortion providers are located— Emmet, Genesee, Grand Traverse, Ingham, Jackson, Kalamazoo, Kent, Macomb, Marquette, Oakland, Saginaw, Washtenaw, and Wayne. The state Supreme Court has yet to rule on the Governor's lawsuit.

A coalition of women's right activists—the ACLU of Michigan, Planned Parenthood Advocates of Michigan, and Michigan Voices—are circulating a ballot initiative, *Reproductive Freedom for All*, that would amend the state Constitution to repeal the 1931 law. They need to get 425,059 valid signatures by July 11th, 2022, to put the measure on the ballot in November.

Petitions

The deadline for submitting signatures for initiative petitions to Michigan's Board of State Canvassers was 5:00 p.m. on June 1st. Only one group—*Michiganders for Fair Lending*—showed up to submit signatures. Their initiative would cap interest rates for payday loans at 36%. If it passes the signature checkers, the measure will go to the Michigan legislature, which can either approve it or place it on the November ballot.

For many months, circulators have been going around collecting signatures for at least eight other initiative petitions. However, their sponsors failed to meet the June 1st deadline for submitting the signatures for review by the Board of State Canvassers, so those initiatives are now dead. The dead initiatives are as follows:

- *Unlock MI*, which would have required that a state emergency order expire after 28 days unless the legislature or a local government extended it.
- *Secure MI Vote*, which would have required photo ID for in-person voters and absentee ballot applications, required partial Social Security numbers for voter registration, required voters who don't present ID in person to present it within six days after the election, barred unsolicited absentee ballot applications, banned outside funding for elections, and restricted mail-in ballots, among other provisions.
- *Let MI Kids Learn*, which would have established a "Student Opportunity Scholarship" program to pay for K-12 public or private school tuition and fees, home-schooling materials, and online learning programs for those with financial needs and allowed taxpayers to claim tax credits for contributions to this program.
- *Audit MI*, which would have set up an "audit board" of ten Republicans and ten

Democrats selected by the Legislature, stripping auditing power from the Secretary of State and local election officials. The board would have been allowed to raise both public and private funds and would not have been required to disclose private donors. It would have also established a grand jury to investigate findings.

- *Raise the Wage Michigan*, which would have increased the minimum wage to \$11/hour in 2023, \$12 in 2024, \$13 in 2025, \$14 in 2026, and \$15 in 2027.
- *Michigan United*, which would have eliminated mandatory minimum sentences and established credits that reduce prisoner sentences for earning a college degree or certification, among other provisions.
- *Michigan Initiative for Community Healing*, which would have decriminalized production and use of psychedelic plants and mushrooms and lowered penalties for possession of controlled substances.
- *Yes on National Popular Vote*, which would have declared as Michigan's public policy that the candidate who receives the most votes nationwide should become president.

Guns

On May 24th, 2022, 18-year-old Salvador Ramos walked into Robb Elementary School in Uvalde, Texas, carrying an handgun, an AR-15 style rifle, and high-capacity magazines, which he had purchased legally. Inside the school, he opened fire, killing 19 second-, third-, and fourth-graders and two teachers, and wounding 16 others. Earlier that day, he had shot his 66-year-old grandmother in the face.

On May 14th, 2022, 18-year-old Peyton Glendron pulled up in front of a Tops Friendly Markets store in a predominantly Black neighborhood of Buffalo, carrying a Bushmaster XM-15 semiautomatic weapon, which he had purchased legally. In the parking lot outside the store, Glendron shot four people, killing three. Inside the store, he shot ten more people, killing seven. All ten who died were Black. Two days before the shooting, Glendron posted a 180-page manifesto on Google Docs promoting the far-right "Great Replacement" conspiracy theory.

On November 30th, 2021, 15-year-old Ethan Crumbly walked into Oxford High School in Oxford Township, Michigan, carrying his father's 9 mm SIG Sauer SP 2022 semi-automatic handgun. Inside the school, he opened fire, killing four students and injuring seven others, including a teacher.

On March 22nd, 2021, 21-year-old Ahmad Al Aliwi Al-Issa walked into a King Soopers supermarket in Boulder, Colorado, carrying a semi-automatic Ruger AR-556 pistol, which he had purchased legally, and killed 10 people. He was arrested after being shot in the leg and later found mentally incompetent to stand trial.

On August 3rd, 2019, 21-year-old Patrick Crusius walked into a Walmart store in El Paso, Texas, and opened fire with WASR-10 rifle, which he had purchased legally. He killed 23 people and injured 23 others. Shortly before the attack, Crusius had posted a manifesto on *8chan*, citing the far-right “Great Replacement” conspiracy as inspiration for his attack.

