

Sheriff Probed After Comments On Blacks

WHITEVILLE (AP)—A North Carolina sheriff was recorded calling Black employees by derogatory names and saying they should be fired, a television station reported. Several Black officers in leadership positions were later demoted or fired.

Columbus County Sheriff Jody Greene issued a statement arguing that the recording of the February 2019 phone call obtained by WECT-TV had been edited or altered. But he didn't deny in the statement that he was on the call or that he made the statements.

The recorded comments were condemned by the North Carolina NAACP, which demanded Greene's resignation.

"His language is divisive, nasty, and offensive his words are disparaging and hurtful to people of color. His actions have cast a cloud over his ability to execute the office with impartiality," the NAACP said in a statement.

The local district attorney said Thursday that he asked the State Bureau of Investigation to probe allegations of obstruction of justice within the sheriff's office but



SHERIFF JODY GREENE

declined to elaborate.

The recording was given to the station by a former sheriff's captain who's now running against Greene to be sheriff. Located about 120 miles southeast of Raleigh, Columbus County has about 50,000 people and is approximately 63 percent White and 30 percent Black.

The call in 2019 to then-Capt. Jason Soles came shortly after Greene narrowly defeated former Sheriff Lewis Hatcher, who is Black. Soles was tempo-

rarily acting as sheriff at the time due to a court-mediated agreement that kept Greene from assuming the duties of the office while elections officials examined the contest, which was ultimately decided by fewer than 40 votes.

In the call, Greene, who is White, said he believed someone in the sheriff's office was leaking information to Hatcher, the station reported.

"I'm sick of it. I'm sick of these Black (expletives)," Greene is recorded saying. "I'm going to clean house and be done with it. And we'll start from there."

Greene was also recorded as saying: "Every Black that I know, you need to fire him to start with, he's a snake."

The North Carolina Sheriff's Association also condemned the statements and said that Greene resigned from the group after being notified that it was scheduling a meeting to consider expelling him from the association.

"The comments made on the recording are inflammatory, ra-

(See **SHERIFF PROBED**, P. 2)

Duke Energy Statement On Outages

Duke Energy continues to track Hurricane Ian and is responding to storm impacts that will continue through tonight and tomorrow with more than 10,000 crew members dedicated to response.

Customers should prepare for the potential of widespread outages with multiday repairs across the state. When outages occur, Duke Energy is committed to restoring power as safely and quickly as possible, while keeping customers informed throughout the process.

Safety is our number one priority for our customers, communities and our workers. Duke Energy encourages customers to have a plan in place to respond to an extended power outage after other severe weather. We've communicated this information to customers via email, text and outbound calls.

Once the storm passes and conditions are safe, Duke Energy will begin assessing damage and restoring outages. The company restores power in a sequence starting with public health and safety facilities and equipment that restores the greatest number of customers.

Line technicians do not perform elevated work in bucket trucks when winds (sustained or gusts) are above 30 miles per hour.

Duke Energy is committed to providing safe, reliable service; however, during severe-weather events, we cannot guarantee customers a constant supply of electricity or priority treatment.

All customers should prepare for an extended power outage. Nursing homes and special-care facilities need to take the necessary actions to ensure the safety of their patients in the event they are without power.

To prepare, we pushed outbound calls and texts yesterday afternoon asking these customers to consider now the actions they would take if they were to lose power for an extended period.

Customers who experience an outage during a storm can report it the following ways:

- Text OUT to 57801 (standard text and data charges may apply).
- Visit duke-energy.com on a desktop computer or mobile device.
- Use the Duke Energy mobile app—Download the Duke Energy App from a smartphone via Apple Store or Google Play.
- Call the automated outage-reporting system, at: 800.POWERON (800.769.3766).

There is also an interactive outage map where customers can find up-to-date information on power outages, including the total number of outages systemwide and estimated times of restoration.

States Spend COVID Money On Almost Everything Else

By David A. Lieb and Kavish Harjai

Associated Press

Standing 14 stories tall, the Docking State Office Building is one of Kansas' largest and oldest state workplaces. It's also largely vacant, despite a prime location across from the Capitol.

So Kansas officials are planning to spend \$60 million of federal pandemic relief funds to help finance its demolition and replace it with a slimmed-down, three-story building designed to host meetings and events.

State officials categorized the project as a "public health service" in a report to the U.S. Treasury Department laying out their plans for the money. Though that may be a stretch, it's likely fine under the American Rescue Plan act—a sweeping law signed by President Joe Biden last year that provides broad flexibility for \$350 billion of aid to states and local governments.

The aid was promoted by Democrats in Congress as an unprecedented infusion for cash-strapped governments to respond to the virus, rebuild their economies and shore up their

finances. But it came as state tax revenues already were rebounding, leaving many states with record surpluses and enviable decisions about what to do with all the money.

Relatively little of the federal aid has gone toward traditional public health purposes, according to an Associated Press review of reports filed by all 50 states and the District of Columbia. Significantly more has gone toward public infrastructure. States are pouring money into water, sewer and high-speed internet projects, as specifically envisioned by the law. But the AP found that they're also spending billions of dollars on roads, bridges, sidewalks, airports, rail lines and buildings at college campuses and government agencies—justifying all of it under the federal government's generous flexibility.

"We didn't need it, to be quite honest," said Kansas House Appropriations Committee Chairman Troy Waymaster, referring to the \$1.6 billion the state received.

But the Docking building does need to come down, he said, and the new space for events

and meetings could allow better social distancing during a COVID-19 resurgence or future pandemic.

If "the building itself could be used during a pandemic, then it somewhat justifies the use of ARPA funds for the renovation or infrastructure projects," said Waymaster, a Republican.

A Kansas preservationist group has asked a court to block the demolition, arguing that Democratic Gov. Laura Kelly's administration hasn't followed proper procedures to tear down the 65-year-old structure that was added to the National Register of Historic Places earlier this year.

"There's some wrongheaded action going on here to demolish what really is a perfectly suitable building," said Paul Post, a retired Topeka attorney and member of the Plains Modern preservationist group.

All states recently were required to file annual reports with the Treasury Department detailing their progress under the American Rescue Plan. The documents show states have

(See **STATES SPEND**, P. 2)

Payment Errors In Jobless Prog

By Gary D. Robertson

Associated Press

There are too many monetary payment errors by North Carolina's unemployment office for its chief jobless benefits program, according to a state auditor's report released Wednesday.

The performance audit of the state Division of Employment Security examined the North Carolina Unemployment Insurance program from April 2016 through March 2021. Auditors also recommended actions by the division to improve payment accuracy.

The program claims are paid for with state unemployment taxes from employers and administered using federal funds.

The division scrutinizes intensely several hundred claims annually, with the results forwarded to the U.S. Labor Department. The samples estimate the accuracy of paid claims throughout the entire program.

While the program paid nearly \$2.2 billion in claims during the entire period, an estimated \$384 million in payments were considered improper, the report from State Auditor Beth Wood's office said, either through issuing too much money to benefit applicants or too little.

That equates to an average improper payment rate of 17.6 percent, well above the division's obligated limit of less than 10 percent of paid claims, according to the report. The program exceeded that mandated level in each of the years examined.

The result is the division incurred about \$166 million in improper payments over and above the federal limit, Wood's office said.

"Consequently, these public funds were not used for the intended purpose of providing financial assistance to unemployed North Carolinians in times of need," Wood's auditors wrote.

Exceeding the rate doesn't result in immediate penalties from the federal government.

