

# WORKS IN PROGRESS

VOLUME 26, No. 11

SERVING THE OLYMPIA COMMUNITY AND THE CAUSE OF SOCIAL JUSTICE SINCE 1990.

MARCH 2016

## Stormans takes it to the Supremes

The effect of an eight-justice court on decisions from the 9th Circuit

Janet Blanding

On January 4, 2016, an appeal to the Supreme Court was submitted in the matter of *Stormans v. Wiesman*. *Stormans v. Wiesman* is the lawsuit filed by the owners of Ralph's Thriftway over the state's regulations that effectively require stocking and dispensing emergency contraception like Plan B and ella. Since the Supreme Court of the United States (SCOTUS) refuses to review the vast majority of cases that request appeal, there was no certainty at that time that Stormans' petition for a review would be granted. Yet there was reason for Stormans to hope: SCOTUS overturns almost all of the cases it hears from the 9<sup>th</sup> Circuit appellate court (see "SCOTUS by the numbers"), so Stormans and their anti-choice, anti-gay legal advocacy group, the Alliance Defending Freedom (ADF) were highly likely to prevail if the court agreed to hear the

case. All that changed on February 13 when Scalia died.

**Why does Scalia's death matter?**

On reproductive justice issues, four of the justices belonging to the court of January 4, 2016, tended to vote

With Scalia's death, the prospect of winning a majority to sympathize with the Stormans' claim that their first amendment rights are being infringed has been severely diminished...

conservatively on most issues, including matters of reproductive justice: Scalia, Roberts, Alito and Thomas. Four justices can be expected to protect women's rights on choice issues: Ginsburg, Breyer, Sotomayor and Kagan, although Sotomayor and Kagan haven't voted on many cases yet. Justice Anthony Kennedy

has a mixed record on many ideological issues, including reproductive healthcare, sometimes voting with the conservatives (as in *Hobby Lobby*) and sometimes voting with the liberals (as in *Planned Parenthood v. Casey*). With Scalia's death, the prospect of winning a majority to sympathize with the Stormans' claim that their first amendment rights are being infringed has been severely diminished; it is almost impossible to

imagine any of the liberal justices siding with Stormans. In addition, there is a possibility that SCOTUS will be reluctant to grant review to controversial cases that are likely to deadlock while only eight justices are seated, reducing the chance that the case will even be taken up. May Scalia rest in peace.

**What's happening now?**

Four justices must agree to take on a case when a petition for writ of certiorari is submitted. (A petition for a writ of certiorari, or "cert petition" are legal terms for the request for SCOTUS to hear a case on appeal.) After the state's and the intervenors' responses to Stormans' cert petition are submitted in early March, the justices and their

law clerks will review the petition, the responses, and a slew of amici curiae submitted by a host of "friends," who have an interest in the outcome of the

► SUPREMES continued on page 10



### An apology for harm done

On Saturday evening, February 21, Works In Progress was contacted via Facebook by Steffany Brown. Her message, regarding a graphic comparing this nation's use of animals to the enslavement of Blacks in the January 2016 issue, is as follows:

"As a black vegan and resident of Olympia, I would really like an explanation as to why you all felt it appropriate to publish this image by a white woman comparing black people to nonhuman animals, as if we still have not been compared to animals enough.

"Usually my people are compared to animals when police justify shooting us, imprisoning us, when the media compares our athletes to animals, when our impoverished communities revolt, etc., so I'm curious why a "progressive" media outlet found this in any way acceptable."

Upon reflection, we agree. It was inappropriate.

This is what we have come to understand

Though not all of us are vegan, or even vegetarian, we all believe that animals must be treated in an ethical and humane manner; however, in advocating for the rights of animals, we now realize that the methods used must not include co-opting the experiences of another oppressed group as an analogy. Those advocating for animal rights, including Works In Progress, must take into consideration how their words, images, or comparisons affect others, in this case, the African-American community. How can we possibly be effective in combating injustice, any injustice, when we trample on the sensitivities and emotions of others, especially those who still deal with oppression on a daily basis?

We, in Works In Progress, deeply regret the harm and insult our actions have caused, and we are grateful to Ms. Brown for her decision to challenge us.

## From "political" to public affairs

The United Way's ALICE report reveals the real situation of struggling workers

Emily Lardner

We are getting towards the end of the quarter at Evergreen, where I teach in the Evening and Weekend Studies Program, and I've been meeting with students to talk about their writing. These conversations are interesting, providing windows into the issues my students care about: better schools for all kids, and better working conditions for teachers; sensible, cost-effective strategies for dealing with issues of addiction; accessible gender neutral bathrooms as a step towards equity for transgender people; the dangerous ignorance about fire hazards, especially in urban areas edged with forest land; the lulling effects of the cult of celebrity, and the unethical behaviors it excuses, or, conversely, the racism that skews white

fans' perceptions of an outstanding professional athlete who is black.

