



INGov GOP race lacks inevitability

Internal polling shows
Braun in lead, but issues
could determine winner

By **BRIAN A. HOWEY**

INDIANAPOLIS — What the expected five-way 2024 Republican race for governor has in sheer numbers, it lacks in inevitability. While Doc Bowen, Robert Orr, Evan Bayh, Mitch Daniels and Mike Pence were heavy party favorites in the years they were first nominated, this emerging race lacks a dominating personality, particularly in contrast to Jim Banks's stranglehold on the GOP Senate nomination.

And there is a growing perception that this field lacks fire.

Howey Politics Indiana has called U.S. Sen. Mike Braun the "nominal favorite." Most observers we've talked with in recent days believe that while the senator enters this race sequence in the best position, lanes for victory exist for Lt. Gov. Suzanne Crouch, former



U.S. Sen. Mike Braun addresses the Denton's Conference Wednesday morning from DC while Eric Doden, Curtis Hill, Suzanne Crouch participated on stage. (HPI/State Affairs Photo by Mark Curry).

commerce secretaries Eric Doden and Brad Chambers, and former attorney general Curtis Hill.

There is an acknowledgment that Braun enters

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'Clear paths' to victory

By **BRIAN A. HOWEY**

INDIANAPOLIS — Two years after the American Continental Congress had declared independence, George Washington's army settled in for its third bitterly cold winter encampment at Valley Forge. Things looked bleak in 1778.

In 1863, two years after the Civil War began, Confederate Gen. Robert E. Lee disheartened the Union army with a spectacular victory at Chancellorsville, Virginia. A few days later more than 100 people were killed during anti-war riots in New York City.

And in World War II, it wouldn't be until May 1943 that the allies turned the tide against Nazi Germany in North Africa.



"The Republican Party likes the dictatorship. Democracy is hard. I think the Republicans have given up on it. It haven't."

- Democrat U.S. Senate candidate Marc Carmichael, to HPI on Wednesday after Keith Potts dropped out of the race.

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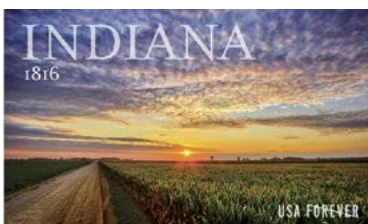
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Jack E. Howey
editor emeritus
1926-2019



The Soviets defeated the Nazis at Stalingrad as winter began. It would be another six months before American, British and Canadian soldiers stormed the beaches at Normandy, breaching Hitler's Fortress Europe.

It would take U.S. victories in previously obscure places such as Monmouth, N.J., Gettysburg, Vicksburg, and Normandy that the tides of great wars shifted; that ultimate victory could even be fathomed.

It's been a little less than two years since Russian tyrant Vladimir Putin made the unilateral decision to invade Ukraine, unleashing his armies to bomb civilian targets, power plants during the long winters, and commit wave after wave of atrocities using rape, drones and missiles against apartment buildings, schools, churches and hospitals.

Now further U.S. funding for Ukraine is being held up in Congress, with Republicans insisting that \$111 billion the Biden administration has requested for Ukraine and Israel also including funding to "fix" the porous southern border.

"We stand at a real inflection point in history," President Biden said with Zelenskyy at his side at the White House on Tuesday. Failing to approve more aid would give Putin, "the greatest Christmas gift they could possibly give him."

According to The New York Times, new Republican House Speaker Mike Johnson told reporters on Tuesday, "Our first condition on any national security supplemental spending package is about our own national security. We stand with him against Putin's brutal invasion." But the NYT reported that Johnson accused the White House of failing to articulate a "clear path" to Ukraine's victory, which Republicans also have said is a necessary condition to unlock military aid.



According to the Council on Foreign Relations, the U.S. has spent \$46.6 billion in military assistance for Ukraine. Worth noting is that no American or NATO soldiers have been killed in this war. The Biden administration and Congress have directed more than \$75 billion in total assistance, "which includes humanitarian, financial, and military support," according to the Kiel Institute for the World Economy.

U.S. Sen. Eric Schmitt, R-Mo., summed up the conservative skepticism following Zelenskyy's meeting for Politico: "Nothing changes ... it's just the same old stuff. There's nothing new. We've also been told in previous briefings that they might need another \$100 billion next year."

This was after Zelenskyy reportedly spoke to U.S. senators entirely in English, with one GOP senator telling PBS reporter Lisa Desjardins the gesture was "poignant" and felt like a "sign of respect." Desjardins writes that there were a few times Zelenskyy had to look up definitions of words used by senators. "One word he didn't know: Stalemate."

But that is where

Zelenskyy and Ukraine find themselves after two years of war. "The U.S. assesses that Russia believes it is helped by a military stalemate with Ukraine that saps Western support for Kyiv, making its war easier to win," Politico reported of a U.S. intelligence assessment.

"Russia is determined to press forward with its offensive despite its losses," National Security Council spokesperson Adrienne Watson said in a statement. "It is more critical now than ever that we maintain our support for Ukraine so they can continue to hold the line and regain their territory."

"Let me be frank with you friends, if there's anyone inspired by

unresolved issues on Capitol Hill it is just Putin and his sick clique," the Ukrainian leader told a military audience at the National Defense University, according to Politico.

A new Pew Research Center survey (Nov. 27 to Dec. 3, 2023, among 5,203 members of the Center's nationally representative American Trends Panel), finds that: 48% of Republicans and Republican-leaning independents say the U.S. is giving too much aid to Ukraine. This share is up modestly from June, when 44% said this, and is substantially higher than it was at earlier stages in the war; 31% say the United States is providing too much assistance to Ukraine in its fight against Russia, while about half say that the U.S. is providing the right amount of support (29%) or not providing enough (18%).

In December 2022, Zelenskyy addressed a joint session of Congress as a hero. "This struggle will define in what world our children and grandchildren will live, and then their children and grandchildren," he said. "It will define whether it will be a democracy of Ukrainians and for Americans — for all. This battle cannot be frozen or postponed. It cannot be ignored.

"The Russians' tactic is primitive," Zelenskyy continued. "They burn down and destroy everything they see. They sent thugs to the front lines. They sent convicts to the war. They threw everything against us, similar to the other tyranny, which is in the Battle of the Bulge. Threw everything it had against the free world, just like the brave American soldiers which held their lines and fought back Hitler's forces during the Christmas of 1944. Brave Ukrainian soldiers are doing the same to Putin's forces this Christmas.

"Ukraine — Ukraine holds its lines and will never surrender. I know that everything depends on us, on Ukrainian armed forces, yet so much depends on the world."

There is a lot to unpack here.

■ First, there is a crying — no, screaming — need to address the U.S.-Mexican border. There hasn't been comprehensive immigration reform since President Reagan was in office. It needs to be bipartisan. It needs to be comprehensive. To suggest that this can be done on the fly and within days while Ukraine and Israel writhe in crisis, is not good governance. But there has been little "good governance" on the immigration crisis, which will only get worse in the coming years. Both parties use the issue to raise campaign funds, which appears to be an addiction and not a remedy.

■ Second, it is nearly impossible to articulate a "clear path to victory" at the two-year mark. Gen. Washington couldn't do it in 1778, President Lincoln and Gen. U.S. Grant couldn't in July 1863, and President

Roosevelt and Gen. Eisenhower were unable to fathom how long it would take Berlin and Tokyo to fall in early 1943. They didn't know what the Manhattan Project would yield by 1945, or how the American "Arsenal of Democracy" would form and build epic tonnage of tanks, planes and artillery.

■ Third, Ukraine cannot defeat Russia without air power, just as the U.S. wouldn't have won D-Day or the Battle of the Bulge without it. "Who controls the skies controls the war's duration," Zelenskyy said at a press conference with Biden at the White House late Tuesday afternoon. Johnson said in a letter to President Biden last week, "President Biden must satisfy congressional oversight inquiries about the administration's failure thus far to present clearly defined objectives and its failure to provide essential weapons on a timely basis." Providing "essential weapons" on a "timely basis" is the path toward "clearly defined objectives." Everyone involved from Kyiv to Washington to Brussels must up their game.

■ Fourth, if we abandon Zelenskyy and Ukraine to Putin, it will be just a matter of years until NATO and the U.S. will be spending blood and treasure to fend off Putin's expansion. These are lessons to be learned after his repeated incursions into Georgia, Chechnya, Crimea and now Ukraine over the past two decades.

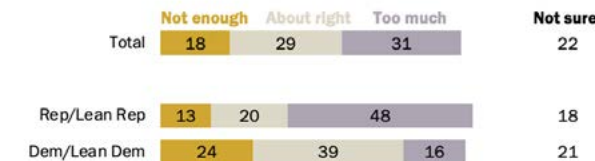
■ Finally, U.S. Rep. Victoria Spartz has faded as an advocate for her homeland. She was hyper-involved for the first few months after the invasion, before tangling with Zelenskyy's chief of staff. She subsequently announced she wouldn't seek reelection in 2024, essentially becoming a lame duck at the very time House Republican support for Ukraine began to evaporate.

U.S. Sen. Todd Young said at Notre Dame in October, "We live in a perilous world. This is the most dangerous time in my lifetime. We've been through these periods before where that stark realization is, as we look around the world, who else is going to do it this time? I think we're just going to have to admit that no one is going to do it without a lot of American leadership. We have to step up."