The audit didn't examine payments from federal pandemic unemployment programs run by the state but paid for entirely by the federal government. The pandemic-related programs cut

(See **PAYMENT ERRORS**, P. 2)



SHERIFF'S OFFICE: N.C. MAN USING GENERATOR DURING STORM DIES

(AP)—The remnants of Hurricane Ian have downed trees and power lines across North Carolina, and at least one fatality connected to the severe weather was reported Saturday.

In Johnston County, outside of Raleigh, a woman found her husband dead early Saturday morning after he went to check on a generator running in their garage overnight, sheriff's office Capt. Jeff Caldwell said.

Carbon monoxide levels were also high inside the home and the woman was checked out at a hospital, according to Caldwell.

Police in Johnston County are also trying to determine if weather was a factor in a crash Friday afternoon that left a 24-year-old woman dead, local news outlets reported.

The highway patrol responded to over 1,400 calls for service and 784 collisions between midnight Friday and early Saturday morning, a spokesman said. Not all were necessarily weather-related.

There were no initial reports of major structural damage, though over 241,600 people across the state were without power Saturday afternoon, according to North Carolina Emergency Management.

The department said that gusty winds would taper off throughout the day as the remnants of the system dissipate.

The National Weather Service warned that hazardous conditions remain along the coast, including the possibility of flooding and rip currents.

ELEVATOR SAFETY MANDATE NAMED FOR OHIO BOY AMONG NEW NC LAWS

(AP)—New safety mandates for elevators inside North Carolina beach and vacation cottages take effect on Saturday along with all or portions of another dozen or so enacted state laws.

Other laws approved this year and starting in October address sexual assault kits, magistrates and some sales tax exemptions.

The elevator law is named in memory of 7-year-old Weston Andrew, a boy from Canton, Ohio, who died last year at an Outer Banks vacation rental when he became trapped between the elevator car and elevator shaft.

The law says landlords of these short-term rentals must reduce the gap between elevator landing and car doors and tell the state Insurance Department about the improvements.

On Thursday, the U.S. Consumer Product Safety Commission and the manufacturer of the elevator installed in the Outer Banks home announced a voluntary recall of some residential elevators, citing the entrapment threat for children. Space guards would be provided, according to the announcement.

Another new law makes clear that hospitals or medical offices can't attempt to bill victims of sexual assault or their insurance companies for forensic medical examinations, leaving it to a special state fund. The law also raises the maximum amounts that the fund will pay for the exams.

Local magistrates also now can live in a county contiguous adjoining the one where they serve. Previous law had required them to live in the county where they work.

And certain purchases by wildlife managers for land management activities will now be exempt from sales tax.

STUDY FINDS THAT CLIMATE CHANGE ADDED 10% TO IAN'S RAINFALL

Climate change added at least 10 percent more rain to Hurricane Ian, a study prepared immediately after the storm shows.

Thursday's research, which is not peer-reviewed, compared peak rainfall rates during the real storm to about 20 different computer scenarios of a model with Hurricane Ian's characteristics slamming

State Supreme Courts Fights Heat Up

By Andrew DeMillo

Associated Press

Surrounded by states with abortion bans that took effect after Roe v. Wade fell, Illinois is one of the few places where the procedure remains legal in the Midwest.

Abortion-rights supporters are worried that might not last. Their concern is shared in at

least a half-dozen states, and this year it's not just about state legislatures. In Illinois, Democrats hold a supermajority, and the governor, a Democrat, is expected to win reelection.

Instead, Republicans could be on the verge of winning control of the Illinois Supreme Court, where Democrats currently hold a 4-3 majority. Two seats are up for election in November,

prompting groups that have normally set their sights on other offices to concentrate attention and money on the judicial campaigns.

"Those are the only things we're focused on, because whoever wins control of the court will decide whether abortion remains legal in Illinois," said Terry Cosgrove, president and CEO of Personal PAC, an abortion rights group that has endorsed

the two Democrats running for the high court.

The same scene is playing out in other states with contentious high court races on the ballot this year. After the U.S. Supreme Court struck down Roe, state judicial races have become even more important for Democratic groups working to protect abortion rights.

"It's increasingly clear that the way access is playing out is at the state level, which puts the role of the court in stark relief," said Sarah Standiford, national campaigns director for Planned Parenthood Action Fund.

The groups' involvement in states such as Illinois, Michigan and Ohio is a preview of how high-stakes normally sleepy court races are becoming.

In Illinois, Appellate Court Justice Mary Kay O'Brien is raising concerns about abortion rights as she runs against Republican Justice Michael Burke in a redrawn district for a seat currently held by a retiring Democratic justice.

"Now with Roe v. Wade being overturned, women's freedom to choose in Illinois is at risk," a recently launched ad for O'Brien says.

Meanwhile, the race for a court seat currently held by a

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(See **STATE BRIEFS**, P. 2)



SUPREME COURT DECISION HAS CHANGED LOCAL PRIORITIES

Sheriff Probed After Comments On Blacks—CONTINUED FROM PAGE 1

cially derogatory, insulting and offensive,” the group said in a release.

WECT reported that two Black officers from the previous sheriff's group of high-ranking officers known as command staff, but that a captain was fired

and a lieutenant was demoted after Greene was sworn in. Another Black sergeant said he was fired shortly after Greene was elected. The station reported that several Black deputies appear to remain in the sheriff's office in positions below the level of com-

mand staff.

Greene told WECT on Monday that he didn't recall making the statements. On Wednesday, he released a statement saying Soles had a political motive to release the recording and arguing it had been edited or altered. In the statement, he did not deny making the comments.

“If Soles has had these alleged recordings since 2019, why would he intentionally hold the recordings?... The only thing Soles has on his agenda is to be Sheriff at all costs necessary,” the sheriff said.

Greene and an attorney who advises the county didn't immediately respond to an email Thursday seeking further com-

ment.

Soles told WECT that he had previously shared the recording with the SBI and a county commissioner. The agency told him that it couldn't investigate without a formal request from the local prosecutor, he said.

District Attorney Jon David told the station that he was informed of the recording Monday.

In an email Thursday, David said he asked the SBI on Tuesday to investigate “Sheriff Jody Greene and deputies under his command for obstruction of justice,” but declined to elaborate.

The SBI issued a statement confirming the request and declined further comment on what it called an ongoing investigation.

STATE BRIEFS

Continued from page 1

into the Sunshine State in a world with no human-caused climate change.

“The real storm was 10 percent wetter than the storm that might have been,” said Lawrence Berkeley National Lab climate scientist Michael Wehner, study co-author.

Forecasters predicted Ian will have dropped up to two feet of rain in parts of Florida by the time it stopped.

Wehner and Kevin Reed, an atmospheric scientist at Stony Brook University, published a study in *Nature Communications* earlier this year looking at the hurricanes of 2020 and found during their rainiest three-hour periods they were more than 10 percent wetter than in a world without greenhouse gases trapping heat. Wehner and Reed applied the same scientifically accepted attribution technique to Hurricane Ian.

A long-time rule of physics is that for every extra degree of warmth Celsius (1.8 degrees Fahrenheit), the air in the atmosphere can hold 7 percent more water. This week the Gulf of Mexico was 0.8 degrees warmer than normal, which should have meant about 5 percent more rain. Reality turned out to be even worse. The flash study found the hurricane dropped double that—10 percent more rain.

Ten percent may not sound like a lot, but 10 percent of 20 inches is two inches, which is a lot of rain, especially on top of the 20 inches that already fell, Reed said.

Other studies have seen the same feedback mechanisms of stronger storms in warmer weather, said Princeton University atmospheric scientist Gabriel Vecchi, who wasn't part of the study.