In these fifteen to thirty minute sessions, as we talk about their assignments, "op-ed" columns intended not only to showcase students' good thinking but also to highlight their rhetorical adeptness—a few students

United Way makes a case that the Federal Poverty Line underreports the financial hardships individuals face—formula for calculating is outmoded and fails to adequately account for the cost of living.

have used the word "political" to mean "we can't really talk about this; it's too controversial." Structural inequality, systemic racism, and climate change have all fallen into that "too political"

category—too political to talk about, too political to think about, too political for someone like me (an ordinary person, still in college) to tackle, particularly in a conversation with others. And so a discussion of fire safety circumspectly omits reference to climate change, the driving force behind the causes leading to increases in fire-conditions in our state. A discussion of the importance of designating Martin Luther King's home as a National Historic Site elides a discussion of contemporary racism and inequality. Too political...

In a course where our focus is on the crafting of artful sentences in the context of pieces that matter to writers, we haven't talked explicitly about what's political. Until now, I've felt confident that my students and I share an understanding, at least a general one, about the world we live in: climate change is happening, fueled by human actions; income inequality is more pronounced now than it's ever been in the U.S., the

► UNITED WAY continued on page 6

**WORKS IN PROGRESS**

ESTABLISHED IN 1990 BY THE  
THURSTON COUNTY RAINBOW COALITION

*Works In Progress* is a free, all volunteer-operated progressive community publication based in Olympia, Washington. Opinions expressed do not necessarily reflect those of *Works In Progress* and are solely those of the authors.

**Submissions**

Please send text as Word attachments. Artwork and photos can be sent electronically or we can scan them for you as camera-ready/black & white.

*Works In Progress* is committed to stories misrepresented or ignored by the mainstream media. We value local, well-researched news stories, accounts of personal experience and reflections by local authors. Opinion pieces, also valued, are often best supported by facts, examples, and sources, and we encourage writers to include these elements to submissions. We're also looking for graphics, poetry, cartoons, and articles that push the boundaries of conventional journalism.

WIP reserves the right to publish in whole or part all submissions. For editing purposes, please enclose your phone number. Articles may be reprinted. Please cite sources.

If your issue isn't being covered in *Works In Progress*, it's because you aren't writing about it! (Or haven't found someone else to cover it!)

Send submissions to [olywip@gmail.com](mailto:olywip@gmail.com) or mail to *Works In Progress*, PO Box 295, Olympia, WA 98507-0295.

**Governing Tool**

The following statement is part of the Editorial Policy and is the governing tool for the Anti-Discrimination Clause:

*WIP will make every effort to work with the contributor of material considered by WIP to be offensive in order to reach a mutually agreed upon resolution, but WIP reserves the right as a last resort to edit or not print submitted material.*

**Mission Statement**

Our aim is to confront injustice and encourage a participatory democracy based on economic, social, and environmental justice. *Works In Progress* is dedicated to providing a voice for those most affected by the exclusionary and unfair practices that seek to silence the oppressed.

**Anti-Discrimination Clause**

We will collectively endeavor to be sensitive and respectful to all those oppressed in this society and their issues. However, if and when we should make a mistake in this regard, we expect to acknowledge it and to express regret for injury or insult given.

**Back Issues**

WIP is archived on microfilm by the University of Washington Library. Some issues are held in the Timberland Library system. The last five years are online at [www.olywip.org](http://www.olywip.org)

**WORKERS IN PROGRESS**

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**Submission Deadline**

**Monday, March 21**  
**[olywip@gmail.com](mailto:olywip@gmail.com)**

**Proofreading Meeting**

Saturday ♦ March 26 ♦ 1 pm

**Olympia Timberland Library**  
**(around a table in the back)**

**ADVERTISING RATES**

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**On the front cover —**

Advocates from Washington CAN, NARAL Pro-Choice Washington and SIEU 925 stand on the Capitol steps to advance legislation and raise awareness on issues affecting women, including pay equity, workplace penalties against pregnancy/caregiving, women's health, and the way that women are impacted by the crisis of mass incarceration.

photo: Michaela Williams

**Jobs After Jail: Ending the Prison to Poverty Pipeline**

**State regulations bar formerly incarcerated workers from good jobs and the ability to contribute to their local economy**

WASHINGTON - Each year an average of 630,000 people are released from state and federal prisons – for many, their prison record will be a life sentence of poverty and low wages.

In addition to facing “the box” on job applications that asks about being convicted of a crime, they also face a raft of state restrictions banning them from certain occupations. Every state in the country bans formerly incarcerated people from specific jobs. Some states bar them from hundreds of jobs, often good-paying jobs.

The Alliance for a Just Society is releasing *Jobs After Jail: Ending the Prison to Poverty Pipeline*. The report analyzes the impact of policies that limit employment opportunities for people who have served jail or prison sentences.