On May 31st, 2019, 40-year-old DeWayne Craddock walked into a municipal building in Virginia Beach, carrying two semi-automatic pistols—a Glock 21 and an H&K USP Compact Tactical—which he had purchased legally. He killed 12 people and wounded 4 others before being shot dead by responding police officers. Craddock was a disgruntled city employee.

On October 27th, 2018, 46-year-old Robert Bowers walked into the Tree of Life synagogue in Pittsburgh, Pennsylvania, during Shabbat morning services carrying a Colt AR-15 semi-automatic rifle and three Glock .357 SIG semi-automatic pistols, which he had purchased legally. He killed 11 people and wounded six others. Bowers had earlier posted antisemitic comments against the Hebrew Immigrant Aid Society on the online alt-tech social network, *Gab*.

On May 18th, 2018, 17-year-old Dimitrios Pagourtzis walked into Santa Fe High School in Santa Fe, Texas, carrying his father’s short-barreled 12-gauge Remington Model 870 pump-action shotgun and Rossi .38-caliber snub-nosed revolver. He murdered eight students and two teachers and wounded 13 others.

On February 14th, 2018, 19-year-old Nikolas Cruz entered Marjory Stoneman Douglas High School in Parkland, Florida, carrying an AR-15 style semi-automatic rifle, which he had purchased legally, and began firing indiscriminately at students and teachers. Within four minutes, he had murdered 17 people and injured 17 others.

On November 5th, 2017, 26-year-old Devin Patrick Kelley, walked into the First Baptist Church in Sutherland Springs, Texas, carrying a Ruger AR-556 semi-automatic rifle. He fired approximately 700 rounds in 11 minutes and killed 26 people, wounded 22 others, and then killed himself.

On December 14th, 2012, 20-year-old Adam Lanza entered the Sandy Hook Elementary School in Newtown, Connecticut, carrying his mother’s Bushmaster XM15-E2S rifle and 300 rounds of ammunition. He murdered 26 people. Twenty of the victims were children between six and seven years old, and six were adult staff members. Earlier that day, Lanza had shot and killed his mother in their Newtown home.

On April 20th, 1999, Eric Harris and Dylan Klebold, both 18 years old, walked into Columbine High School in Columbine, Colorado, carrying a Hi-Point 995 Carbine, a Savage-Springfield 67H pump-action shotgun, a 9×19mm Intratec TEC-9 semi-automatic handgun, and a Stevens 311D double-barreled shotgun. Harris and Klebold were too young to buy these guns themselves, so they had friends purchase them at gun shows. After entering the school, Harris and Klebold shot and killed 12 students and one teacher and injured 21 others.

The Second Amendment

In 1791, Congress passed the Second Amendment to the Constitution, which reads: "A well-regulated Militia being necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed." This wording is somewhat abstruse, so for more than two hundred years, constitutional scholars have been debating what exactly the Framers meant.

Some scholars say the Framers meant that citizens have the right to bear arms only while serving in state militias. This interpretation is called "the collective rights theory," and it makes a lot of sense, because the Amendment contains the phrase, "A well-regulated Militia being necessary to the security of a free State" and also because the Continental Congress had recently voted to grant Congress exclusive power to raise and support a standing army of unlimited size, and this created widespread fear that the federal government might someday take over the states by force, which could happen if Congress passed laws prohibiting states from arming citizens.

Other scholars have said that the Amendment's phrase "the right of the people to keep and bear Arms" means that individual citizens have the right to keep and bear firearms and not only when serving in a state militia. This interpretation is called "the individual rights theory."

In 2008, the U.S. Supreme Court decided in favor of the "individual rights theory" in *District of Columbia v. Heller*. The plaintiff, Dick Heller, challenged the constitutionality of a Washington, D.C., law that prohibited the possession of handguns. In a 5-4 decision, the Court struck down the D.C. handgun ban as a violation of Heller's Second Amendment right. The Court meticulously detailed the history and tradition of the Second Amendment and proclaimed that it established an individual right for U.S. citizens to possess and use firearms, including self-defense within the home. However—and this is important—they said that the right to keep and bear arms is subject to regulation. The majority opinion, written by Justice Antonin Scalia, states that the right to bear arms "is not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose." The opinion goes on to confirm the legality of "prohibitions on the possession of firearms by felons and the mentally ill, or laws forbidding the carrying of firearms in sensitive places, such as schools and government buildings," and laws imposing conditions and qualifications on the commercial sale of firearms, and laws prohibiting the carrying of 'dangerous and unusual weapons'.