MIT hurricane researcher Kerry Emanuel said in general, a warmer world does make storms rainier. But he said he is uncomfortable drawing conclusions about individual storms.

“This business above very very heavy rain is something we've expected to see because of climate change,” he said. “We'll see more storms like Ian.”

Princeton's Vecchi said in an email that if the world is going to bounce back from disasters “we need to plan for wetter storms going forward, since global warming isn't going to go away.”

ALBANIA SECURES 2 SATELLITES TO MONITOR TERRITORY FROM SPACE

TIRANA, Albania (AP)—Albania on Thursday reached a three-year agreement with an American company for a dedicated satellite constellation to provide the country with satellite imagery capabilities across its territory.

The Albanian government signed the \$6 million deal with Satellogic USA Inc. of North Carolina, the prime minister's office said.

The agreement will give Albania priority access to two satellites—to be named Albania-1 and Albania-2—that are expected to be part of Satellogic's upcoming launch with SpaceX. Satellogic is supposed to train specialists within the Albanian government to analyze and disseminate satellite-derived products to various government ministries.

“These satellites will provide unprecedented, country-wide situational awareness via the best data from space,” company CEO Emiliano Kargieman said.

Officials said the imagery would enable Albania to address issues in agriculture management, environmental monitoring and law enforcement activities such as observing illegal crops, illegal construction, traffic, border security and wildfires.

Albanian Prime Minister Edi Rama said the satellites would take the tiny country in the Western Balkans to a new level of law enforcement in fighting corruption and strengthening the rule of law, according to Rama.

The government also plans to buy armed drones soon to fight “terrorism or a potential enemy,” he said.

POLICE: MAN CHARGED IN FATAL CRASH AT FAST-FOOD RESTAURANT

WILSON (AP)—A North Carolina man has been charged with misdemeanor death by motor vehicle in a crash that killed two sibling customers at a fast-food restaurant last month, police said Wednesday.

Wilson police obtained warrants charging Jesse Lee Lawrence, 75, of Wilson with reckless driving and two counts of misdemeanor death by motor vehicle on Tuesday, police said in a news release. Lawrence surrendered to authorities that evening and was given a \$20,000 unsecured bond.

A court official said court documents don't list an attorney for Lawrence.

The single-vehicle crash occurred Aug. 14 at a Hardee's restaurant in the city of Wilson, around 40 miles east of Raleigh. A Lincoln Aviator struck brothers Christopher Ruffin, 58, and Clay Ruffin, 62, both from Wilson, according to a police news release. Christopher Ruffin was pronounced dead at the scene, while his brother died at ECU Health Medical Center in Greenville.

Photos from the scene showed the silver SUV appeared to have gone through the front windows, coming to a stop inside the dining area atop broken glass and window frames.

Lawrence was treated at Wilson Medical Center and released. Police said at the time that they didn't believe the crash was medical- or impairment-related.

Payment Errors In Jobless Prog—CONTINUED FROM PAGE 1

the overwhelming number of displaced worker payments in 2020.

Wednesday's findings aren't surprising, given that the U.S. Labor Department already identified North Carolina's program as “high-rate/high impact” due to its rate. In turn the state receives targeted assistance to reduce the rate.

Still, the review attributes nearly all of the overpayments to three points in the process of a displaced worker applying for and receiving weekly benefit payments.

Too many claimants received

payments even when they failed to provide enough evidence that they met minimum work search requirements, the audit said, while others didn't report income after returning to work.

And auditors said the division lacked standardized procedures to resolve disputes between employers who say their former worker quit or was fired—disqualifying a person for benefits—and claimants who contend they were laid off.

Commerce Department Secretary Michelle Sanders, whose agency oversees the unemploy-

ment benefits division, agreed with the improper payment finding and the chief recommendations to make improvements.

In a more detailed response attached to the audit and a letter from Sanders, the Commerce Department pointed out that the division “is encouraged by the improvement in its rate over the last several years and continues to focus on reducing improper payments.” The improper payment rate was 25.5 percent in fiscal year 2018, the report said. It was under 16 percent in 2021.

For example, the department wrote, a new federal grant could help benefit claimants more easily collect work search activities online.

A similar performance audit by Wood released in March that examined federal- and state-funded unemployment benefit programs during 2020 and part of 2021 found the division failed to distribute timely \$438 million in initial claims. The agency had taken in a record number of applicants in 2020 during the lockdown and related business restrictions.

States Spend COVID Money—CONTINUED FROM PAGE 1

planned expenditures for about three-fourths of their funds, up significantly from an initial slow pace.

The Treasury asked states to classify projects in seven general categories, with 83 subcategories. It can recoup funds if it determines by the end of 2026 that spending fell outside the law's wide guidelines.

Governments reported more than \$22 billion of planned expenditures for the Treasury's infrastructure category of water, sewer and broadband. But the AP identified a total of about \$36 billion for infrastructure projects—nearly one-quarter of all planned expenditures—when including roads, bridges, buildings and public works projects reported in other categories.

By contrast, governments reported less than \$12 billion of planned expenditures in the Treasury's public health category—even though it was broadly construed to also include such things as “community violence interventions,” substance use services and COVID-19 aid to small businesses.

Some state officials may have decided not to use the relief funds for public health because they had other federal funding streams for vaccines, testing and health initiatives. For example, a separate section of the American Rescue Plan provided nearly \$8 billion for state and local health departments. But the large influx of funds may also have stirred concerns about sustainability.

Though public health has his-

torically been underfunded, “a lot of health officials have struggled to get their policymakers and their bosses to commit to hiring people for the long-term because it's one-time money,” said Dr. Georges Benjamin, executive director of the American Public Health Association.

Some states reported no public health expenditures with their discretionary American Rescue Plan funds. Those included Florida, which received the fourth largest allotment from the federal government. Florida instead devoted \$1.8 billion for highway, \$1.9 billion for water projects and more than \$2.5 billion for construction and maintenance of public buildings, including the Capitol, university facilities and K-12 schools, according to the AP's analysis.

The state's water initiatives include up to \$700 million for a grant program to fight flooding associated with climate change. The city of Miami was awarded about \$50 million for a half-dozen projects, including one that will nearly double the height of a sea wall in an area devastated by a storm surge from Hurricane Irma in 2017.

The goal of the project is “to protect the residences and the businesses from future storm surge and sea level rise,” said Sonia Brubaker, Miami's chief resilience officer.

Louisiana also listed no planned expenditures in the Treasury's public health category. But the state plans to spend \$863 million on roads and bridges, \$750 million on water

and sewer infrastructure and \$27 million for improvements to the domed stadium where the New Orleans Saints play football.

Democratic Gov. John Bel Edwards said the stadium subsidy was critical “to keep that venue competitive.”

North Carolina Gov. Roy Cooper, a Democrat, also defended \$46 million of grants to upgrade grandstands, walkways, bathrooms and infrastructure at racetracks across his state. “Motorsports are part of the fabric of North Carolina,” he said earlier this year.

Alabama prisoners have sued the Treasury Department to try to stop the state from spending \$400 million on prison construction. Though the state argues it's OK under the Treasury's flexible rules, the lawsuit contends it's “a gross and illegal misuse” of pandemic relief funds.

A coalition of more than two dozen construction, business and local government groups is pressing Congress to grant even more leeway to use pandemic aid on transportation projects.

“Having a good infrastructure that allows us all to live and thrive” ultimately “leads back into public health,” said Stan Brown, past president of the American Public Works Association.