Young told the Global Coalition in Indianapolis a few days later that supporting the Israeli and Ukrainian armies is a no-brainer. "There are no boots on the ground," he said of U.S. aid stopping. "It is expensive. But what I would argue is it would be even more expensive if you had to put boots on the ground. Invariably, if we don't get involved early, it's far more likely that later on we'll be pulled in. That will involve a more robust commitment far more expensive in life and treasure." ❖

Americans are split over U.S. support for Ukraine

% who say that when it comes to Russia's invasion of Ukraine, the U.S. is providing ___ support to Ukraine



Note: No answer responses are not shown.
Source: Survey of U.S. adults conducted Nov. 27-Dec. 3, 2023.
PEW RESEARCH CENTER

INGov, from page 1

this crucial six-month stretch with the most assets: Money, endorsements from Donald Trump and Club For Growth, and his reputation for being a reliable conservative. Braun clearly leads the GOP primary, enjoying about 40% support in most internal candidate polls, according to informed and reliable HPI sources. His closest competitors — Crouch, Chambers, Doden and Hill — trail behind.

However, the dynamics of the race could still shift dramatically. In a narrower contest with only two or three candidates, Braun's advantages could diminish. Crouch, Chambers, and Doden each have the potential to rival Braun's fundraising efforts. In some respects, they already do. Moreover, in a more compact race, their name recognition could sufficiently challenge Braun's lead.

A crucial factor in the evolving landscape of this race is Braun's history of adopting positions perceived as left-leaning. Although not yet well-publicized, these stances may become more pronounced liabilities in the heated environment of a GOP primary, particularly as the race progresses.

While Braun's position as the frontrunner is undeniable, the outcome of this race remains uncertain. It hinges on the race's ability to narrow in scope and on how candidates capitalize on changing dynamics. Braun, although not exceedingly vulnerable, faces a contest that is far from decided.

When HPI asked Braun in November in his hometown of Jasper how he wins the primary, he responded, "We've done one poll that we haven't released the information publicly. It's got us in a very, very strong position, way ahead of Suzanne Crouch, and the other three candidates are in single digits. We're getting a feeling of high favorables, low unfavorables and that's a good place to be. Generally when you've been in the [U.S. Senate] job for five years, you're not in that good of shape."

Asked if he believes the five credible candidates will go through the May primary, Braun said, "It appears

V29, N14 **HP HOWEY POLITICS INDIANA** Thursday, Nov 16, 2023 STATE AFFAIRS PRO

Jasper is central to Sen. Braun's story

He'll pattern his governor administration with hometown lessons

By BRIAN A. HOWEY

JASPER, Ind. — To understand the Mike Braun story means coming here to this bustling little city in the wooded rolling hills about an hour north of the Ohio River.

U.S. Sen. Mike Braun, a Republican candidate for governor, left Jasper to attend Washburn College, then earned an MBA from Harvard. While he says

many of his classmates headed for Wall Street or Silicon Valley, he headed back home. He bought what he calls a "hard scramble" company — Meyer Body — in nearby Haystack, then built it up to be a sprawling 1,500 employee national company. "There's no substitute about seeing the context of where you're coming from," Braun said during a walking



tour on Nov. 6 of this 270,000 square foot complex. "My major piece of work, you're looking at it right here." In Hoosier politics, a candidate for governor most likely points to his public service record, which in Braun's case is a long one. **Continued on page 3**

V29, N11 **HP HOWEY POLITICS INDIANA** Thursday, Oct 26, 2023 STATE AFFAIRS PRO

Crouch 'reimagines' government, taxes

Her 'Axe the Tax' plan becomes first focal point of 6-way INGov primary

By BRIAN A. HOWEY

INDIANAPOLIS — There have been some memorable gubernatorial slogans over the years. There was Speaker Doc Bowen's "He Hears You" in 1972. In Gov. Frank O'Bannon's 2000 reelection campaign, it was "Thanks a Billion" playing off his first term tax cuts. Four years later, Mitch Daniels' "Indiana Comeback" came complete with a roadmap along with "My Man Mitch" bumper stickers.

Lt. Gov. Suzanne Crouch has unveiled the gold standard of slogans for the evolving 2024 campaign with her "Axe the Tax" plan that would phase out Indiana's personal income tax. It has become the crux of her campaign. It is succinct, memorable and stands out.



In contrast, U.S. Sen. Mike Braun is using "Outsider, Conservative, Businessman"; Brad Chambers has adopted "Conservative Outsider"; Eric Doden has "Real Conservative Values." **Continued on page 3**

V29, N6 **HP HOWEY POLITICS INDIANA** Thursday, Sept. 21, 2023 STATE AFFAIRS PRO

Chambers on his GOP listening tour

Former Commerce secretary presents himself as the needed CEO

By BRIAN A. HOWEY

WARSAW, Ind. — The rumor mill surrounding Commerce Secretary Brad Chambers' Republican run for governor had been churning for months, until early August when he resigned his \$1-a-year post after 24 months. He learned his campaign \$5 million, hired the state party's political pros and made a \$1 million

biographical TV ad traces his family's roots to Thornton, his forgoing a lawn care business at age 15, how he met his wife at Indiana University and then began a multistate rental business before Gov.



Eric Holcomb named him commerce secretary a little more than two years ago. "We had our faith in Hoosier values," Chambers says in the ad. "I met my wife at IU. We raised our kids in Indiana." **Continued on page 4**

V29, N5 **HP HOWEY POLITICS INDIANA** Thursday, Sept. 14, 2023 STATE AFFAIRS PRO

Doden focusing on small towns, teachers and free adoptions

By BRIAN A. HOWEY

INDIANAPOLIS — Eric Doden grew up in a small town — Auburn, Indiana — and is basing part of his 2024 Republican gubernatorial campaign on reviving them.

"We're going to continue to talk about the importance of our small towns," Doden said Monday in a Hoosier Politics Indiana interview. "We have the Indiana Main Street Initiative where we have 2 million people who live in towns of 3,000 or less. We have really not had an economic plan for them. Our Indiana Main Street Initiative is \$100 million a year over eight years and will help the

private sector as they reemission and restore both pride and vitality of our small communities." Doden was the first candidate to declare for the '24 gubernatorial race. He posted \$3.38 million on his year-end campaign finance report and has \$2.8 million cash on hand as he gears up to face U.S. Sen. Mike Braun. Lt. Gov. Suzanne Crouch, a potentially others in the May primary. Crouch ended the week with \$3.2 million cash on hand while Braun posted \$2.9 million.

He is a protégé of former Indiana governor Mike Pence who appointed him to head the Indiana Economic Development Corporation (IEDC) in 2013, which he led for two and a half years. He also counted former Valparaiso mayor J. Costas as a mentor. The two met when he was a law student at Valparaiso University. DC received a business finance



to me that everybody intends to [stay in]. So far, when you look at the polling I think we're in as solid a shape as we could be."

But there was one tell-tale that emerged from HPI's Nov. 30 interview with Republican Chairwoman Anne Hathaway and addressed that inevitability question and the emerging perception that this race lacks the type of fire that Evan Bayh brandished in 1988 or as Mitch Daniels did in 2004.

"We've been talking a lot with donors who are trying to figure out where to invest their money," Hathaway said of a significant part of the donor class which remains undecided. "We've created the '24 Fund here at the state party. It's a Team Holcomb concept where some of the money will go to the state party to build out our infrastructure. It gives them a chance to get on board; none of them have the depth and bandwidth to split their donations five ways. This helps us out and helps the gubernatorial nominee."

How do you win?

Over the past year, HPI has interviewed all the major Republican candidates except Hill. We've also sat down with probable Democrat nominee Jennifer McCormick. Here is how they answered the "how do you win a primary" question.

HPI asked Lt. Gov. Crouch at Shapiro's Deli in Indianapolis in late October if 33% of the vote could forge a primary victory. "Yes, more than 30%. Mid-30%, maybe a little more than that," she responded. "It's a little early to tell right now. I believe what's going to happen is we're going to attract voters to me because I'm different. Because I have experience. Because I'm authentic and people can identify with me. When I'm out people come up to me and say, 'You know, you're a real person.' Remember, no party has controlled the governor's office for more than 20 years, so we need a different kind of candidate. People are not going to respond to the same old same old."

In November 2022 in Evansville, Crouch told

HPI, "You have a plan. You have enough resources – \$8 million to \$9 million. That will make me competitive. There will be about a million primary voters and I need to demonstrate that I am the person who is best prepared to lead them into the future. A governor's race is different from a senatorial race or congressional race. It's more about likability. It's more about what type of person people trust. Are you that type of person that people see leading us forward into the future? And improving their lives? It's what you can do for them.

"As a candidate, it's important to draw upon the experience I have," Crouch continued. "A candidate has to have the experience to demonstrate to the people they have the experience to lead them forward; they have accomplished things that have made life better for them. It's about relationships. I would argue that no one has the relationships that I have. As a legislator I've been in the House and now I'm president of the Senate. I understand the legislative process. I understand relationships are needed to accomplish things in the General Assembly. And then being in the executive branch, understanding how state agencies work, and how they can work better. You can have a vision for the state of Indiana, but if you don't have the relationships to make that vision a reality, that's all it ever is, a vision."

HPI interviewed Eric Doden in Indianapolis in January 2023: "We have a strong team and they're going to put together a strong strategy. This is going to be decided not on name ID - we're all going to have name ID at the end. This is going to be decided on ideas and what matters to the people of Indiana. I believe our team is going to be very competitive. We're going to go out there and continue to do what we've done, which is to attract a wide variety of people who believe in our vision. It's going to take some significant resources to get our message out. There are going to be a lot of voters because this is going to be a hotly contested primary with presidential, U.S. Senate and state elections, so we're going to have to be very creative on how we get our message out. Just because you have money and a lot of it doesn't mean you're going to be able to cut through the noise. We're going to have to be very thoughtful about that."