The findings underscore the urgency to “ban the box” in every state and at the federal level. However, the research also clearly shows the critical need to change the thousands of laws nationwide that restrict job opportunities, and keep families and communities struggling.

There's something in the air...

A wide variety of jobs are barred, but depending on the state, they can include such work as a veterinarian, mortgage broker, or optometrist.

About 70 million people in the U.S

**Have you no sense of decency, sir? \***

Children of my children,  
Lead me to this fight.  
Do your children have no children, sir?

You peddle yet another gadget,  
Offer only salves or charmed potions.  
Deny the peril of our common plight.

You cloud the real danger,  
While lingering on the far-fetched.  
You sleazy fear-monger.

You tip on toes and dance around,  
As we slowly fade,  
Not so gently into the abyss.

Doubt-caster and shape-shifter,  
You steal the common good.  
Have you no conscience, sir?

Who will buy your widgets, or your  
poisons,  
When there is no water to drink?  
Have you no brain, sir?

--Maureen Canny

\*Title is from a Joseph N. Welch quote,  
directed to Senator McCarthy during the  
McCarthy hearings, June 1954.

**An open letter to the Lacey City Council**

My name is Glen Anderson. I have lived in Lacey for 41 years.

During all these 41 years I have never heard of a Lacey City Council member saying anything so ignorant – so mean-spirited – as what Jason Hearn said about Muslims.

The people of Lacey are better than that.

Nationwide, hate speech has provoked hate crimes. We do not want to provoke hate crimes in Lacey.

When an employer allows racist or sexist or other biased speech or behavior to pollute the working environment, the law says that the employer has created “a hostile work environment.”

When Jason Hearn publicized his anti-Islamic opinions he created “a hostile civic environment.”

Even if he did this as a private individual and not in his official capacity as a City Council member, he has seriously hurt our community. He must be held accountable for the damage he caused.

I call upon the Lacey City Council to explicitly and publicly rebuke Jason Hearn's behavior.

I call upon the Lacey City Council to publicly affirm respect for all religions and respect for all of the other

kinds of demographic groups to which our people belong.

I call upon Jason Hearn to publicly apologize for his behavior and to resign from the Lacey City Council.

All people are one human family! We are all in this together!

Thank you.

--Glen Anderson, Lacey

have a felony or serious misdemeanor arrest or conviction that could impact their ability to find a job, locking a big part of our country out of stable, good-paying employment.

“Having a criminal record doesn't mean you're a bad employee. In my experience, people with criminal records are often model employees. They are frequently the most dedicated and conscientious. A lot of doors are shut to them, so when someone give them an opportunity, they make the most of it,” said Jim Houser. “As a small business owner, I know that when people have opportunities to succeed the local community and economy thrives –and in turn my company thrives.” Jim Houser is the owner of Hawthorne Auto Clinic in Portland, Oregon and he is a member of the Main Street Alliance National Executive Committee.

“Expanding job opportunities for workers with prior records is fair for our society and smart for our economy,” said Paul Heroux. “Making sure the path to employment is not blocked for people with records will restore dignity and hope to our communities. I should know. It made all the difference in the world to me.” Paul Heroux is a semi-retired painter/handyman, a felon rights advocate, and a veteran of the prison

system.

“Small-business owners like me support policies that increase access to local employment and bring down jobless rates,” said Anthony James. “We see the vicious cycle of incarceration and poverty in our communities. We see the effects of a flawed justice system and employment discrimination on our revenue sheets.” Anthony James is the owner of Kustom Sounds Studio in Longwood, Florida.

Recommendations from the report include:

- Eliminate lifetime legislative bans to employment
- Ban the box – the question about convictions on job applications.
- Reform policies on court fines and fees and incarceration fees that leave people deep in debt after they are released.
- Invest in businesses that pay high wages and employ formerly incarcerated people.

*Jobs After Jail: Ending the Prison to Poverty Pipeline* is part of the Job Gap Economic Prosperity series on jobs and wages produced by the Alliance since 1999.

—Main Street Alliance

**Why are some nations rich and others poor?**

Course Description: Development & Effective Altruism

David Albert Thursdays, 10:00 - 11:30 am 3/3-4/14 Olympia Senior Center

Olympia-Senior Services for South Sound invites the community to an engaging course with David Albert, Board Chairman, Friendly Waters for the World. This class takes place on Thursdays, 10:00-11:30 am, March 3 to April 14, 2016 (7 classes). Location: Olympia Senior Center, Cost: \$78.00. Register in person or by phone at The Olympia Senior Center, 222 Columbia St. NW, Olympia WA 98501 or 360. 586-6181.

Why are some nations rich and others poor? Where do wealth (and poverty)

come from? What is development, and why do so many approaches to assist poor people and poor nations fail? Are there better approaches? What is this new movement called “effective altruism”? How can I make better decisions in my charitable choices to “do the most good”? And how can I get involved to do yet more? Good readings (with a lengthy recommended list), personal anecdotes, and lots of great discussion. You will come out changed and look at the world in new ways. Cost: \$78.