Missouri, which has yet to categorize most of its projects, also is investing heavily in infrastructure by directing hundreds of millions of dollars to buildings at community colleges and public universities. The NextGen Precision Health initiative at the

University of Missouri will get nearly \$105 million for improvements that include finishing off the fourth floor of a new building named for retiring U.S. Sen. Roy Blunt.

“A lot of this was already going to happen,” although no specific timeline had been set, said university spokesperson Christian Basi. “Then COVID hits, and then ARPA funds are available. It's coincidental odd timing, but it turned out to be a very, very helpful thing for us.”

Like Missouri, Utah categorized \$90 million for a new mental health research facility as a replacement of lost revenue for government services. Construction is to begin next year on the building, which will host research on suicide and the effect of social isolation on children's mental health, among other things.

The planned work aligns nicely with the intent of the federal aid, said Mark Rapaport, CEO of the Huntsman Mental Health Institute at the University of Utah.

“A lot of what we're doing is directly related to tackling issues that have been exacerbated by the pandemic itself,” he said.

Lieb reported from Jefferson City, Missouri, and Harjai from Los Angeles. Harjai is a corps member for the Associated Press/Report for America Statehouse News Initiative. Report for America is a nonprofit national service program that places journalists in local newsrooms to report on undercovered issues.

State Supreme Court Fights—CONTINUED FROM PAGE 1

Republican and covering counties northwest of Chicago pits Republican former Sheriff Mark Curran against Democrat Liz Rochford, a judge. Curran touted his opposition to abortion rights when he ran unsuccessfully for Senate two years ago.

About \$97 million was spent on state supreme court elections during the 2019–2020 election cycle, according to the Brennan Center for Justice at New York University's law school. Spending records could be shattered this year in states targeted by the right and left.

One group is Alliance for Justice Action Campaign, which supports abortion access. It plans to reach voters in Michigan, North Carolina and Ohio.

“We were already planning to be involved in these states, but Dobbs has heightened our interest and heightened our sense of purpose and sense of mission on it,” said Jake Faleschini, the group's legal director for state courts, referring to the U.S. Supreme Court decision.

The races' importance was underscored recently when the Michigan Supreme Court, where Democratic appointees hold a slim majority, overruled a decision by a state certification board and allowed a constitutional amendment ensuring abortion rights on the November ballot.

While Michigan's races are officially nonpartisan, the state's political parties nominate candidates. Democratic-backed Justice Richard Bernstein, who voted with the court's majority to put the abortion rights amendment on the ballot, is up for reelection along with Republican Justice Brian Zahra, who voted against it.

The Republican Party also nominated Paul Hudson, while Democrats nominated Kyra Bolden. The two top finishers in

the five-candidate race get seats.

“Folks here in Michigan are angry about the Roe decision. And I think that when they're looking for places to exercise their freedom to vote, they're going to look to the Supreme Court,” state Democratic Party Chair Lavora Barnes said.

Still, the candidates insist they aren't politicians and the role of the court is to be nonpartisan.

Zahra, who has served since 2011, described a justice's role as saying “what the law is and not what they think it ought to be.”

Abortion rights groups also are closely watching Kansas, where six of the seven Supreme Court justices face a statewide yes-or-no vote to stay on the bench for another six years.

Two of the six were in the 6–1 majority that in 2019 declared access to abortion a “fundamental” right under the state Constitution, while another three were appointed by Democratic Gov. Laura Kelly. The sixth justice on the ballot is considered the state's most conservative member.

Democrats, moderate Republicans and others fear a quiet effort to remove justices after Kansas voters in August decisively rejected a proposed amendment that would have declared the state Constitution does not recognize a right to abortion. If it had passed, the Republican-controlled Legislature could have greatly restricted or banned the procedure.

The state supreme court races that abortion rights supporters say they are most concerned with are ones Republicans already have been targeting, but for other issues.

The Republican State Leadership Committee said it plans to spend more than \$5 million—a record amount for the group—on supreme court races in Illinois, Michigan, North Carolina

and Ohio. Spokesman Andrew Romeo said the group's focus is on redistricting.

In North Carolina, where abortion remains legal and Democrats hold a 4–3 majority on the high court, Republicans are trying to flip two seats.

Trey Allen, the Republican hoping to unseat Democratic Justice Sam Ervin IV—whose grandfather presided over the Watergate hearings in the U.S. Senate—has accused the court of becoming too partisan.

“We need justices who are going to follow the law in every case and leave their politics aside,” he said during a recent forum.

Democratic Appeals Court Judge Lucy Inman is vowing to keep the court “free of any political agenda” as she runs against Republican Appeals Court Judge Richard Dietz for a seat currently held by a retiring Democrat.

Abortion also is likely to play a major role in a technically nonpartisan Kentucky Supreme Court race this fall between longtime Republican state Rep. Joe Fischer and the incumbent, Michelle

Keller. Republicans are pushing hard for Fischer, who sponsored the state's “trigger law” ending abortion that took effect after Dobbs and also is behind a proposed anti-abortion constitutional amendment on the ballot.

In Ohio, Republicans are trying to keep their 4–3 majority on the court, with two GOP justices defending their seats. A third race pits two sitting justices—a Republican and a Democrat—against each other for chief justice.

Ohio's court is likely to be another battleground over abortion after a county judge temporarily blocked a ban that took effect after the U.S. Supreme Court's ruling. Rhiannon Carnes, co-founder and co-executive director of Ohio Women's Alliance Action Fund, said her group has been calling and texting voters, and will be sending direct mail about the court races.

“There has just been so much talk about the federal Supreme Court,” she said. “We have to do more in the states about the influence and power of our state supreme court.”

Classifieds

ATTENTION SUBCONTRACTORS

Clancy & Theys Construction Company is hosting an Information and Networking Session for Release 2 and 3 for Felton Grove High School project. This Session will be held on Thursday, October 6, 2022, from 4PM–6PM at John Chavis Community Center, 505 Martin Luther King Jr., Blvd.—Raleigh, NC 27601.

Should you have any questions, please email Lisa Horton, Supplier Diversity Specialist at lisahorton@clancytheys.com.

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Business & Finance

House Okays Antitrust Bill Targeting Big Tech Dominance

By Marcy Gordon

AP Business Writer

WASHINGTON, D.C. (AP)—The House on Thursday approved antitrust legislation targeting the dominance of Big Tech companies by giving states greater power in competition cases and increasing money for federal regulators.

The bipartisan measure passed by a 242-184 vote. It was separated from more ambitious provisions aimed at reining in Meta, Google, Amazon and Apple and cleared by key House and Senate committees. Those proposals have languished for months, giving the companies time for vigorous lobbying campaigns against them.

The more limited bill would give states an upper hand over companies in choosing the location of courts that decide federal antitrust cases. Proponents say this change would avert the “home-court advantage” that Big Tech companies enjoy in federal court in Northern California, where many of the cases are tried and many of the companies are based.

Many state attorneys general have pursued antitrust cases against the industry, and many states joined with the Justice Department and the Federal Trade Commission in their landmark lawsuits against Google and Meta (then called Facebook), respectively, in late 2020.

The bill also would increase filing fees paid by companies to federal agencies for all proposed mergers worth \$500 million or more, while reducing the fees for small and medium-sized transactions. The aim is to increase revenue for federal enforcement efforts.

Under the bill, companies seeking approval for mergers would have to disclose subsidies they received from countries

deemed to pose strategic or economic risks to the United States—especially China.