HPI interviewed Chambers in Warsaw in September: "You work hard and you be yourself. It took me a bit to get to yes on this. I'm not a career politician, I've never run for office. You hear me say that a lot. But I believe in the product through my career as a business person, I've been a consumer of the state's economy and then my two years as secretary of commerce. I saw up close and personal the potential of this state. It gets me

excited. The civic philanthropic service side of me feels we can do more. We can be good, but we can be great, so I'm excited about the potential to have an impact on that."

As Hill was pondering entry into the race earlier this year, he told the AP in a statement provided by his advisors: "At a time when Hoosiers are hungry for fresh leadership, it is crucial that we distinguish between those who genuinely represent conservative values and those who simply say they do. Our state deserves a proven conservative who has the guts to challenge the Indianapolis status quo and the grit to stand up against the Washington, D.C., crowd."

Candidate attributes

Braun, Crouch and Hill bring establishment attributes to the race. Braun has defeated three

incumbent members of Congress in his 2018 U.S. Senate primary and general election wins, on top of winning two General Assembly races.

Crouch has been winning elections at the General Assembly level since 2006 (she was appointed to HD78 in 2005 by caucus), and at the county level for 11 years prior. She won two statewide races with Gov. Eric Holcomb in 2016 and



Curtis Hill meets with former attorney general Steve Carter during the 2016 Indiana Republican Convention. (HPI Photo by Mark Curry)

2020.

Hill was the long-time Elkhart County prosecutor until he won the Republican attorney general convention race over former AG Steve Carter in 2016. Enmeshed in 2018 allegations of sexual harassment, and facing calls from Gov. Holcomb, Lt. Gov. Crouch and Sen. Braun to resign, Hill was defeated by Todd Rokita for renomination in virtual 2020 GOP convention. In 2022 Hill finished a distant second to Rudy Yakym in a 2nd CD caucus after the death of U.S. Rep. Jackie Walorski. That caucus vote revealed that Hill still had a base of supporters and could further split conservative voters in a competitive race for the Republican gubernatorial nomination. Hill is clearly aiming at conservative base voters. He declared his candidacy on Fox News. While he has joined the other four credible candidates on the Lincoln dinner circuit, he has had only three large contributions so far this fall, two of them from out of state.

Doden and Chambers are clearly running in the "outsider" lane. Both have the financial ability to tap into deep personal and family resources. If Chambers begins



to show traction, expect Braun and Doden to attack him over the water diversion issue with the proposed LEAP District in Boone County.

Many observers expected Crouch to establish herself as the lone female in the race, but she began her campaign to accenting her controversial tie-breaking vote in the Senate on the abortion restrictions bill and potential exceptions.

Doden, Chambers and Braun are all running TV ads, with the latter two attempting to gin up name ID. Crouch believes that primary voters aren't paying attention now and is expected to start her paid TV media in January.

Chambers appeared to have captured Braun's attention. In November's HPI Interview in Jasper, Braun said, "He has a lot of liquidity which is formidable. He'll have to use most of it for name ID. Our fundraising part has been the most gratifying. It's definitely with a base of funds that would be a lot broader than any of my competitors, especially Doden and Chambers."

As for Sen. Braun, in a Dec. 8, 2022 column, long-time HPI Washington correspondent Mark Schoeff Jr. observed: He's a reliably conservative but not particularly effective legislator. As he prepares to run for governor in 2024, it may not matter that the first-term Republican often finds himself among three dozen or so right-wing colleagues who are usually on the losing side of votes in the Democratic-majority Senate. His work is likely to appeal to GOP primary voters.

"He hasn't had a lot of success on bills," said Chad Kinsella, an associate professor of political science at Ball State University. "They try to make a statement as opposed to getting passed. He's filed bills that speak to that base in the primary."

Braun told HPI last month that he is most proud of the 11,000 constituent cases his staff has resolved, as well as being designated as the "most effective" Senate office by two external organizations. He said he's visited all 92 counties in each of the last five years. "I think that will give us the biggest advantage once we come to the voters in the primary and then [in] November," Braun told HPI.

Schoeff's analysis continued: As a congressional

back-bencher, Braun has the latitude to engage more on messaging than substance. He wouldn't have that luxury as governor, an executive position that often involves working with the legislature and other officials to solve problems. It's not clear from his Senate work whether Braun has governing ability. One proxy for that skill is how well he can reach across the aisle to advance legislation. Braun's record is mixed. He has worked with Democratic Sens. Cory Booker of New Jersey on nutrition issues and Debbie Stabenow of Michigan and the Growing Climate



Republican gubernatorial candidates Eric Doden, Curtis Hill, Suzanne Crouch and Brad Chambers at Wednesday's Dentons Legislative Conference. (HPI Photo by Mark Curry)

Solutions Act.

Overall, Braun stays on the far right of the Senate political spectrum. He was the 73rd most bipartisan senator in 2021, while his fellow Republican Hoosier senator, Todd Young, came in at 13, according to the Bipartisan Index produced by the Lugar Center and the McCourt School of Public Policy at Georgetown University. Braun can argue he pushed conservative principles and was stymied by the Democratic Senate majority.

"At some level, that's all he needs," Kinsella told HPI's Schoeff. "[Primary voters] are not thinking about who would be good at using executive power. It's not about civics. It's about appealing to that base." ❖

Carmichael ‘sad’ at Potts INSen exit

By **BRIAN A. HOWEY**

INDIANAPOLIS — When Indianapolis Councilman Keith Potts abruptly ended his U.S. Senate campaign on Tuesday, perhaps the most surprised Democrat was fellow candidate Marc Carmichael.



“I’m sad,” Carmichael told Howe Politics Indiana on Wednesday afternoon. “I thought he, Dr. [Valerie] McCray and I would have had a very interesting primary. It would have driven a lot of interest. With him gone, we are losing a lot. I was really surprised.”

Sources tell HPI that a couple of northern Indiana Democrats are currently collecting ballot signatures that would be due at noon on Feb. 9.

Potts posted on Facebook Tuesday morning: “As my service on the city-county council comes to an end, I’m looking forward to embarking on new professional opportunities in the year ahead. While this means I won’t be a candidate for the United States Senate in 2024, my commitment to serving the people of Indiana continues. I look forward to working with Democrats across the state to ensure a strong, progressive candidate is our nominee to take on Jim Banks in 2024.”

Potts added, “Hoosiers deserve a senator who will fight for their freedom to make their own health decisions, to be safe in their neighborhoods, and to vote in a free and fair democracy. I look forward to working with Democrats across the state to ensure a strong, progressive candidate is our nominee to take on Jim Banks in 2024.”

Carmichael said he expects to have the necessary 500 signatures per congressional district gathered by Christmas. “County chairs are focused on it now that the municipal elections are over,” Carmichael said, adding that he hasn’t had any talks with the national Democratic Senatorial Committee. “My guess is they’ll wait and see what the atmosphere looks like after the primary,” he said.

Carmichael told HPI that while he hasn’t had any conversations with the last two Democratic senators from Indiana — Joe Donnelly and Evan Bayh, he is working with Indianapolis Mayor Joe Hogsett and former congressman Baron Hill.

Carmichael made history in 1986 when he upset House Speaker J. Roberts Dailey. It was the first time a speaker had been upset for reelection since the Civil War. “I know what to do here, after beating Bob

Dailey,” Carmichael said. “I started in July at a parade in Alexandria. It’s almost five months to the day, and I’ve been at 75 different events in 30 different counties. I’m retired and I can do this full time. If there’s room on the calendar, I’ll be there. You can count on Carmichael to show up. That’s what I did against Bob Dailey, I just worked and worked.”

Carmichael is champing at the bit to take on the perceived Republican front-runner, U.S. Rep. Jim Banks. A Marion County court ruled that Jackson County egg producer John Rust can remain on the ballot despite a law that required him to vote in two consecutive Republican primaries.

Banks has the endorsement of Donald Trump and the Indiana Republican Central Committee, but has engaged with Rust on X over the last month, particularly after a jury ruled against Rust and his company Rose Acre Farms on a price-fixing scheme. “My opponent John Rust is spending millions of dollars to self fund his senate campaign with money we now know he illegally took from hard working families in an elaborate price gouging scheme,” Banks tweeted on X. “He makes George Santos



Marc Carmichael (right) with former congressman Baron Hill. (Carmichael Campaign Photo)

and Bob Menendez look like Boy Scouts!” Banks said at one point.

“I won’t let John Rust rip off Hoosiers like he screwed his customers for so many years,” Banks said on X. “Rust should give millions back to families he robbed instead of spending millions to buy himself a U.S. Senate seat.”

Rust responded with a TV ad: “He’s scared to death. The Republican establishment in Washington is scared to death of my campaign, and they are working so hard to keep me off the ballot because they know I can and will win in the primary. Banks is just a terrible candidate. They’re working so hard to protect him because he just will not stand up to competition. They beat everyone else down that has tried to enter the race — that’s not a democracy. People are entitled to a choice.”

Carmichael believes issues ranging from

immigration, to abortion restrictions and now the fight for democracy will make him competitive. "I think it's going to be a very easy choice. Banks [is] going to cling to Trump and [the] NRA. He's kind of locked in. He thinks it's a winning formula. I don't. He and I are going to be [on] opposite sides of issues.

"Can we get women to turn out to vote on abortion, climate change? I'm working harder than anybody else," Carmichael said. "I'm a good guy who just wants to do a good job. I started in a minority, then served in a 50/50 House tie and then I was in majority. You learn how to be persuasive. You can't go in there and be a bomb-thrower and get people to work with you.

"The Republican Party likes the dictatorship," Carmichael said. "Democracy is hard. I think [the] Republicans have given up on it. I haven't. I wouldn't be working as hard if I didn't think I could win it. I don't need to peak until next October. It's an open seat and I'll be running against a wing nut."