**Centralia Square Antique Mall**

Antiques ▪ Restaurant ▪ Hotel

**Directions from Olympia**

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Off at Exit 82 (Factory Outlets)

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Right on Pearl

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## Showcase event

# YWCA of Olympia springs into action!

Olympia, WA – Mark your calendar for a truly interactive event this April to learn about the YWCA of Olympia! The Spring Into Action Mission Showcase features great food, wine & beer, social time and a unique opportunity to see our mission in action by visiting interactive program stations and meeting with program participants. Perhaps you'll create an interview outfit for a woman enrolled in our Economic Empowerment Program? Will you help re-package toothbrushes for the Other Bank? Maybe you'll be part of a painting that will be created through the night. Will you take part in the interactive food stations? The s'mores bar was very, very popular last year!

You'll leave the Mission Showcase with several hands-on empowerment experiences and a lasting engagement with our mission to eliminate racism and sexism to advance the political, economic and social status of all women and girls. It's going to be a phenomenal event!

YWCA Olympia is a non-profit, multi-service organization that has served

girls, women and families since 1945. Nationally, the YWCA has a long history of promoting equity in the areas of politics, health care, employment and racial justice. In Olympia, YWCA

individuals annually, 80% of whom are women. Additionally, several of our programs support young women, with 500 girls between the ages 10 to 17, served each year. Our programs include:

**Girls Without Limits!**: Fostering confidence in science, technology, engineering and math (STEM) and encouraging girls to pursue careers in STEM.

**Girls Circle**: Developing healthy and resilient girls that thrive and preventing violence against women

**Young Women of Color in Leadership Project**: Equipping young women of color to lead social change initiatives and foster increased representation

**Women's Economic Empowerment (including Kathleen's Closet)**: Ensuring all women have the skills and resources to gain employment and experience economic advancement

**The Other Bank**: Promoting health and dignity through personal hygiene

We are on a mission to eliminate racism, stand up for social justice, help families and strengthen our community. For comprehensive information about this important work, go to: [www.ywcaofolympia.org](http://www.ywcaofolympia.org).

—YWCA of Olympia

### Spring Into Action: Mission Showcase

Thursday, April 28, 5:30-7:30 pm  
Red Lion Olympia  
(2300 Evergreen Park Dr SW)

Tickets are \$50. Call 352-0593 or online at [ywcaofolympia.org/page/thank-you](http://ywcaofolympia.org/page/thank-you)

is focused on eliminating racial and gender inequity and advancing the social and economic status of all women and girls. Our approach is multifaceted. We provide programs and services, engage in advocacy to promote systemic change and educate the larger community on relevant issues. All of our activities are aligned with our three platform areas: Economic Advancement, Health & Safety, and Racial Justice & Community Leadership. While we serve all individuals, the YWCA of Olympia prioritizes women who are low-income and/or women of color. Through our programs and services, the YWCA serves nearly 21,000

## Democratic caucuses are this month; mark your calendar!

Florence Vincent

This year the Democrats are electing their Presidential Nominee on March 26 by the Caucus System (rather like a get-together at a local venue), so please put it in your calendar NOW. The Republicans will be using the May 24th Primary Ballot (which will appear in your mail box).

While you can certainly check a Democratic preference on your primary ballot, it will only be a 'show vote'. The Democrats will *only* count the vote you place at the caucus.

If you want your vote to count, you *must* participate in person on Saturday March 26. (There are a few exceptions.)

You must arrive by 10 am. While you can vote when you arrive and leave, it is preferable to stay the couple of hours and participate in the actual

get-together to elect delegates to represent you and your nominee on their way to the Democratic Convention.

So please don't let other things get in the way of going to your caucus. \*If you cannot attend your caucus due to illness, work, disability, military or religious reasons, you can get a "surrogate affidavit" form soon

from [www.wadems.org](http://www.wadems.org), along with details about your precinct number and caucus venue. Print out the affidavit, then it must be mailed to Democratic Party Headquarters by March 18th at 5pm. All WA residents, at least 18 years old by November 8th 2016, can register to vote and vote at the caucus.

[Ed. note: For more information on Democratic Party caucuses, please turn to page 4.]

**Saturday, March 26, 10 am**

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## Special Events

**The Market With a Heart (MMJ Farmers Market)**  
Every Sunday 11-5  
528 Devoe St. NE, Olympia

Meet growers and processors and get medicine at patient-friendly prices. Watch the Seahawks! Be there for the 4:20 raffle! Must have ID and MMJ authorization. 21+

**Weekly Clinic Defense Demonstrations**

Every Friday, 10 AM  
Planned Parenthood  
402 Legion Way, Olympia

Hosted by OlyAct.