“We find ourselves in a monopoly moment as a country,” Rep. Lori Trahan, D-Mass., said before the vote. “Multibillion-dollar corporations have grown into behemoths, eliminating any real competition in their industries and using their dominance to hurt small businesses and consumers. Meta’s monopoly power has enabled it to harm women, children and people of all ages without recourse. Amazon has used its dominance to copy competitors’ products and run small businesses into the ground.”

The Biden administration, which has pushed for antitrust legislation targeting Big Tech, endorsed the bill this week.

The legislation drew fierce opposition from conservative Republicans who split from their GOP colleagues supporting the bill. The conservatives objected to the proposed revenue increase for the antitrust regulators, arguing there has been brazen overreach by the FTC under President Joe Biden.

Rep. Tom McClintock, R-Calif., described the FTC’s leader, Lina Khan, as “a radical leftist seeking to replace consumers’ decisions with her own.”

Another California Republican, Rep. Darrell Issa, told his colleagues, “If you want to stifle innovation, vote for this.”

If Republicans win control of the House or Senate in the November elections, they are certain to try to crimp the activism of the FTC and to challenge its broader interpretation of its legal authority.

The more sweeping antitrust proposals would restrict powerful tech companies from favoring their own products and services over rivals on their platforms and could even lead to

mandated breakups separating companies’ dominant platforms from their other businesses. They could, for example, prevent Amazon from steering consumers to its own brands and away from competitors’ products on its giant e-commerce platform.

The drafting of that legislation marked a new turn in Congress’ effort to curb the dominance of the tech giants and anti-competitive practices that critics say have hurt consumers, small businesses and innovation. But the proposal is complex and drew objections to some provisions from lawmakers of both parties, even though all condemn the tech giants’ conduct.

Lawmakers have faced a delicate task as they try to tighten reins around a powerful industry whose services, mostly free or nearly so, are popular with consumers and embedded into daily life.

So with time to act running out as the November elections approach in about six weeks, lawmakers extracted the less controversial provisions on antitrust court venues and merger filing fees, putting them into the new bill that passed.

Lawmakers added the provision targeting foreign subsidies to U.S. companies. Republicans especially have vocally criticized the Chinese ownership of popular video platform TikTok.

In the Senate, Minnesota Democrat Amy Klobuchar is sponsoring similar legislation with Republicans Chuck Grassley of Iowa and Mike Lee of Utah.

“Effective antitrust enforcement is critical to ensuring consumers and small businesses have the opportunity to compete,” Klobuchar said in a statement Thursday. “Enforcers cannot take on the biggest companies the world has ever known with duct tape and Band-Aids.”



SCALED-DOWN ATTACK ON BIG TECH DOMINANCE—The latest House bill was passed after a more sweeping measure became bogged down. The final vote was 242-184.

Suit: MGM Paid Problem Gambler Not To Report Its Online Glitches

By Wayne Parry

Associated Press

ATLANTIC CITY, N.J. (AP)—A New York City man is suing an Atlantic City casino, its parent company and its online betting partner, alleging he was repeatedly disconnected while gambling online, and was given payments to prevent him from reporting the malfunctions to New Jersey gambling regulators during a nine-month span in which he wagered over \$29 million.

Sam Antar says he is a compulsive gambler—a fact he says was well-known to defendants in the case including the Borgata casino, MGM Resorts International, and its online partner Entain.

In a lawsuit filed Wednesday in state Superior Court in Middlesex County, Antar accuses the defendants of fraud, racketeering and other transgressions. His lawsuit asserts that he experienced thousands of disconnections from the online platforms, often when he had a winning hand that was then wiped out.

His lawyer, Christopher Gramiccioni, said Antar experienced a disconnection rate approaching 50 percent during the nine months covered by the lawsuit. He added Antar, 46, had lost “easily hundreds of thousands of dollars” during that time.

“It’s one thing if you have technical issues intermittently,” said Gramiccioni, a former Monmouth County prosecutor. “It is quite another when you have them 50 percent of the time. The casino did not take corrective action as required. They kept doubling down and giving him \$30,000 a month, feeding him extra money to try to avoid

scrutiny by the regulatory agencies.”

The Borgata and MGM declined comment through a spokesman. Entain did not reply to requests for comment.

New Jersey is in the process of deciding whether to extend its law authorizing internet gambling for another 10 years.

Antar is a convicted fraudster who faces the prospect of additional prison time in November for a scheme in which he cheated friends and relatives of money he used to feed his compulsive gambling habit. In the most recent case, he has pleaded guilty to theft by deception.

He also is the nephew of Eddie Antar, who founded the Crazy Eddie electronics stores in the 1970s and 1980s, who defrauded investors out of more than \$74 million. Eddie Antar died in 2016.

In 2013, Sam Antar was sentenced to 21 months in federal prison for taking \$225,000 in a fraudulent investment scheme.

“I’ve been in prison once, and I’m probably facing prison again, and it all had to do with me not being able to admit to myself I was a compulsive gambler,” Antar said in an interview with The Associated Press Thursday. “When I look at what I did, I’m sick about it. A lot of people have this problem and they need help.”

In his lawsuit, Antar claims he alerted numerous employees and officials with the gambling companies to the fact that there was a serious, recurring problem with disconnections, but that they knowingly kept malfunctioning games available to the public because they were too profitable to take down.

He says his complaints were made to local supervisors and

VIP hosts, an online complaint portal, and even to the president of the casino and the CEO of its parent company.

He also claims the companies paid him near-daily bonuses totaling \$30,000 a month to keep him playing and to entice him not to report problems with the games to the New Jersey Division of Gaming Enforcement. His lawyer says Antar never contacted the enforcement division, which did not respond to requests for comment.

Antar played live dealer blackjack and online slots, sometimes for 24 hours straight, he said in his lawsuit; he bet more than \$5 million in one 16-day period in January 2020. During the nine month period covered in the suit, he made more than 100,000 online bets.

Antar said employees acknowledged problems with the system were affecting other customers as well. In a July 17, 2019 text and email conversation, Antar quotes one as telling him “other players are not getting anywhere near what you are getting” in terms of compensation for being kicked offline while gambling.

The suit also references an Oct. 8, 2019 text message from an MGM representative that read, “OK, let’s do this: I need you (to) email me that we are closing the case and that you will no longer contact (the Borgata president) or the DGE about the case,” referring to the Division of Gaming Enforcement.

Antar, the suit asserted, had no choice but to agree.

“I just needed to keep gambling,” Antar said.

He said he is not currently gambling, having made his last bet on Feb. 3, 2021.

GA Judge Nixes Rivian Tax Breaks

By Jeff Amy

Associated Press

ATLANTA, Ga. (AP)—A Georgia judge rejected an agreement that would have provided a huge property tax break to Rivian Automotive, clouding the upstart electric truck maker’s plans to build a plant east of Atlanta.

Morgan County Superior Court Judge Brenda Trammell rejected what is normally a routine request by a local government to validate a bond agreement, ruling Thursday that the development authority that brought the case hadn’t proved that the \$5 billion plant, projected to hire 7,500 people, was “sound, reasonable and feasible” as is required under state law.

Trammell also ruled that under state law, Rivian should be required to pay regular property taxes because of its level of control over property it would be leasing from the development authority, undermining the reason that the legal action was brought in the first place.

Rivian declined to comment.

The Georgia Department of Economic Development and a local four-county joint development authority that recruited Rivian said they were “disappointed and respectfully disagree with Judge Trammell’s decision. They said they aren’t giving up on their plans, and are considering an appeal.

“We remain undeterred in our efforts to bring high-paying, American manufacturing jobs to Georgia, and are currently assessing all legal options,” the groups said.