Statewides

Wells on Texas abortion case

The case of Kate Cox, a Dallas-area woman carrying a fetus with a fatal condition, has become "a stark symbol of the devastating consequences of Texas's extreme abortion ban," according to Democratic attorney general candidate Destiny Wells. Following the Texas Supreme Court's decision that prevents Cox from getting an abortion, the mother of two has since left the state to get medical care, according to CNN and other media reports.



"While women have already been fleeing home states for abortion care, Kate Cox proves that it was always about oppressing a woman's right to control her own body," Wells tweeted on X. "In Indiana, abortions have dropped to essentially zero. All women in America should be treated equal. Free to choose!"

In a statement, Wells added, "Women in red states are watching Texas in horror as our fundamental rights are stripped away. We see our reproductive rights hanging precariously in the balance and Hoosier women are especially terrified of what the future holds given our Attorney General, Todd Rokita, has repeatedly expressed his unwavering support for the Texas anti-abortion law, calling it a 'pro-life win ... and vowing to uphold similar

restrictions in Indiana.

"This case underscores the crucial importance of the upcoming 2024 election," Wells continued. "We must elect pro-choice candidates who will protect Hoosiers' remaining right to determine their own health care."

Wells also denied Rokita's assertion that she pressured the Indiana Supreme Court's Disciplinary Commission to reopen its investigation of the Republican over comments he made to Fox News in an abortion case involving Dr. Caitlin Bernard. "Ultimately this is about my opponent's pressuring the Disciplinary Committee and the courts to do what they can't do at the ballot box," Rokita said in an X posting.

Wells tweeted on X: "Given I'm his only electoral opponent, let me be clear, I've not pressured the Disciplinary Commission or courts. I mean really, why would I even need to? @AGToddRokita can't stop talking."

Beckwith calls for Holcomb action

Micah Beckwith, Republican candidate for lieutenant governor, suggested tax reform and a congressional term limits resolution should be part of Gov. Eric Holcomb's last legislative agenda, set to be announced on Jan. 8. "With inflation soaring due to Bidenomics, there needs to be more tax relief for Hoosiers," Beckwith said in a campaign statement. "Families and seniors are paying higher and higher prices at the pump and grocery stores. Property taxes have skyrocketed, stretching family budgets to the max. More needs to be done to help hard working Hoosiers. I believe that our governor should make this a major part of his final legislative agenda," urged Beckwith.

The state comptroller recently announced that Indiana had a \$2.9 billion surplus for Fiscal Year 2023 while the state has \$6 billion in reserves. Out of all the extra billions of dollars, the Legislature only provided \$100 million to help Hoosiers with rising property taxes which increased on average 18% last year. Beckwith believes more should be done. "Hoosiers are being hit with a 9% inflation rate and property tax increases of 18%. These facts cannot be ignored," said Beckwith. "By lowering our tax burden, we will not only be helping families, but we will also be making our state more economically competitive."

Governor

Braun lauds impeachment vote

U.S. Sen. Mike Braun released the following

statement on the House of Representatives' vote to formalize the impeachment inquiry into President Joe Biden, which will grant the House the ability to better enforce subpoenas. "An impeachment inquiry is the only way we're going to get to the truth. Hunter Biden was selling influence abroad for millions and Joe Biden was 'the brand,' as Hunter's business partner Devon Archer testified. As Vice President, Joe Biden spoke with Hunter's business associates over 20 times and used a fake email address to receive and send emails from his son's associates and to notify Hunter Biden when he would be calling the Ukrainian president. These facts must be followed, but President Biden's politicized DOJ and the White House have stonewalled at every turn. The House should vote to begin an impeachment inquiry; it's the only way to follow the facts - and the money - where they lead." – Senator Mike Braun

Parties

Colbert named INDem ED

The Indiana Democratic Party announced in a statement that Dayna Colbert will serve as the party's new executive director beginning in January, States

Affairs Pro senior reporter Tom Davies reported. Colbert currently serves as the Hamilton County Democratic Party chair.



"After years of building up the party as chair in Hamilton County, I am excited and eager to join the IDP statewide team as the next executive director in the new year," Colbert said. "Over the last few years in Hamilton County, we have made considerable inroads that can give us a blueprint for more statewide success. In 2024 and beyond, we will continue to be the party working to bring back balance to our state; improve, protect, and restore healthcare options and personal freedoms; fund our local schools; and expand economic opportunities for all.

Prior to accepting the executive director role, Colbert served as chair of the Hamilton County Democratic Party since March 2021. Under her leadership, she saw Destiny Wells win both Carmel and Fishers, and come within 5% of winning Hamilton County during the 2022 secretary of state race. Colbert is also the first Black chair of a political party in Hamilton County history. ❖

Holcomb seems fine with quick session

By TOM DAVIES

INDIANAPOLIS — Top lawmakers are sticking with their intentions of a quick 2024 legislative session with a limited agenda.

Gov. Eric Holcomb said Wednesday he didn't see that as a negative going into his eighth and final year in the governor's office.

The four legislative caucus leaders and Holcomb all spoke during sessions of the annual

Dentons Legislative Conference just weeks before the General Assembly's opening day Jan. 8.

Holcomb has spent much of time in recent months touting business recruitment efforts and celebrating public construction projects around the state.

Holcomb said during luncheon remarks that he'll detail his legislative agenda on Jan. 8 and discuss it more during his State of the State speech the following night.

His priorities will be "economic development, workforce development, community development, we'll still stay on that, finish what we started."

"We'll focus like a broken record or skipping



Gov. Eric Holcomb in a fireside chat with Toby McClamroch at Wednesday's Denton's Legislative Conference. (HPI/State Affairs Photo by Mark Curry)

record on economic development, the tweaks that need to be made in this upcoming session," Holcomb said.

Keeping short session short

The upcoming non-budget-writing session is scheduled to last no longer than 10 weeks and must adjourn no later than March 14. That schedule will give most committees time to have at most three meetings before their deadline to advance bills.

Republican House Speaker Todd Huston said he wanted to see lawmakers “get in and get out.”

“We want to have a session that represents a short session, deal with issues that are more about implementation, fine tuning,” Huston said. “We aren’t looking for huge initiatives to come before us. We’ve tackled a lot of big things in the last three years.”

Holcomb said he was fine with a quick legislative session following the 2023 session’s approval of a two-year state budget with hundreds of millions of dollars toward the state’s economic development agency, a broad public health program expansion and state building projects.

“I would say that it would have been a missed opportunity if we would have whiffed during the budget session,” Holcomb told reporters Wednesday. “But we didn’t and we have the means and the resources and a lot of to-do list items.”

Reading proficiency, other issues

Huston and Republican Senate President Pro Tem Rodric Bray both continued citing concerns about one-fifth of Indiana third graders not passing the state’s reading proficiency test.

They said to expect legislative action on that topic as lawmakers discuss whether to take steps requiring

more students to repeat third grade if they can’t meet the reading standards.

Bray said Senate Republicans also plan bills toward increasing transparency on health-care billing and the state’s shortage of available childcare options that has been cited by business leaders as a major obstacle to filling job vacancies.

“There’ll be some things that we look at with regard to tax credits and things, but also just trying to (limit) the regulation,” Bray said.

Holcomb on Republican governor’s race

Holcomb, who can’t seek reelection in 2024 because of term limits, has remained publicly neutral in the five-candidate race for the Republican nomination for governor.

When asked Wednesday whether he would eventually make an endorsement, Holcomb replied “We’ll see.”

“I’m gonna stick the landing this year and close out the books,” Holcomb said. “It’s a hectic, busy time. It’s a good busy and we’ll see next year. I don’t want it to be a distraction during the legislative session – short as it will be, hope it’s shorter than what’s projected to be. And then we’ll see.” ❖

Chronic school absenteeism an issue

By **JARRED MEEKS**

INDIANAPOLIS — State lawmakers will consider legislation to address the chronic absenteeism in Indiana K-12 schools, Senate leaders confirmed Wednesday.

The percentage of Hoosier K-12 students missing at least 10% of school days has increased since the onset of the pandemic, rising to 19.3% last school year from 11.2% during the 2019-20 school year — but the percentage is down from 21.1% during the 2021-22 school year, according to data presented to the State Board of Education in October.

Last month, during Organization Day, Republican leaders said they were interested in addressing chronic absenteeism in schools, which they referred to as truancy, but they stopped short of saying a bill would be filed on the matter.

During Wednesday’s Dentons Legislative Conference in Indianapolis, Senate Committee on Education and Career Development Chair Jeff Raatz, R-Richmond, said there would be legislation filed “dealing with truancy issues.”

But Senate President Pro Tem Rodric Bray,

R-Martinsville, said during the conference that Indiana “has really good laws on the books right now for this,” referring to legislation that would address chronic absenteeism.

“If you are talking about a second, third grader, you’re probably talking, primarily, about a parental problem,” Bray said. “We have the Department of Child Services and Child in Need of Services. Courts can then work with those parents, get them wraparound services and make them understand how important it is to come to school.”

The juvenile justice system could remind older students of the importance of going to school, Bray said.

More than 221,000 Hoosier students were chronically absent last school year, according to the Indiana Department of Education. In 89 schools, half of students in their schools are chronically absent, according to the board, which added that minority students have missed more school than their white and Asian classmates.

“Probably, reading proficiency will be a serious challenge for those young kids who are not coming to school,” Bray said. State lawmakers are also poised to draft legislation that aims to improve Indiana’s third grade reading scores by reconsidering which students can move on to fourth grade if they can’t read at a third grade level.