**Paris Climate Summit: state, city and faith perspectives**  
Monday, March 7, 7 pm  
Unitarian Universalist Congregation  
2300 East End Street NW, Olympia

A presentation on their Experiences, Hopes and Expected Outcomes by Jay Manning, Pacific Coast Collaborative; Stephen Buxbaum, Compact of Mayors; Bill McPherson, Washington Unitarian-Universalist Voices for Justice

Non-profit organizations working to address Climate Change are welcome to host information tables in the OUUC Commons, 6:30 - 7:00 p.m. and after presentations. Please contact the coordinator, above.

The Pacific Coast Collaborative is an inter-governmental organization of Washington, California, Oregon and British Columbia that has been working together for over a decade to address Climate Change issues.

The Compact of Mayors is a global coalition committed to reducing greenhouse gases. Only 100 US cities are members.

Bill McPherson is president of the Board of Washington UU Voices for Justice and author of *Sabotaging the Planet: Denial and International Negotiations*.

Sponsored by the OUUC Green Sanctuary Committee.

**The First Annual Waking of the Queen Festival**

Saturday, March 12, 3 PM  
Fertile Ground Community Center and Guesthouse  
311 9th Ave SE, Olympia

A honey-inspired potluck, ceremony, singing circle, pottery reading, spiral dance, and celebration to honor the Queen Bee as she begins to lay thousands of eggs. If she can grow enough foragers, the queen will soon be asked to move with half the colony, to a new home. In her place a new queen hatches and will ascend a virgin mating flight to begin a new reign.

This is a family friendly event and Bee/Nature/Fairy inspired Costumes are strongly encouraged!

**Order of Events**

3:00-3:30 Honey Hunt for the Kids

4:00-6:00 Music

5:00-6:00 Potluck

6:15-7:15 Pagan inspired ceremony - "Blessing of the Hives"

Please leave your pets at home. The space is fragrance free. Waste-free event. Please bring your own place settings; we'll have extras on hand.

Recommended donation \$5-\$10 to cover rental space. Bring food, instruments, and kids! Let's celebrate!

**Right Relations with the Native People of this Place**

Sunday, March 20, 1-4 pm  
Olympia Unitarian Universalist Congregation  
2315 Division St NW, Olympia

The Olympia UU Congregation, other peoples of conscience and area tribal friends join together to address the historic marginalization and considerable ongoing inequities facing the original people of North America in the United States.

This event features Douglas Mackey, Pat Rasmussen, Robert Satiacum, and others.

For more info call (360) 786-6383. <http://ouuc.org/event/right-relations-with-the-native-people-of-this-place/>

### Playback Theatre Performance

#### Stories of Finding Our Strengths

In collaboration with Nature Nurtures Farm

Friday, March 11, 7:30 pm  
Traditions Cafe, Olympia

This month we collaborate with Nature Nurtures Farm a farm-based mentoring program for South Sound youth. Nature Nurtures Farm brings young people and animals together to build empathy, teach responsibility and inspire hope. South Sound youth ranging in ages 7-21 spend time weekly with volunteer adult mentors participating in farm-based activities. While projects vary based in the youth's interests, they often include caring for the farm's many rehabilitated animals. Most of the animals have been rescued from neglect or abuse and often have histories, the youth appreciate and internalize a value for resilience, heal from trauma, and move forward with a positive hopeful outlook.

Incorporated in 2012 and awarded 50(c)3 status in 2014, Nature Nurtures Farm receives referrals from social service providers, case managers, therapists, and school counselors. Challenging life circumstances often put youth at-risk for negative behaviors, social isolation, and emotional challenges, including depression. Both mentoring and human animal interaction interventions support youth in making positive life choices, building emotional intelligence, and creating resilience to overcome difficult circumstances. By providing farm-based mentoring services, Nature Nurtures Farm creates opportunities for youth to preserve, setting them up for greater success in life.

Suggested Donation \$7.00-\$12.00 (No one is turned away)

#### Background information about Playback Theatre:

*Playback Theatre is a spontaneous collaboration between performers and audience. People tell moments from their lives, then watch them re-created with movement, music and dialogue.*

## Participate in your caucus

# Help pick the Democratic presidential nominee!

Michaela Williams

March 26 is a big day for Democrats in Washington—it's the date of the precinct caucuses to decide the party's presidential nominee. Washington has a presidential primary in May, but the caucus is the only vote that helps pick the nominee. ["State political parties aren't bound to use the results of [a] primary in allocating delegates to a candidate." *Seattle Times*]

The caucuses are very different from a primary. Instead of voting by mail-in ballot, most people will need to go to the caucus location for their neighborhood—in person—on Saturday morning.

Here's a Q&A to make sure you and the other Democrats in your life have the information you need to help pick our party's nominee.

### When are the precinct caucuses?

Precinct caucuses are on Saturday, March 26 at 10AM. Plan to stay for about two hours if you want to be there for the whole meeting.