The Irvine, Calif.-based electric vehicle manufacturer announced last year that it would build the facility on a 2,000-acre site in Morgan and Walton counties about 45 miles east of Atlanta along Interstate 20. It plans to produce up to 400,000 vehicles a year there. Rivian, which also has a plant in Normal, Ill., had hoped to break ground as early as this summer and begin production in 2024.

By maintaining ownership of

the property and leasing it to Rivian, local governments would exempt Rivian from a projected \$700 million in property taxes over 25 years, although Rivian has agreed to make \$300 million in payments in lieu of taxes during the period.

The property tax break is a key part of the \$1.2 billion in tax breaks and incentives that Georgia and local officials offered for Rivian to build a plant in the state.

The long-used maneuver circumvents a ban in Georgia’s state constitution on giving “gratuities” to companies or individuals. If Trammell’s order requiring normal property taxes is upheld, it could call other big tax breaks into question and keep officials from using the tool in the future.

The state also plans to spend \$200 million to buy the site and prepare it. Rivian could claim a projected \$200 million income tax credit, and \$280 million in sales tax breaks on machinery and construction materials.

Tesla Robot Doesn’t Fall Down—But That’s About All It Can Manage

By Tom Krisher and Matt O’Brien

AP Business Writers

DETROIT, Mich. (AP)—An early prototype of Tesla Inc.’s proposed Optimus humanoid robot slowly and awkwardly walked onto a stage, turned, and waved to a cheering crowd at the company’s artificial intelligence event Friday.

But the basic tasks by the ro-

bot with exposed wires and electronics—as well as a later, next generation version that had to be carried onstage by three men—was a long way from CEO Elon Musk’s vision of a human-like robot that can change the world.

Musk told the crowd, many of whom might be hired by Tesla, that the robot can do much more than the audience saw Friday. He said it is also delicate and “we just didn’t want it to fall on its

face.”

Musk suggested that the problem with flashy robot demonstrations is that the robots are “missing a brain” and don’t have the intelligence to navigate themselves, but he gave little evidence Friday that Optimus was any more intelligent than robots developed by other companies and researchers.

The demo didn’t impress AI researcher Filip Piekiewicz, who tweeted it was “next level cringeworthy” and a “complete and utter scam.” He said it would be “good to test falling, as this thing will be falling a lot.”

“None of this is cutting edge,” tweeted robotics expert Cynthia Yeung. “Hire some Ph.D.s and go to some robotics conferences @ Tesla.”

Yeung also questioned why Tesla opted for its robot to have a human-like hand with five fingers, noting “there’s a reason why” warehouse robots developed by startup firms use pinchers with two or three fingers.

Musk said that Friday night was the first time the early robot walked onstage without a tether. Tesla’s goal, he said, is to make an “extremely capable” robot in high volumes—possibly millions of them—at a cost that could be less than a car, that he guessed would be less than \$20,000.

Tesla showed a video of the robot, which uses artificial intelligence that Tesla is testing in its “Full Self-Driving” vehicles, carrying boxes and placing a metal bar into what appeared to be a factory machine. But there was no live demonstration of the robot completing the tasks.

Employees told the crowd in Palo Alto, California, as well as those watching via livestream, that they have been working on Optimus for six to eight months. People can probably buy an Opti-

mus “within three to five years,” Musk said.

Employees said Optimus robots would have four fingers and a thumb with a tendon-like system so they could have the dexterity of humans.

The robot is backed by giant artificial intelligence computers that track millions of video frames from “Full Self-Driving” autos. Similar computers would be used to teach tasks to the robots, they said.

Experts in the robotics field were skeptical that Tesla is anywhere near close to rolling out legions of human-like home robots that can do the “useful things” Musk wants them to do—say, make dinner, mow the lawn, keep watch on an aging grandmother.

“When you’re trying to develop a robot that is both affordable and useful, a humanoid kind of shape and size is not necessarily the best way,” said Tom Ryden, executive director of the non-profit startup incubator Mass Robotics.

Tesla isn’t the first car company to experiment with humanoid robots.

Honda more than two decades ago unveiled Asimo, which resembled a life-size space suit and was shown in a carefully-orchestrated demonstration to be able to pour liquid into a cup. Hyundai also owns a collection of

humanoid and animal-like robots through its 2021 acquisition of robotics firm Boston Dynamics. Ford has partnered with Oregon startup Agility Robotics, which makes robots with two legs and two arms that can walk and lift packages.

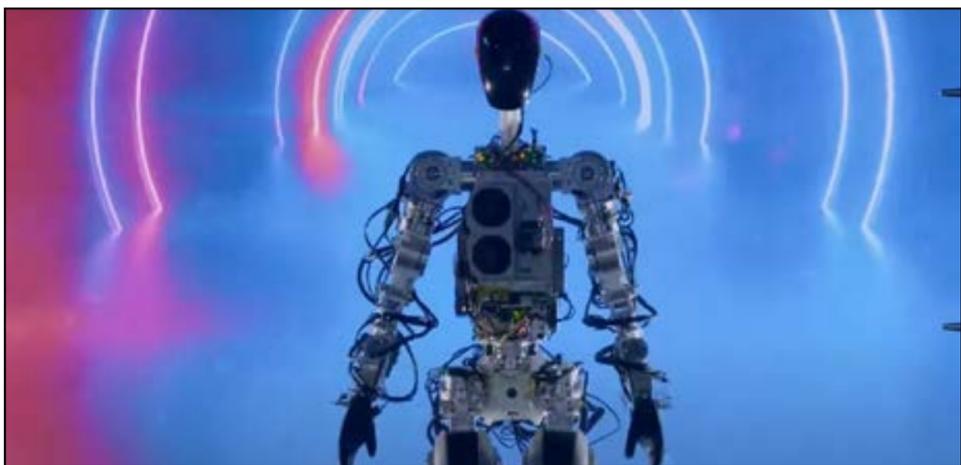
Ryden said carmakers’ research into humanoid robotics can potentially lead to machines that can walk, climb and get over obstacles, but impressive demos of the past haven’t led to an “actual use scenario” that lives up to the hype.

“There’s a lot of learning that they’re getting from understanding the way humanoids function,” he said. “But in terms of directly having a humanoid as a product, I’m not sure that that’s going to be coming out anytime soon.”

Critics also said years ago that Musk and Tesla wouldn’t be able to build a profitable new car company that used batteries for power rather than gasoline.

Tesla is testing “Full Self-Driving” vehicles on public roads, but they have to be monitored by selected owners who must be ready to intervene at all times. The company says it has about 160,000 vehicles equipped with the test software on the road today.

In 2019, Musk promised a fleet of autonomous robotaxis would be in use by the end of 2020. They are still being tested.



TESLA ROBOT UNDERPERFORMS AT DEMO—Tesla’s Optimus awkwardly walked onstage and waved to the crowd at a demo in Detroit Friday, but did little else. Elon Musk says it’s just a prototype.

Opinion



Journalism: “Objectivity” and “Neutrality” Aren’t the Same Thing

By Thomas L. Knapp

William Lloyd Garrison Center

“With the possible exception of things like box scores, race results, and stock market tabulations,” Hunter S. Thompson wrote in 1973, “there is no such thing as Objective Journalism. The phrase itself is a pompous contradiction in terms.”

Someone forgot to tell George Washington law professor Jonathan Turley, who bemoans the rise of “advocacy journalism” (which he himself prominently practices) in general and what he characterizes as *Washington Post* columnist Jennifer Rubin’s “call to abandon the foundational principle of impartiality in journalism” specifically.