In September, The New York Times reported fewer students are attending school nationwide. ❖

Revisiting Trump's refusal to accept 2020 results

By JACK COLWELL
South Bend Tribune

SOUTH BEND – The authors of a Politico article nearly 17 months before the 2020 presidential election conceded that constitutional experts and top Republican lawmakers dismissed the danger they cited as nonsense.



Critics were quoted as saying there was no possibility of the danger materializing and brushing aside the fear as something for a science fiction movie.

I read it back then, finding it interesting speculation but not a topic I would write about. It didn't seem likely and maybe kind of silly.

Nonsense? No possibility? Science fiction? Kind of silly?

That Politico article in June 2019, by journalists Natasha Bertrand and Darren Samuelsohn, comes to mind amid speculation now of a similar kind of danger.

The Politico headline was: "What if Trump won't accept 2020 defeat?"

The journalists reported "chattering in the halls of Congress and throughout the Beltway" about that possibility, even though "the scenarios all seem far-fetched."

While they raised the question, they gave ample space for quoting those who scoffed at the possibility.

"This is the least concern people should have. Of all the silly things that are being said, that may be the silliest," said Roy Blunt, then a prominent Republican senator from Missouri. "The one thing we are really good at is the transition of power."

Jonathan Turley, a constitutional law expert, said a lingering incumbent would simply become irrelevant once the duly elected president was sworn in. "The system would make fast work on any president who attempted to deny the results of the election," Turley said.

"As untraditional a president as he is, I think he understands if you lose an election, you lose an election and the other person wins," said Steve Chabot, then a Republican from Ohio on the powerful House Judiciary Committee. "There's no chance of anything like that possibly happening. That's just hysteria."

Democrats also were skeptical about any possibility of Trump attempting to stay in the White House after defeat.

Rep. Ro Khanna, a California Democrat, said, "Even my Republican colleagues, who are not willing to impeach, have said to me that they would not stand for a president defying a court-certified election result."

A lawyer with Democratic clients and specializing in election litigation said that court challenges contesting results couldn't drag on indefinitely because of deadlines for submitting an official vote tally. Yep. Jan. 6, 2021.

While raising the question of whether Trump would refuse to accept defeat, the Politico writers didn't predict what he might do in refusal. They didn't speculate that he might rile supporters to storm the Capitol and threaten to hang the vice president. They didn't cite a possibility that he would seek to use fake electors to replace the real ones. They didn't foresee that he never would concede in the traditional American way of peaceful transition, no matter what recounts, courts, electors and his own attorney general said.

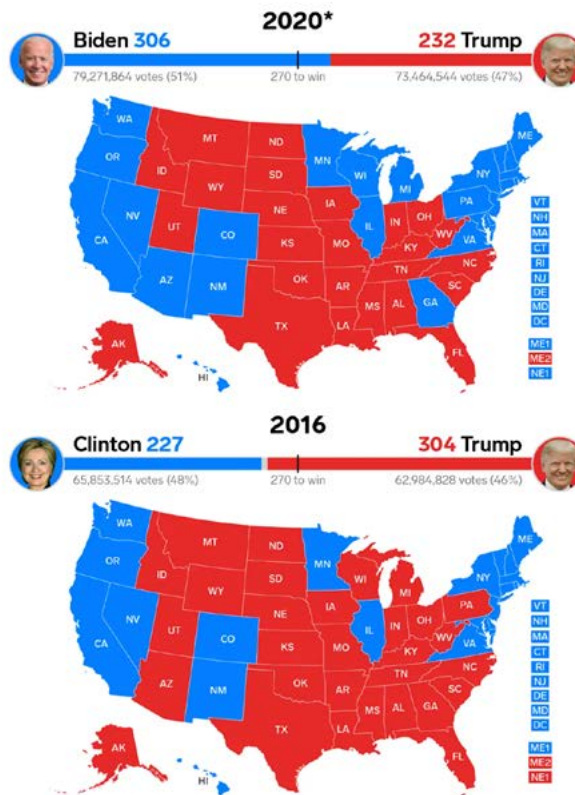
They did quote what Trump said prior to the 2016 election and as the 2020 election approached, that he wouldn't believe vote totals showing he lost.

But who really thought Trump would go as far as he did to try to stay on in the White House?

Now come warnings about possible danger looming with the 2024 vote. If he loses, will Trump again refuse to accept the results and stir insurrection? If he wins, will Trump be more than dictator for just the first day and suspend the Constitution in order to stay on for a third term?

He long has toyed with rally crowds about the possibility of a third term, saying the Constitution could be suspended to allow it because of all the investigations disrupting his presidency. He asks, "Do you think the people would demand that I stay?"

Is he being witty? Or half-witty? Are fears to be brushed off? Nonsense? No possibility? Science fiction? Kind of silly? ❖



Does 14th Amendment protect democracy?

By **SABRINA HAAKE**

GARY – Lawyers who represent the government in federal court face a never-ending supply of First and 14th Amendment cases filed by creative plaintiffs. Like overcooked spaghetti flung on a wall, most constitutional claims don't stick. They hit a wall of federal case law and slide right off.



Applying the insurrection clause of the 14th Amendment to bar Trump's 2024 candidacy presents the opposite scenario, with virtually no prior cases to follow. Critics who reject Trump's disqualification under the 14th Amendment lean almost entirely on this lack of legal precedent, but in the over 150 years following the amendment's adoption, there was never a set of similar facts that could have triggered the insurrectionist clause.

Lack of prior similar cases doesn't render Section 3 of the 14th Amendment any less potent, or its historical imperative any less compelling. If anything, its application is even more urgent as the same violent insurrectionist forces that tore the nation apart in the Civil War are back at it today.

Section 3 of the 14th Amendment states plainly that, "No person shall ... hold (federal) office ... who, having previously taken an oath ... to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof ..."

It's true that despite its passage more than 150 years ago, it has never been used to bar a candidate seeking the presidency, but this is a specious legal argument. Anyone professing an informed opinion on the 14th Amendment also understands the "case and controversy" requirement, which would have made such a case legally impossible in the absence of an insurrectionist actively seeking the presidency.

Written into the Constitution's early structure, Article III prohibits courts from hearing anything except actual cases and controversies. Article III requires cases between opposing interests over a dispute that is real, factual, and concrete; cases cannot be hypothetical. Courts require real cases in controversy in part because ruling on hypotheticals is tantamount to setting policy, a violation of separation of powers as established in 1790.

Trump's counsel argues that his candidacy can't be barred based on a constitutional clause that has been used only a handful of times in 150 years, emphasizing that, "(Challengers) are asking this court to do something that's never been done in the history of the United States." It

bears repeating that since the 14th Amendment's adoption in 1866, a defeated president has never fomented a violent insurrection against the U.S. capitol to impede the counting of electoral votes, or pressured state officials to violate the Constitution by lying about the election results, nor, before Trump, has any major party candidate seeking the presidency openly embraced political violence against government officials.

In result, a prior, similar 14th Amendment challenge could not have been brought because without an actual insurrectionist actually seeking the presidency, there was no Article III case in controversy. Section 3 of the 14th Amendment's silence for the past 150 years is therefore a testament to its strength, not its weakness, as no violent insurrectionist dared seek the presidency after its passage. Until Trump.

Multiple cases challenging Trump's candidacy under the 14th Amendment are winding their way through the courts. In a recent Colorado case, the presiding judge concluded from the evidence that Trump had, indeed, engaged in insurrection as that term was originally understood, when he assembled and incited the January 6 mob that attacked the U.S. capitol.

Although the judge punted on the applicability of the 14th Amendment, her evidentiary ruling finding insurrection is most significant, because it will both guide the case on appeal, and be referenced as a judicial finding in similar cases. When the case gets to SCOTUS, the originalist majority should salivate over the chance to illuminate the historical context in which the 14th Amendment was adopted.

After the Civil War, despite their loss, former slave owners continued to brutalize and terrify emancipated Black Americans. They engaged in horrific political violence, and did whatever they could to keep freedmen from exercising their new rights. Even after losing the war, wealthy white Southerners – many of them enslavers – claimed the right to freely elect former Confederate leaders who would advance their immoral interests.

Setting aside the amnesty period, the 14th Amendment sought to protect a raw and reeling democracy by prohibiting politically violent agitators – insurrectionists – from holding federal office. Disqualifying insurrectionists was a practical way to keep wealthy agitators from fomenting some variation of war all over again.

The constitutional disqualification of government officials who violate their oath of office is common sense; if they don't uphold the Constitution, to what or to whom are they sworn? Then, as now, disqualification was key to electing ethical candidates who can be trusted to uphold the Constitution rather than divide the nation for personal gain, which brings us back to Trump.

Orchestration of violence at the U.S. capitol on Jan. 6 was, at its core, Trump's effort to disenfranchise the more than 81 million Americans who voted for Joe Biden.

Trump's legal pleadings argue that he is immune from prosecution for official actions he took while in office, and that everything he did, including Jan. 6, was an official action.

A wizard at projection, he calls 14th Amendment challenges "election interference." Trump claims that all the various criminal charges against him, including the classified federal documents case, the Jan. 6 insurrection case, and the "find me 11,000 votes" in Georgia case, are election interference. If the war in Ukraine somehow breaks to Biden's credit, that will be

election interference as well.

George Washington warned us that, "cunning, ambitious, and unprincipled men (who) subvert the power of the people and usurp for themselves the reins of government" could be fatal to the nation if not checked.

Section 3 has lain silent and watchful, its potency simmering for 150 years, waiting for the beast it was meant to slay to raise his ugly head. ❖

Haake is an attorney who practices in Gary and Chicago.

What does it mean to be a Republican or Democrat?