### Where do I go?

Your caucus location is determined by your precinct, which is a neighborhood-sized area around your home designated for election purposes. The locations will usually be at a nearby school or community center.

You can find the meeting spot for your precinct online at [demcaucus.com/register](http://demcaucus.com/register), and you will have the option to pre-register. Pre-registration is not required, but it keeps things easy on the big day. Once you get there, you will need to sit with the other people in your precinct.

### What happens if I can't be there in person?

This is important, and the answer

depends on why you can't be there. Here are the categories that make you eligible to vote if you can't make it in person:

- work schedule
- military Service
- religious observance
- illness or disability

If that's you, the date you need to memorize is *March 18*. That's the day the state party needs to have your signed paperwork in hand by 5:00 PM.

The absentee ballot is called a "Surrogate Affidavit Form," and you can access it online from the state party website here: [wa-democrats.org/page/2016-democratic-caucuses](http://wa-democrats.org/page/2016-democratic-caucuses). You can fax, scan, or mail it to the party HQ in Seattle. (Instructions are listed on the form.) Be sure to plan ahead if you're using traditional mail service since it may take a few days for your ballot to arrive.

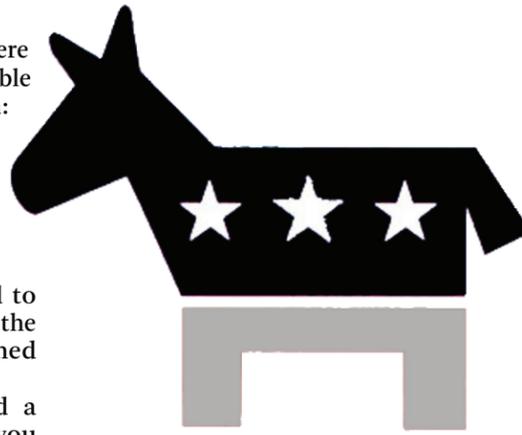
### I have a personal commitment that day that is very important to me. Can I still vote?

Unfortunately, only people that are prevented from attending because of work, military service, religious observation, illness or disability are eligible to vote *in absentia*.

### I'm not registered to vote. What is the registration deadline to participate in the caucus?

Unlike other elections, you can register to vote right at the event. Party officials say voter registration forms will be available on-site. You can also register online on the Secretary of State's website, here: <https://www.sos.wa.gov/elections/myvote/>.

### I'm a college student and I am registered to vote in my hometown. Can I participate in Olympia?



Yes, but you have to change your voter registration to your Olympia address. Voter registration forms will be available on-site, or you can register online (see above). If you want, you can always change your registration back to your hometown before the general election.

### What documentation do I need to bring to register to vote on-site?

You won't have to present ID, but you will need to write down your driver's license number or Social Security number.

### I'm not old enough to vote, but I'll turn 18 before the November election. Can I vote in the caucus?

Yes. If you will be 18 by November 8, 2016 then you are welcome to vote.

### What if I'm not a registered Democrat?

You can still vote in the caucus. Whether or not you are officially registered, you will need to attest that you consider yourself a Democrat and that you are not participating in another party's presidential primary this year.

### I was convicted of a felony and lost my voting rights. Can I vote in the caucus?

People that are convicted of a felony

can have their voting rights restored when they are no longer in prison or community custody. More information is available on the Secretary of State's website: [www.sos.wa.gov/elections/Voter-Eligibility.aspx](http://www.sos.wa.gov/elections/Voter-Eligibility.aspx)

### Where can I find more information?

The state party website is the best place for general information: [www.wa-democrats.org/page/2016-democratic-caucuses/](http://www.wa-democrats.org/page/2016-democratic-caucuses/).

The Thurston County Democrats are also a good resource. You can visit their website at [ThurstonDemocrats.org](http://ThurstonDemocrats.org) or call their office at (360) 956-0235.

*Michaela Williams lives in Olympia, Washington.*

## The rest of the Caucus/Convention Cycle

### Legislative District Caucuses

Sunday, April 17, 2016, beginning at 1:00 pm

Only the 2nd Legislative District Delegates meet on this date, the 20th, 22nd, and 35th District Delegates will hold their Legislative District Caucuses at the May 1, Thurston County Democratic Convention

### Thurston County Convention

Sunday, May 1, 2016, beginning at 1:00 pm

### Congressional District Caucuses

Saturday, May 21, 2016, time to be determined

Most of Thurston County voters are part of the 10th Congressional District; part of South Thurston County is in the 3rd Congressional District.

The congressional district caucuses will elect 67 delegates to the National Convention. Each congressional district caucus will also elect one presidential elector and one alternate.

### State Convention

Friday, June 17 through Sunday, June 19, 2016.

The State Convention will elect presidential electors, adopt a state party platform, and address resolutions. In addition, those members of the Washington State Democratic Central Committee who represent legislative districts will meet on Sunday, June 19 to elect 12 Pledged Party Leaders and Elected Official delegates, 19 delegates and 7 alternates to the National Convention.