Like many, Turley seems to long for a return to some Golden Age of journalism when journalists merely provided facts in a “neutral” manner, giving readers the necessary evidence to reach their own conclusions instead of inserting their own biases and opinions into the matter.

There are two major problems with Turley’s desire.

One is that the existence of such a Golden age is pure myth. The idea of “objectivity in journalism” is largely a product of Walter Lippmann’s 20th century call for a “detachment” he himself didn’t practice as a journalist, in reaction to a previous era (indeed, the entire previous history) of journalism in which reporters wore their biases on their sleeves and readers chose the newspapers most compatible with their own biases.

The “objectivity” of the post-Lippmann press didn’t consist of eliminating bias. It consisted of smothering bias under a bland gravy of pretended neutrality.

Which brings us to the second problem: Neutrality and objectivity are different—and, moreover, completely incompatible—things.

Objectivity is about discerning reality as it actually is, or at least attempting to do so.

Neutrality is about not taking sides on issues.

As an example of the two approaches, let’s take the subject of Anthropogenic Global Warming. Earth is, or is not, warming. It is warming, or not, for particular reasons (including, possibly, human activity). And there are, or are not, specific consequences.

A truly “objective” journalist would work hard to find out (and tell us) whether or not Earth is warming, for what particular reasons it is or isn’t warming, and what the consequences of its warming or non-warming are or aren’t.

A truly “neutral” journalist would neither hold nor express any opinion on what ought or ought not to be done about the answers to those questions.

Objectivity doesn’t forbid us to form opinions. In fact, it usually requires us to do so. Trying to keep one’s opinions out of one’s communications is both unrealistic and counter-productive.

Rubin says we should “burn down the Republican Party.” Turley says we shouldn’t. Either or neither of them may have reached their positions “objectively.” But neither of them owes us a pretense of neutrality, and both enrich us by showing their work.

Thomas L. Knapp (Twitter: @thomaslknapp) is director and senior news analyst at the William Lloyd Garrison Center for Libertarian Advocacy Journalism (thegarrisoncenter.org). He lives and works in north central Florida.



Predictions Of A Ukraine Victory Are Premature

By Mel Gurtov

Portland State University

Something extraordinary is happening in the course of Russia’s war in Ukraine. Putin is taking a hit from all sides. Opposition to the war is coming from home and abroad.

Around 50 local Russian officials signed letters that offer stinging critiques of Vladimir Putin’s leadership, calling it “treasonous” and demanding his resignation. Russia’s media ignored the protest, and at least several of those officials were arrested.

Nevertheless, slowly but surely, more people are speaking out, many with their feet—leaving Russia in numbers that may approach the 300,000 men in Putin’s call-up for service in Ukraine. Meantime, abroad, Putin evidently has gotten no new support for the war from either China or India when he met their leaders in Central Asia. Still, there’s nothing to suggest that Putin’s rule is in trouble.

Escalation of the war lies immediately ahead as Putin responds to Ukraine’s surprising counteroffensive, which has reportedly led demoralized Russian forces in the east to flee in disarray. As the *New York Times* is reporting, the counteroffensive is the result of intense joint planning between Ukrainian and U.S. officials months ago.

Ukraine has recovered some occupied land in the northeast Kharkiv region as well as around Kherson in the south—altogether about 2,300 square miles so far, President Zelenskyy claims. Some Ukrainian sources report the Russian commanders and their families in Crimea are fleeing, though the reliability of such upbeat reports from the front is questionable. What is clear from Putin’s call-up and the sham referendums that have just taken place in the Donbas region and in the south is that Putin’s war is going badly and he is becoming desperate.

If Ukraine does manage to liberate a large chunk of Russian-occupied territory, it could set in motion a deterioration of Putin’s authority, giving Russia’s military commanders an opening to vent what I suspect is anger and frustration over his war leadership. Former U.S. ambassador to Russia Michael McFaul reminds us of how Russia’s failed adventure in Afghanistan ultimately led to regime changes in Moscow that paved the way for Mikhail Gorbachev and the collapse of the Soviet Union.

That process, however, took several years and three Soviet leaders before Gorbachev emerged. Even if Putin falls, Ambassador McFaul is saying, the war might go on until another Gorbachev emerges who is willing, and has the internal support, to withdraw from Ukraine.

Although it is often said that every war must end, a peace settlement seems at the moment to be the least likely way the Ukraine war will end. Once upon a time, according to a Reuters report, Putin’s top envoy to Ukraine did reach a tentative agreement with Kyiv that would have stopped Russia’s war plans in exchange for Ukraine’s agreement to never join NATO.

But Putin rejected the deal. Nor is a cease-fire in sight, as UN Secretary-General António Guterres said last week after talking with Putin: “I would be lying if I said it would happen.”

About the only alternative to continued fighting is that one side retires out of exhaustion or defeat, as the Soviets did in Afghanistan.

Ukraine’s leaders say they are determined to recover all lost territory, which if true promises a very long war of attrition against a Russian force that is deeply entrenched in Crimea and, according to Putin, is determined to keep “the entire territory of Donbas.”

After all, Putin still seems able to draw upon large numbers of soldiers without a draft. He may be responding not just to huge battlefield losses but also to criticism from pro-war officials who argue that he has been indecisive and has failed to use Russian military assets to the country’s advantage. And he can count on having plenty of money from oil sales to China, India, and Saudi Arabia to continue financing his war.

Added to these uncertainties are still others. Ukraine’s commanders have to consider how far they can stretch their lines of advance. Their thrusts into occupied territory have been costly in manpower, equipment, and fuel. Politics urges their forces on, but logistics urges caution.

Second, U.S. aid, in money, weapons, and intelligence, has been generous. But its only effect will be to prolong the war and hinder a peace. Moreover, how long can such largesse continue? Should the Republicans make major advances in the upcoming elections, divided government might put limits on U.S. aid.

Third, Europe’s—especially Germany’s—support of Ukraine will be tested as winter sets in and energy supplies tighten. Putin is obviously hoping to weaken the European Union’s support of Ukraine by playing the energy card, which now includes sabotaging the Nord-Stream 2 pipeline.

Fourth, Ukraine and especially its supporters cannot ignore the nuclear danger—either the constant threat of a major radiation release at one of Ukraine’s nuclear plants or the possibility, however remote, that Putin might use a nuclear weapon to stave off a major defeat and thus satisfy his nationalist critics. He alluded to that possibility in his speech of September 21 when he said: “If the territorial integrity of our country is threatened, we will certainly use all the means at our disposal to protect Russia and our people. This is not a bluff.”

In all, the war in Ukraine remains a nightmare for all sides, with no clear indication how or when it might draw to a close. We can be elated at the news that Ukraine’s resistance is regaining ground. But optimism that the Russian retreat is the beginning of the end, or that Putin’s demise is imminent, is surely premature. Just as happened in Afghanistan and Vietnam, there are wars without foreseeable ends, and ambitious leaders who either cannot accept defeat or overreach when they are ahead. There is another end game that hardly anyone is promoting: a peace agreement put before Putin now, ready for his signature at the point where he, or his successor, realizes that a Russian victory is impossible and that Ukraine’s independence and ter-



War Is Obsolete

By Winslow Myers

War Preventive Initiative

“We have communicated directly, privately and at very high levels to the Kremlin that any use of nuclear weapons will be met with catastrophic consequences for Russia, that the U.S. and our allies will respond decisively, and we have been clear and specific about what that will entail.”

—Jake Sullivan, National Security Advisor

Here we are again, possibly as close to a possible nuclear war in which everyone will lose and no one will win as we were during the Cuban Missile Crisis exactly 60 years ago. And still the international community, including dictators and democracies, has not come to its senses around the unacceptable risk of nuclear weapons.