By **CRAIG DUNN**

CARMEL – It seems like a considerable number of Hoosiers don't want to be a Republican or Democrat until one day they wake up, look in the bathroom mirror and see the next United States senator, representative, mayor, commissioner or dogcatcher.



At that point, many of them take a look around, wet a finger and stick it in the air, dump out a cup of political tea leaves and then declare, "I am a (fill in the blank) Republican or Democrat." Now that may work just fine for a small "d" democracy, but it plays havoc with those trying to run a political party.

What does it mean to be a

Republican or a Democrat? Generally speaking, it means you vote in primary elections for candidates of that party. You may also support the party of your choice by donating money, making phone calls, knocking on doors and attending party events.

There are those individuals who never vote in primary elections, often don't vote in general elections, call themselves independents and love to boast that they aren't stupid enough to believe that any one political party has all the answers, God bless these people! They are exercising their right of expression and who wants to force anyone to join a political party where they don't feel comfortable?

Not me. In fact, which is what enables someone who has never voted in a primary

election to waltz into the voting place on primary day, ask for a Democrat or Republican ballot and vote for candidates nominated by that party to run in the general election. You want to vote; you get to vote. Hooray!

However, although your right to vote is sacred, I don't believe that you have a right to demand that any political party instantly gives you the right to represent their party without some minimum requirements. In Indiana, the requirement to qualify to run in a primary representing the Democrat or Republican Party is pretty easy. You can run for office as a Republican or Democrat if your last two primary ballots requested were of that party.

Please note, this provision does not negate your right to vote, it merely sets a very low bar for qualification to run as a candidate representing one of the parties. Also, please note, Indiana law does not allow this provision to prevent an individual from running for office. You have the right to run for office as an independent candidate. Heck, you can even file to run as an independent and tell the voters that you are more of a Republican or Democrat than the candidates they nominated in the primary. It happens somewhere virtually every election.



Recently, a Marion County Superior Court Judge, Patrick J. Dietrick, ruled that Indiana's primary law is unconstitutional and granted a request from John Rust, Rose Acre Farms eggs gazillionaire, to be allowed on the primary ballot as a Republican candidate for United States senator.

The rhetoric regarding the decision by both Dietrick and Rust was at one time, both heart tugging and nauseating. Dietrick, summoned up Honest Abe Lincoln when he quoted, "Elections belong to the people. It's their decision." Further Dietrick cited research in his finding that, "When the immense power of the state is turned toward and upon its citizens in such a way that it imperils a sacred and cherished right of those same citizens, the state's actions must be for articulated compelling and pressing reason, and it must be exercised in the most transparent and least restrictive and least intrusive ways possible."

Dietrick is right in his restating of the sacred right of Hoosiers to cast a vote, but nowhere is there a sacred right of a Superior Court judge to dictate who is qualified or not to be a Republican or Democrat candidate. His reasoning displays a progression that just isn't there.

John Rust stretched the rhetorical reason meter to its breaking point with his post-hearing comments. Rust claimed that Indiana law barred the vast majority of Hoosiers from running under their preferred party. Rust declared, "This is a victory for the 80% who are banned from running for political office, and I know they don't like me saying that, but it's the absolute truth." Hogwash! You are entitled to your opinion, Mr. Rust, but you are not entitled to your own set of truths. The law allows the vast majority of your 80% to run for office, it just says act a little like a Democrat or Republican before you do or run as an independent.

Why didn't a politically confused millionaire like Rust just run as a Libertarian or as an independent. You know the reason as well as I do. The reality of the situation is that Egg Baron Rust decided that he was done milking chickens and that he thought it might be fun to be a United States senator. With Republicans holding all statewide offices, it just made sense for Rust to decide overnight that he wanted to run under the Republican banner. It's the same kind of reasoning that might make someone raise fewer chickens and eggs to drive up prices. Smart reasoning, but laden with inconvenient problems.

As a former county and district Republican chairman who has served on the State Republican Central Committee, I could go on at length about the absolute necessity for clearly defined party rules and succinct Indiana election laws. There are all kinds of hobgoblins who live in the realms of murky written rules and laws.

For example, Indiana law states that candidates

for office must file by noon on the last filing date for primary eligibility. I've had a Democrat candidate in my former county come in at 1 p.m. and when denied the ability to file, filed a complaint with the Election Board. They got busy and didn't make it in on time.

Would Judge Dietrick turn this decision over to the people? After all, "it's their decision." Indiana law says that vacancies on ballots may be filled if done so before a stated cutoff date. I've had Democrats attempt to be appointed to ballots two or three days after the cutoff date. I've had former Democrats run for office as a Republican, be forced from office by Indiana law, take to the front page of the local paper attacking Republicans and praising Democrats and then four years later, run for office again as a Republican.

The most egregious case I encountered was when a Democrat who had been convicted of a felony for beating someone with a hammer was appointed to fill a ballot vacancy. I protested his candidacy as being a violation of Indiana law. Surprisingly, my own appointed (and soon thereafter, unappointed) member of the Election Board voted to allow him on the ballot. She actually said, "I thought we should just let the voters decide."

The most pervasive use of Republican Party rules in defining who could run for office was in 2012. At that time, Ron Paul encouraged his supporters to run for delegates to their state conventions as Republicans so that they could elect individuals who supported Ron Paul as delegates to the Republican National Convention. Most of the Paul faithful had never voted Republican in their lives, but they believed and demanded that they be allowed to run as delegates. I personally challenged 12 Paul disciples and all but one was bounced off of the primary ballot. You just cannot allow a vocal minority to hijack a party apparatus, in the name of one candidate.

Lest you think I am some incarnation of Inspector Javert from "Les Misérables,"] I have approved primary candidacies for several people who did not meet the primary voting rules for some plausible reason or another.

In fact, if I had been the Jackson County Republican chairwoman, I might have given John Rust a waiver. I certainly would not have voted as a member of the Republican State Central Committee to endorse a candidate for United States Senate before all candidates for the office were known. But when it comes to a Marion County Superior Court judge deciding who qualifies for the Republican ballot, I just totally disagree.

When it comes to the privileged John Rust using his millions to force a shortcut to Republican candidacy by using the courts, then I can only tell him what to do in a language that he'll understand. "Go lay an egg!" ❖

Dunn is the former Howard County Republican chairman.



Unraveling the campus free speech standards

By **JOSHUA CLAYBOURN**

EVANSVILLE – Recently, the presidents of Harvard University, the Massachusetts Institute of Technology, and The Pennsylvania State University appeared before Congress to address rising concerns about anti-Semitism on their campuses, a concern intensified by the recent Hamas-Israel war. In the universities’ formal statements and in response to congressional committee questions, the presidents acknowledged the tension between free speech and the legitimate regulation of certain types of provocative rhetoric.



But U.S. Rep. Elise Stefanik, R-N.Y., grew impatient with what she saw as their hesitance in addressing extreme anti-Semitic speech. She directly pressed each one of them: “Would calling for the genocide of Jews constitute a violation of the code of conduct at your school, yes or no?” Each of them balked, insisting that it depended upon the context.

The event ignited a torrent of debate, culminating in the resignation of Penn’s president and calls to remove the other two presidents involved. For many Republicans, this incident was a prime opportunity to raise grievances against academic institutions, particularly the burgeoning embrace of Palestinian activism within elite liberalism and the proliferation of diversity, equity, and inclusion (DEI) agendas. However, the outrage was bipartisan; Democrats, too, were appalled. President Joe Biden’s office quickly stated that calls for genocide are “counter to everything this country stands for.”

Many quickly focused on a stark inconsistency: The differing treatments of pro-Palestinian student speech and other inflammatory rhetoric. Universities have been vigilant in sanctioning harmful speech, endorsing the idea that “words are violence.” The university presidents’ calls for context seemed to highlight a double standard.

Consider several illustrative examples. In 2017, Harvard revoked admission offers over privately made racist comments. Hamline University terminated a lecturer for displaying an image of the Prophet Muhammad, deemed offensive. A University of Southern California professor faced disciplinary action for unintentionally using a Chinese term that resembles a racial slur in English. At Yale, two professors advocating for the right to choose Halloween costumes, a stance in favor of free speech, were effectively ousted. Their position clashed with the prevailing campus ethos favoring “safe spaces.”

Why does the threshold for offensive speech shift when Jews are involved? As Andrew Sullivan pointedly

observed, these are not double standards. “There is a single standard: It is fine to malign, abuse and denigrate ‘oppressors’ and forbidden to do so against the ‘oppressed.’”

American universities and corporations increasingly sort people by morally ranked identity groups. The perceived level of a group’s oppression dictates its moral standing. Historically viewed as victims due to centuries of oppression, Jews now often find themselves labeled as white oppressors.

Andrew Sullivan argues that the concept of “merit” is increasingly scorned on campuses, overshadowed by the notion that only power dynamics matter. In this view, those in positions of power are automatically cast as morally inferior oppressors.

DEI initiatives, born from noble intentions, aim to address past oppression. Western civilizations, like most, have pursued power. But the West has been particularly adept at achieving it — often with corresponding greater destruction. Acknowledging this tumultuous past is important and beneficial. However, this reflection often devolves into a nihilistic and performative repudiation of the West. It coincides with a troubling trend of overlooking or self-censoring discussions about intolerance towards Jews and others categorized as oppressors.

The focus on oppressor versus oppressed has led to an era of competitive victimhood, often encouraged by universities. The impulse to support the oppressed over the oppressor is noble yet fraught with complexities. Victimhood, in some cases, has evolved into a sought-after status, a shift from venerating resilience to valorizing vulnerability.

This shift complicates navigating intersectional grievances. How do we balance feminist ideals with trans-rights activism, or the historical suffering of certain religious minorities with LGBTQ+ interests?