### National Convention

Monday, July 25 through Thursday, July 28, 2016

Washington State will send a total of 119 delegates to the Convention: 101 of the delegates are chosen through the caucus and convention process and 18 are unpledged party leaders and elected officials.

# This is what happens at a caucus

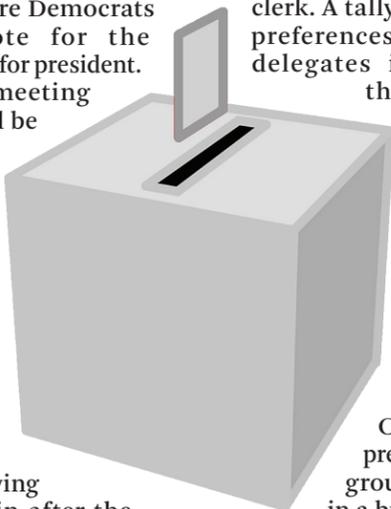
Joe Nilsson

Turning out for the caucuses on March 26, 2016, is arguably the most important thing you can do to get Bernie Sanders elected. Fortunately, showing up is the hardest part.

Precinct caucuses are neighborhood-sized meetings where Democrats register their vote for the Democratic nominee for president. It's a very simple meeting and instructions will be given throughout.

When you arrive you will sign in and vote for your candidate. After votes are tallied for each candidate, there will be a short break where anyone can change their vote if there are not enough votes to have a delegate. Tallying will take place again after the intermission to decide the amount of earned delegates for each candidate.

Try to arrive early to find a parking place. Bring a pen, water, snacks (you'll be finished by 1 pm, probably earlier). We recommend that folks pre-register if they can at. ([demcaucus.com/register](http://demcaucus.com/register)) It will save time, provide you with the address of your caucus location, and make the caucus process move more smoothly.



### What happens at a caucus?

Everyone gathers to hear the rules and learn about the order of the caucus. They then break into individual precinct caucuses.

No earlier than 10:30 am, each precinct selects a precinct caucus chair who appoints a secretary and tally clerk. A tally is taken of presidential preferences and an allocation of delegates is determined (using the Delegate Allocation worksheet).

### Running for delegate or alternate in your precinct caucus

Each precinct is given a set number of delegates and alternates to the County Convention and Legislative District (LD) Caucus. Each presidential preference and uncommitted group will gather separately in a brief sub-caucus to choose their number of delegates, followed by the number of alternates, if any. Voting is by written ballot.

Delegates and Alternates will be given a Certificate of Election which they need to present at the County Convention/LD Caucus. They need to be available to attend the May 1 Thurston County Democratic Party Convention (20th, 22nd, and 35th District Delegates will hold their Legislative District Caucuses

at the Convention) and 2nd District Delegates will also meet April 17 for their Legislative District Caucus.

### Allocation of delegates

The caucus will use the worksheet to calculate the number of delegates each Presidential preference will receive.

Divide the number of attendees by the number for each preference. Round down and distribute the remainder to the next highest candidate(s).

For example, Candidate A gets 12 out of 20; Candidate B gets 7 and Candidate C gets 1. A = .6, B = .35 and C = .05. If 5 delegates are allowed, A gets 3, B gets 2, C gets none.

### Introduction of resolutions and platform proposals

Caucus attendees may introduce resolutions and platform proposals to be debated at the County Convention. They are not debated or voted on at the precinct caucus. It is asked that they be submitted in the proper form of a resolution and are legible.

*Joe Nilsson is past chairman of the Thurston County Democrats.*

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Laser Interferometer Gravitational-Wave Observatory (LIGO)

# Making waves redux

Rus Frizzell

Two years ago, *WIP* investigated the big science experiment, the LIGO gravitational wave detector in Hanford, Washington. On the morning of February 11 this year, the LIGO team announced to the world that they had detected, at long last, a clear signal of gravitational waves from colliding black holes. This spectacular event signifies the beginning of a new era in the science of astronomy.

The original *WIP* article, published in the February 2014 issue, may be accessed freely online at [olywip.org](http://olywip.org), and the LIGO collaborations official peer reviewed discovery --"Observation of Gravitational Waves from a Binary Black Hole Merger"--is also available online in the journal *Physical Review Letters*.

The scientific understanding of gravity just got a whole lot better. As with most discoveries, new findings open up the field for many new and better questions. Now we are more certain of Einstein's Theory of General Relativity as once described by John Archibald Wheeler. "Mass tells space how to curve and space tells mass how to move."

The gravitational waves were first detected on September 14 by the LIGO detectors in Livingston, Louisiana and Hanford, Washington. The scientists have spent five months checking every possibility until they were convinced the detection was authentic. As soon as they were sure, the LIGO team gave freely to the world these scientific results. Results which hundreds of the world's most brilliant thinkers have dedicated their entire careers to develop.