Between then and now, I volunteered for decades with a non-profit called Beyond War. Our mission was educational: to seed into international consciousness that atomic weapons had rendered all war obsolete as a way of resolving international conflict—because any conventional war could potentially go nuclear. Such educational efforts are replicated and extended by millions of organizations around the world that have come to similar conclusions, including really big ones like the International Campaign to Abolish Nuclear Weapons, winner of the Nobel Peace Prize.

But all these initiatives and organizations have not been enough to move the international community to act on the truth that war is obsolete, and so, not understanding the urgency and not having tried nearly hard enough, the “family” of nations are at the mercy both of the whims of a brutal self-obsessed dictator—and of an international system of militaristic security assumptions stuck on stupid.

As a thoughtful and smart U.S. Senator wrote to me:

“...In an ideal world, there would be no need for nuclear weapons, and I support U.S. diplomatic efforts, along with those of our international partners, to limit nuclear proliferation and promote stability across the globe. However, as long as nuclear weapons exist, the potential use of these weapons cannot be ruled out, and the maintenance of a safe, secure, and credible nuclear deterrent is our best insurance against nuclear catastrophe...”

“I also believe that maintaining an element of ambiguity in our nuclear employment policy is an important element of deterrence. For example, if a potential adversary believes they have a full understanding of the conditions for our deployment of nuclear weapons, they could be emboldened to conduct catastrophic attacks just short of what they perceive to be the threshold for triggering a U.S. nuclear response. With this in mind, I believe a No First Use policy is not in the best interest of the United States. In fact, I believe it could have significant adverse effects regarding the proliferation of nuclear weapons, as our allies who rely on the U.S. nuclear umbrella—notably South Korea and Japan—may seek to develop a nuclear arsenal if they do not believe the U.S. nuclear deterrent can and will protect them from attack. If the U.S. cannot extend deterrence to its allies, we face the serious possibility of a world with more nuclear weapon states.”

This can be said to represent establishment thinking in Washington and around the world. The problem is that the Senator’s assumptions lead nowhere beyond the weapons, as if we are trapped forever

in the swampland of deterrence. There is no apparent consciousness that, given that the world could end as the result of one misunderstanding or misstep, at least a small portion of our creative energy and immense resources might usefully be spent on thinking through alternatives.

The Senator would surely argue from his assumptions that Putin’s threats make this exactly the wrong time to talk about nuclear weapons abolition—like the politicians who can be counted on after yet another mass shooting to say that it is not the moment to talk about gun safety reform.

The situation with Putin and Ukraine is classic and can be counted upon to repeat itself in some variation (cf. Taiwan) absent fundamental change. The challenge is educational. Without the clear knowledge that nuclear weapons solve nothing and lead nowhere good our lizard brains turn again and again to deterrence, which sounds like a civilized word, but in essence we are primitively threatening each other: “One step further and I will come down on you with catastrophic consequences!” We are like the man holding a grenade threatening to “blow us all up” if he doesn’t get his way.

Once enough of the world sees the utter futility of this approach to security (as have the 91 nations who, thanks to ICAN’s hard work, have signed the United Nations Treaty on the Prohibition of Nuclear Weapons), we can begin to risk the creativity that becomes available beyond deterrence. We can examine the opportunities we have to make gestures that acknowledge the uselessness of the weapons without compromising our “security” (a “security” already utterly compromised by the nuclear deterrence system itself!).

For example, the U.S. could afford to stand down its entire land-based missile system, as former Secretary of Defense William Perry has suggested, without any crucial loss of deterrent power. Even if Putin didn’t feel threatened before and was just using his apprehensions about NATO to rationalize his “operation,” he surely feels threatened now. Perhaps it is in the planet’s interest to make him feel less threatened, as one way to prevent Ukraine from the ultimate horror of being nuked. And it’s past time to convene an international conference where representatives of responsible nuclear powers are encouraged to say out loud that the system doesn’t work and leads only in one bad direction—and then begin to sketch the outlines of a different approach. Putin knows as well as anyone that he is in the same trap as the United States’ major in Vietnam who reportedly said, “It became necessary to destroy the town to save it.”

Winslow Myers, syndicated by *PeaceVoice*, author of *Living Beyond War: A Citizen’s Guide*, serves on the Advisory Board of the *War Preventive Initiative*.



Taking Aim At The Second Amendment

By Tom H. Hastings

Portland State University

It is long past time to repeal the Second Amendment.

Why?

To strengthen democracy. Without the Second Amendment, wrote Supreme Court Justice John Paul Stevens, states and towns would be free to pass their own gun laws that wouldn’t be overturned again and again by courts citing either the Second Amendment or other precedent reliant on the Second Amendment.

To save lives. Already in 2022, as of September 25, there have been 32,643 gun deaths in America from a variety of causes, including murder, homicide, accidents, and suicides. Many of these deaths were in places that attempted strict gun control, including a ban on assault rifles, but were successfully sued by the NRA or other gun rights groups and their local or state laws vacated by rulings prompted by the Second Amendment.

To become a civilized country. Civilized countries enact laws that actually protect their children. Unlike every single other developed or large country in the entire world, the number one cause of death for children in the U.S. is firearms. If this works for some states, let them remain the Wild West gun toting free-for-all that the Second Amendment has produced. If other states or counties or cities wish to join the civilized world, take away the Second Amendment and give them the chance to do so.

To prevent Civil War 2.0. With approximately 400 million guns floating around U.S. society and an armed MAGA-driven polarization met by an increasingly armed leftist radical wing, along with evermore virulent rhetoric and escalating numbers walking around open-carrying war weaponry in public, half of America believes that civil war is coming. Tossing out the Second Amendment would free legislatures and city councils to begin seriously ending such belligerent displays of combat weapons. Curbing gun sales in all the places that voted to do so would begin to dial down at least some of the terrible tension flaring up by the Oathkeepers and others who have called for civil war.

To give all American children a far more secure and relaxed childhood. With the many school shootings at virtually all grade levels, kids and parents are nearly as anxious every day about the dire possibilities in their own lives as kids are in countries at war. After the entirely preventable mass slaughter in the high school in Parkland, Fla., a Pew Research survey showed the majority of children 13-17 and their parents feared that catastrophe might come to them. Now, post-Sandy Hook elementary and Robb elementary school shootings in Uvalde, Texas, we can expect younger children and their families to suffer similar or worse daily anxieties.

To stop treating America as a war zone. Repealing the Second Amendment would enable legislation to ban weapons of war, such as assault rifles, from the country. A combat weapon is not a hunting instrument and it’s not for home protection. Americans cannot own howitzers, shoulder-launched missiles, or live grenades, all of which are designed and manufactured for militaries at war or ready for war. Assault rifles radically increase the masses of dead and wounded in the worst cases. But they were purchased legally by many of the mass murderers from Las Vegas to Sandy Hook to Uvalde to Parkland and on and on. The war and peace researchers call any armed conflict with more than 1000 battlefield deaths in a year a war, and more than 10,000 battlefield deaths in a year as a major war. The U.S. is by that standard already at war with itself, just not in an organized fashion. Getting organized to repeal the Second Amendment can reverse this.

It’s time. Let’s fix this. America prides itself on being a “can-do” people. We can do this.

Dr. Tom H. Hastings is Coördinator of Conflict Resolution BA/BS degree programs and certificates at Portland State University, *PeaceVoice* Senior Editor, and on occasion an expert witness for the defense of civil resisters in court.