The answer isn’t further speech restrictions but a commitment from academic institutions to uphold true academic freedom. This requires clear, strong free speech policies, transforming universities into forums for open debate, not cultural or political battlegrounds. Essential measures include forbidding tactics like heckler’s vetoes, disruptive protests and classroom disruptions. Promoting a range of viewpoints is vital, moving past dominant hard-left, postmodern or intersectional ideologies that can impede real knowledge and understanding.

American universities need to refocus. Rather than viewing individuals as mere representatives of identity groups with different levels of protection, they should recognize everyone as equally entitled individuals. This shift is key to restoring their credibility and fulfilling their role as national inspirations. The aim should be to foster groundbreaking ideas and cultivate a culture of respectful, robust discourse. ❖

Joshua Claybourn is an attorney and historian.

Biden approval lags behind Trump in 2019

By **KYLE KONDIK**

CHAROTTESVILLE, Va. – Former President Donald Trump never had a particularly good approval rating, although as of mid-December 2019 — the same point in Trump’s presidency as President Joe Biden is in now — his average approval rating was better than Biden’s.

Per the FiveThirtyEight average, Trump’s approval rating was 42% approve/53% disapprove on Dec. 13, 2019. Biden’s approval in that average this morning (Wednesday, Dec. 13, 2023) is 38% approve and 56% disapprove. So it’s similar to Trump, but worse. At the time, Trump seemed imperiled but alive in his reelection bid; we’d use the same description for Biden’s chances now.

While one can cut polling numbers all sorts of different ways to illustrate differences in levels of support, we wanted to look at a fairly basic demographic trait to try to see why Trump’s numbers were better than Biden’s. So we took a few well-known national polls that measured presidential approval both in late 2019 and also recently in 2023 and looked at approval by party — self-identified Democrats, Republicans, and independents. Table 1 shows polls from Quinnipiac University, YouGov, and Gallup of Trump’s approval in late 2019 and Biden’s approval recently (details and links to the polls are in the sources underneath Table 1).

Conveniently, the three pollsters we chose, on average, produced approval numbers for Trump in 2019 and Biden here in 2023 that were pretty similar to the overall FiveThirtyEight average, which includes many more polls than just the ones listed here.

A few things stand out:

- Biden’s lower approval is not driven by a higher level of antipathy from the other side. Across the three polls from both 2019 and 2023, the opposition party had extremely low approval of the sitting president from the other party: Just 6% of Democrats approved of Trump in late 2019, and just 6% of Republicans approve of Biden in late 2023. The polls vary a bit in their findings—YouGov finds a bit more cross-party support than the other two pollsters—but the overall takeaway is clear. This utter lack of cross-party approval has become a familiar trend in presidential approval polling.

- Biden is weaker than Trump with independents. Trump’s average approval with independents was just 36%, but Biden’s is a weaker 29%. One commonality between the two is that both held approval ratings with independents that were worse than their overall approval.

- The most significant finding, though, is that Trump was stronger with his own party than Biden currently is with his. Trump had the approval of 90% of Republicans, while Biden has the approval of just 78% of Democrats. This is the biggest difference between the three party categories: Biden’s approval share from Republicans is the same as Trump’s share of Democrats, while Biden’s approval is 7 points worse with independents but 12 points worse with Democrats than Trump’s respective independent and Republican shares.

In the actual 2020 election, Biden won the two-party national vote roughly 52%-48% over Trump. According to Catalist, a Democratic data firm that produces respected estimates of the size and voting behavior of different demographic groups, Biden won 91%-9% in the two-party vote amongst voters Catalist modeled as Democrats, Trump won 89%-11% among modeled Republicans, and Biden won 52%-48% among those they modeled as being in the middle of the electorate. The traditional exit poll, conducted by Edison

Research for a variety of media outlets, had Biden winning 94%-5% among Democrats and 54%-41% among independents, while Trump won Republicans 94%-6%.

Ultimately, we’d expect the Biden non-approving Democrats to come home in the actual election. The independents are probably harder to figure out, and they very well may

decide the election either through their ultimate choice between the two major party nominees — or whether they disproportionately back third party candidates or stay home.

The post-New York redistricting picture

Democrats scored a potentially important court victory in the redistricting wars Tuesday afternoon, as New York’s highest court reopened the congressional redistricting process there. Lying at the end of the road there could be a new Democratic gerrymander in a state where Democrats need to make House gains in order to win back the chamber, but there is a complicated and uncertain path to that outcome.

Some history is in order. Back in 2014, New York

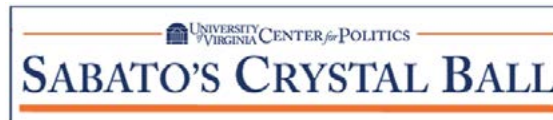


Table 1: Trump 2019 approval vs. Biden 2023

	Pollster	Overall approval	Approval by party		
			D	R	I
Trump '19	Quinnipiac	41%	4%	92%	35%
	YouGov	40%	11%	88%	35%
	Gallup	43%	4%	90%	38%
	Average	41%	6%	90%	36%
Biden '23	Quinnipiac	37%	76%	2%	34%
	YouGov	39%	76%	11%	27%
	Gallup	37%	83%	5%	27%
	Average	38%	78%	6%	29%

voters approved the creation of a redistricting commission. The 10-member commission is made up of eight members selected by party leaders in the state legislature (four chosen by Republicans and four chosen by Democrats). Those eight members then select the final two members, neither of whom can be a registered Republican or a Democrat. So this is supposed to be a commission that neither party controls.

The commission then creates a map and submits it to the legislature. If the legislature rejects it, the commission submits a second map. If the legislature rejects that map, the legislature can then effectively create its own map. So one can see how this could ultimately lead to a Democratic gerrymander—the Democratic-controlled state legislature could just swat down both map proposals and then go hog wild, at least hypothetically (or the commission could just fail again, in a repeat of 2022). Democrats have the requisite two-thirds majorities in each state legislative chamber to adopt maps; Democrats tried to get voters to make it easier for them to change the maps, but voters rejected that effort in a 2021 statewide vote.

Back in the post-2020 census process, the commission deadlocked and did not produce a map. Democrats responded by passing what we and others called the “Hochulmander” (after Democratic Gov. Kathy Hochul, who was a driving force behind the gerrymander). This map was designed to allow Democrats to win 22 of the 26 House districts in the state. However, the state’s highest court (called the New York Court of Appeals, which is the same court that issued the Tuesday ruling), threw out that map, ruling that the Democratic map went too far. The 2014 constitutional amendment added language to the state constitution stating that districts should be “as compact in form as practicable” and “shall not be drawn to discourage competition or for the purpose of favoring or disfavoring incumbents or other particular candidates or political parties.” So this language gives Republicans some potential recourse if the Democrats try Hochulmander Part Deux.

The court that issued the 2022 decision was made up of all Democratic appointees, just like this one, but the composition of the court has changed a bit, helping turn a 4-3 majority against the Democratic position last year into a 4-3 majority for it this year. The circumstances are different, and also more complicated, but there are similarities to what happened in North Carolina the past couple of years. There, a Democratic-controlled state Supreme Court intervened against a Republican gerrymander and imposed a relatively balanced map for 2022. That court flipped to Republican control in the 2022 elections, and it then opened the door to a Republican gerrymander that will transform that state’s currently 7-7 split U.S. House delegation into one that is, at bare minimum, 10-4 Republican. These state-level machinations could be avoided if there were national standards for congressional redistricting that prioritized

fair maps—alas, neither Congress nor the courts have imposed such standards.

A court-appointed special master ended up drawing the map that was used for 2022. A balanced map combined with a red wave-style environment in New York allowed Republicans to win 11 of the state’s 26 seats, a 15-11 Democratic advantage that was a far cry from the Hochulmander’s desired 22-4 outcome and down considerably from the 19-8 edge Democrats won statewide in 2020 (New York lost a seat in the 2020 census reapportionment).

It’s not entirely clear if, given the political environment, Democrats actually would have realized that 22-4 statewide edge last year. For instance, one of the most eye-popping parts of the Hochulmander involved connecting Republican-leaning Staten Island, which is represented by Rep. Nicole Malliotakis (R, NY-11), with the very Democratic Park Slope neighborhood in Brooklyn (as opposed to the more marginal Brooklyn areas that have been part of the district). That would have transformed NY-11 from a district Donald Trump won by 11 points on the 2010s map to one Joe Biden would have carried by almost 10 points. However, even under the Hochulmander lines, the district would have been very close in both the 2022 gubernatorial and Senate races, meaning that Malliotakis might have hung on anyway (as it was, she got a Trump +8 district and easily dispatched former Democratic Rep. Max Rose, who she unseated in a much more competitive race in 2020).

Democrats wouldn’t need to recreate the Hochulmander, though, to help themselves in New York. Frankly, they very well could have credibly targeted five Republican seats on the 2022 map if it remained in place: upstate first-term Republican Reps. Mike Lawler (NY-17), Brandon Williams (NY-22), and Marc Molinaro (NY-19) all hold Biden-won seats and won by less than 2 points in 2022. There is also the looming special election in Nassau County-based NY-3, a Biden +8 seat previously held by expelled Rep. George Santos (R), as well as another Nassau-based seat, NY-4 held by Rep. Anthony D’Esposito (R), which based on 2020 presidential results is the bluest seat held by any Republican in the country (Biden +15). We rated all of these districts as Toss-ups based on the current map. (The NY-3 special will occur on this map and is unaffected in the short term.)