That's now the law of the land, but the debate continues. At one extreme, some people (including Justice Stevens, who wrote the dissenting opinion in *District of Columbia vs. Heller*) say that we should repeal the Second Amendment. This idea is attractive. We live in a society where our standing army is the pride of our nation, where well-trained police forces provide personal security, and where gun violence is a serious problem. However, repeal of the Second Amendment would require a two-thirds majority in both houses of Congress and ratification by three-fourths of the states. That's not going to happen. At the other extreme, there are those who say that the right to keep and bear arm is sacred and shouldn't be regulated at all. That's not going to happen either. In the real world, the question is: *How much gun regulation is enough?*

In Michigan, there are many gun control laws on the books. Here's a rundown:

- Who can own a gun? If you're at least 18 years old, you may buy a handgun from a private seller, but you must first go to your local police department and get a purchase permit. If you are at least 21 years old, you may buy a handgun from a federally licensed gun dealer, but you and the seller must fill out a Michigan Pistol Registration form and submit it to your local police department within 10 days of the sale. A long gun (a firearm that is more than 26 inches long) may be purchased by anyone aged 18 or older who is not subject to restrictions based on criminal history, mental health history, or some other disqualifying factor. No purchase license is required to buy a long gun.
- Is open carry legal in Michigan? Yes. You may carry a firearm in public as long as it is not concealed. However, you may not carry a firearm in a school or on school property, in a day care center, child caring agency, or child placing agency, a sports arena or stadium, or a tavern, on any property owned or operated by a church, synagogue, mosque, temple, or other place of worship, in an entertainment facility with a seating capacity of 2,500 or more, in a hospital, a dormitory or classroom of a community college, college, or university, in a courtroom, a bank or credit union, or a casino.
- Is concealed carry legal in Michigan? Yes. You may carry a concealed handgun in public as long as you have a Michigan Concealed Pistol License (CPL). To qualify for a CPL, you must be at least 21 years old, be a U.S. citizen or lawfully admitted alien, a legal resident of Michigan for at least six months immediately prior to application, possess a Michigan driver's license or ID card, and have successfully completed a state-approved firearms training course with at least eight hours of instruction, including three hours of range time. You are prohibited from carrying a concealed handgun in the same places where you are prohibited from carrying a handgun in plain sight. You may not carry a concealed weapon inside a school, but if you have a CPL, you may carry a handgun into a school, but it has to be in plain sight.
- May you carry a firearm in your car? Yes. If you don't have a CPL, then the firearm must be unloaded, in a closed case designed for firearms, and inaccessible to the occupants of the vehicle. If you have the CPL, you may carry a loaded firearm in your car, concealed or in plain sight.

There's more gun control legislation on the horizon. Four bills have passed the U.S. House of Representatives and await action by the Senate:

- *Enhanced Background Checks Act of 2021* (H.R. 1440) would close the so-called "Charleston loophole," which allows some gun sales to proceed without a background check if screening is not completed within three days.
- *Bipartisan Background Checks Act of 2021* (H.R. 8) would require background checks for all gun sales and transfers. Under current law, licensed gun dealers are required to run potential buyers through an FBI database, but unlicensed gun sellers—like those frequently operating at gun shows or on the internet—are not required to conduct such background checks.

- *Jamie’s Law* (H.R. 2715) would require background checks prior to ammunition sales.
- *Protecting Our Kids Act* (H.R. 7910) would prohibit a Federal firearms licensee from selling or delivering semiautomatic rifles or shotguns to a person under 21 years of age, make it illegal for a person to buy a firearm for someone else, outlaw “ghost guns,” establish requirements for the safe storage of firearms in homes, require that existing bump stocks be registered and ban the sale and possession of bump stocks by civilians, and outlaw the import, sale, manufacture, transfer, or possession of a large-capacity magazines.

In the Michigan legislature, 24 gun control bills have been introduced since 2021. Eight of these bills are part of a package of bills to give resources for safe gun storage and tougher laws against unsafe storage. Six bills would create guidelines for universal background checks. Four bills would make for better protections for domestic violence victims. Four bills would impose limits on magazine capacity and require owners of high-capacity magazines to register their stockpiles. Two separate bills would create funding for gun violence prevention in Ingham County and allow local governments to ban guns on their property. None of these bills have been enacted.

What about a ban on assault weapons? From 1994 to 2004, we had a nationwide assault weapon ban, but it was good for only ten years, and in 2004, Congress refused to re-enact it. Currently only seven states—New York, New Jersey, Massachusetts, Connecticut, Maryland, California, and Hawaii—and the District of Columbia ban assault weapons. Michigan is not one of them.

Assault weapons are the weapons of choice for mass shooters. These weapons can fire 100 rounds a minute and cause egregious wounds. Some of the children who died at Robb Elementary School were so badly mutilated they could be identified only by the clothes they wore. If we are unable to achieve a total ban on assault weapons, can’t we at least try to keep them out of the hands of berserk teenagers?

*Paid for by regulated funds of the Tuscola County Democratic Party
P.O. Box 605, Caro, MI 48723*