What could eventually happen is that Democrats are able to gerrymander New York in a more subtle way and give themselves a better chance in at least some of these aforementioned seats, without resorting to the kind of dramatic remap that might threaten Malliotakis or Rep. Nick LaLota (R, NY-1), who represents a very marginal Biden-won seat on Long Island that, like NY-11, was much bluer on the Hochulmander. But big changes to both of those districts could happen too—we have already seen what that could look like, and then it would just be a matter of whether this court would allow it. ❖

Time to weigh in on 2024 HPI Power 50

By BRIAN A. HOWEY

INDIANAPOLIS – Yes, it will soon be 2024 and the year of the Mother of All Elections!

If you're former President Donald J. Trump or the plethora of voices ranging from former allies and colleagues to the media, as well as "Never Trumpers," this election is going to determine the future course of not only the United States, but perhaps, western democracy.

Hoosier voters will be selecting a new governor, U.S. senator and at least two members of Congress. There are five credible Republicans running for governor along with Democrat Jennifer McCormick. At this writing, U.S. Rep. Jim Banks is the overwhelming favorite to win the senatorial seat.

The 2024 Howey Politics Indiana Power 50 will reflect this coming election. With a tepid short session of the Indiana General Assembly, some of the big players making our 2023 biennial budget will recede this year.

We also have new mayors in Evansville, Gary, and Terre Haute.

Since 1999, HPI subscribers and readers have helped generate the annual Power 50, which is designed to forecast who will be in the best position to impact politics in Indiana and the United States. It is our annual exercise in gauging clout and influence from City Halls, to the Indiana Statehouse, to Washington, D.C.

Some of you will construct your own entire list. Others will nominate those they feel deserve mention.

We will publish our 2024 version of the Power 50 on Thursday, Jan. 11.

Send your lists, nominations and comments to bhowey@gmail.com.

Here is the current 2023 Power 50 List:

1. Gov. Eric Holcomb
2. Lt. Gov. Suzanne Crouch

3. U.S. Sen. Mike Braun
4. Mitch Daniels
5. House Speaker Todd Huston
6. Senate President Pro Tem Rodric Bray
7. White House Chief of Staff Ron Klain
8. U.S. Transportation Sec. Pete Buttigieg
9. U.S. Sen. Todd Young
10. Mike Pence
11. Chief of Staff Earl Goode
12. Ways & Means Chairman Jeff Thompson
13. Senate Appropriations Chairman Ryan Mishler
14. Indianapolis Mayor Joe Hogsett
15. Fort Wayne Mayor Tom Henry and Councilman Tom Didier
16. Indiana Republican Chairman Kyle Hupfer
17. U.S. Rep. Jim Banks
18. Ambassador Joe Donnelly
19. Commerce Sec. Brad Chambers
20. State Rep. Robert Behning and Sen. Jeff Raatz
21. Luke Kenley

22. Dr. Kris Box
23. State Sen. Mike Crider
24. Attorney General Todd Rokita
25. U.S. Rep. Larry Buchson
26. Secretary of State Diego Morales
27. U.S. Chief Justice John Roberts and U.S. Justice Amy Coney Barrett
28. Hammond Mayor Thomas McDermott Jr.
29. Jennifer McCormick
30. Vanderburgh Commissioner Cheryl Musgrave and Natalie Rascher
31. State Rep. Robin Shackelford
32. OMB Director Cris Johnston
33. Evansville Mayor Lloyd Winnecke
34. South Bend Mayor James Mueller
35. Gary Mayor Jerome Prince and State Sen. Eddie Melton
36. Eric Doden
37. Bob Grand
38. U.S. Rep. Frank Mrvan
39. U.S. Rep. Victoria Spartz
40. U.S. Rep. Andre Carson
41. Education Sec. Katie Jenner Ph.D.
42. Democratic Chairman Mike Schmuhl
43. House Majority Leader Matt Lehman

Lehman

44. Senate Majority Leader Chris Garten
45. Jeffersonville Mayor Mike Moore
46. Noblesville Mayor Chris Jensen
47. Senate Minority Leader Greg Taylor
48. Purdue President Mung Chiang
49. Elkhart Mayor Rod Roberson
50. Trey Hollingsworth ❖

2023 will be prelude to coming cycles

Biennial budget session, mayoral races will set the stage for 2024 cycle

By BRIAN A. HOWEY in Indianapolis and MARK SCHOEFF, JR. in Washington

This year will be a "prelude," or a setting of the table for politics and policy for the coming era. There will be a new "transformational" biennial budget by the end of April and a potential "re-thinking" of high school education and, perhaps, an increase in public health funding following the most lethal pandemic in state history. More than 100 Hoosier cities will either confirm current or elect new leadership by November.

And on a broader electoral front, the 2024 races for the White House, U.S. Senate and Indiana governor will begin to take on definition. The political

Indiana's slating relic

By CRAIG DUNN

CARMEL – I don't normally start out the New Year by congratulating and complimenting the Democrat Party, but this year will be an exception. Marion County Democrats struck a long-overdue blow against cronyism and political power masters by ending the archaic system of slating candidates before the primary election.

Slating is the process of the "party" putting its large thumb on the scale of democracy in an attempt to get the candidates that it prefers for the fall election. In a perfect world, this might be a reasonable approach and I am sure that when it was originally established, it

QUOTE OF THE WEEK

"I think it's important for us, as Republicans, to address concerns and come to an agreement. We need not waste everyone's time. We need more deliberation."

- U.S. Rep. Victoria Spartz, who voted 'present' during the 5th and 6th ballots for House speaker.

Continued on page 3

House GOP passes Biden inquiry

WASHINGTON – The House GOP on Wednesday formalized its impeachment inquiry into President Biden with a House vote, a step Republicans hope will add legal weight to their demands as the probe moves into a more aggressive end stage ([The Hill](#)). Lawmakers voted 221-212 along party lines to approve the resolution authorizing the inquiry, as did the Indiana delegation. Earlier in the day, Hunter Biden — the president’s son who is at the center of many of the lines of inquiry — defied a GOP subpoena to appear for a deposition on Wednesday morning. Republicans leading the probe said that his refusal “reinforces the need for a formal vote.” The resolution makes official an inquiry into Biden that has been underway for months, after former Speaker Kevin McCarthy (R-Calif.) in September said that various GOP probes into the president would be under the umbrella of impeachment — but did not hold an official vote. Republicans have said they moved to formalize the inquiry in part because the White House responded to document requests last month with a letter that argued their inquiry was unconstitutional due to the lack of a vote, citing a Trump-era legal opinion. “We’re very pleased with the vote today. I think that’s it a message loud and clear to the White House. We expect you to comply,” House Oversight Committee Chair James Comer (R-Ky.), who is leading one of the arms of the probe, said after the vote. President Biden ripped House Republicans for what he called a “baseless political stunt.”



Gary airport buys Griffith/Merrillville

GARY — The Gary/Chicago International Airport Authority has

acquired the Griffith-Merrillville Airport in a \$1.8 million deal that Gary officials said will give it the operational flexibility to expand cargo service while providing Griffith the long-sought public ownership that makes it eligible for federal grants (Pete, [NWI Times](#)). The sale was ratified Wednesday by the Gary airport’s board. Chairman Pete Visclosky said the combination will allow each airport to grow. “The purpose is to allow this existing facility to be as productive and as efficient as it can be,” Visclosky said of GCIA. “The purpose is to make sure the Griffith-Merrillville Airport can be as productive and as economically vital as it can be.” Airport Executive Director Dan Vicari said the acquisition will “provide additional scale to both our operations.”

Township eyes IFD merger

INDIANAPOLIS — The Indianapolis Fire Department has grown in recent years by merging with smaller departments in Marion County. The Wayne Township Fire Department could be the next under the IFD umbrella ([WRTV](#)). Trustees in Wayne Township are considering merging its fire department with the Indianapolis Fire Department and Indianapolis Emergency Medical Services. Wayne Township communications director Jeff Harris claims the merger is necessary because the township can no longer afford its own fire department. “As early as 2025, we’d be in a situation where the cost of operating a standalone fire department is going to outweigh the tax revenues,” Harris said.

Dem optimistic on border deal

WASHINGTON — The top Democratic negotiator on border security said Wednesday that discussions are closer than they’ve been all week and urged the Senate not to leave without a deal that could

unlock Ukraine aid ([Politico](#)). Sens. Chris Murphy (D-Conn.), Kyrsten Sinema (I-Ariz.) and James Lankford (R-Okla.) met for roughly two hours with leadership aides and top Biden administration officials, including Department of Homeland Security Secretary Alejandro Mayorkas. While he was tight-lipped about the details, Murphy indicated talks are moving in a positive direction after stalling out earlier this month. “We’re not there yet but we continue to head in the right direction. And I think it’s more reason for everybody to stay in town and get this done. We’re closer today than we were yesterday and we should finish this before we leave,” Murphy said. “There’s still no reason we can’t finish this by the time we wrap up for the year. And we should.” Negotiators are discussing changes to asylum laws, expulsion authority, nationwide expedited removal and mandatory detention. Earlier Wednesday, Lankford said, “There has been movement on both sides.”

Senate passes NDAA 87-13

WASHINGTON — The Senate on Wednesday overwhelmingly passed compromise defense policy legislation after lawmakers struck a deal to drop hard-right provisions on abortion, transgender troops and other hot-button issues ([Politico](#)). The blowout 87-13 vote tees the annual National Defense Authorization Act up for a vote in the House as early as Thursday morning to send the measure to President Joe Biden for his signature. The \$886 billion legislation — one of the few bills Congress reliably enacts each year — is the product of months of negotiations between the Senate and House Armed Services committees. And it is likely to be the last major piece of legislation that passes this year as Democrats and Republicans remain deadlocked over government funding and emergency aid to Ukraine and Israel.