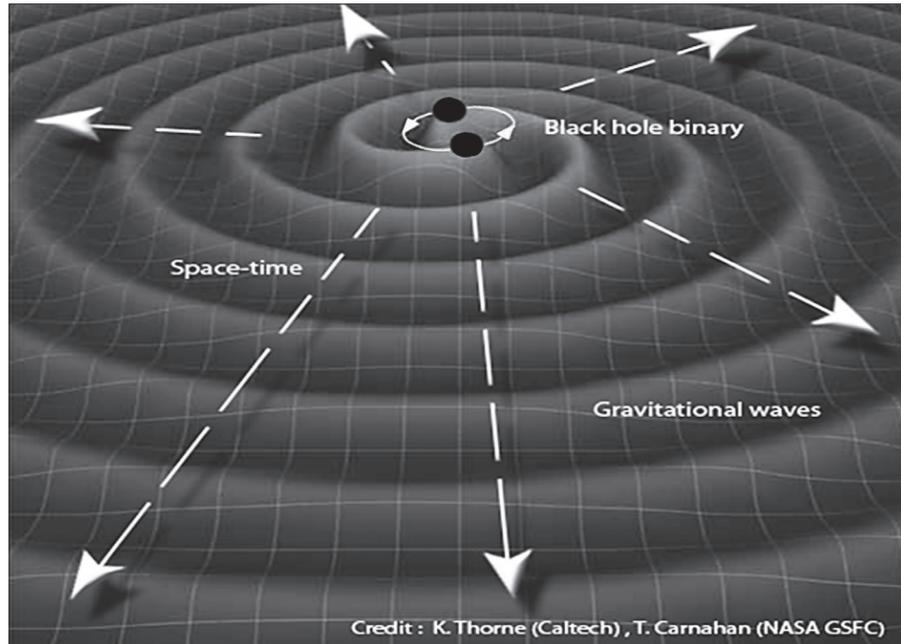
At the beginning of April, 2014, when the "Making Waves" article appeared in *WIP*, the gravitational wave from these two colliding black holes was still one and a half light years away. That is

much closer than the nearest star to our Sun, just under nine trillion miles and headed toward us at the speed of light. Back then, the scientists at LIGO still had no assurance that gravitational waves were even real or if they would ever find them. The great LIGO project was based on the hope that we will be able to better understand the universe.

These are interesting times, and the dedicated work of scientists like those in the LIGO collaboration share

a rate such that multiple binary black hole events should be observed in the second observation run O2." In another paper produced by LIGO, they estimate between two and four hundred detections of gravitational wave events per year.

What will be discovered next? How will gravitational waves like these improve our view of the Universe? There are many more unsolved mysteries. Can we uncover the roots of the big bang?



the knowledge that our Cosmos is a magnificent place. Our friend at LIGO, Michael Landry, tells me: "On rates of events, we have the one clear detection in the data from the first 16 coincident days worth of data (about 38 calendar days to accumulate this). That comprises only a third of the data. We are analyzing the latter two-thirds of the data set now, and will report on results in the next few months. I believe there will be more detections in our coming run later this year. The strength of the signal and the fact that it was not optimally oriented suggests

Where will the next big supernova take place? Humans are preparing to return to the Moon and venture onto Mars, how will that drama play out? Exploration and discovery are features of the "star stuff" of which we humans are made.

Gravitational waves such as these should tell us a great deal about black holes and neutron stars. But also, there should be gravitational waves from the big bang which can tell us more about the origin of the Universe. To unravel this mystery further, there are more experiments upcoming, and more institutions are planning detectors. Germany, Italy, and Japan already have gravitational wave projects, and the nation of India is arranging for the spare detector at Hanford to be placed within their borders. The European Space Agency has well developed plans to place a much larger gravitational wave detector in space. The next few years shall be filled with amazing discoveries, and we can expect our understanding of the Universe to improve without bound.

*Rus Frizzell is a graduate of The Evergreen State College and lives in Olympia.*

Goodbye, Good Riddance

by Carla Luzmila Pozo Insuasti

I feel the melodic song  
Of that northern wind  
Saying to me, "the time has come  
To wake from the trance,"

And with a lump in my throat  
I pick up the pieces;  
Organize them according to value  
And dispatch them all at once.

Because a pain stirs  
The vast depths of my soul  
And I see an emptiness  
I did not notice before,

It says with conviction:  
"It's time to move on,  
It's time to end the story,  
It's time to shut the door,"

Mainly to respond  
To that bittersweet agony  
Of having to leave  
What I once loved behind,

And to utter a cry  
To hear fading voices,  
To hide unspoken words,  
To finally: Paint the past blind.

This time it will not  
be like before,  
No convict memories  
Will again step outside the mind's  
vault

Nor dark shaded daggers  
Will pierce the heart  
Regurgitating the words  
"It was all your fault!"

For the mind and body  
Have found each other  
At the intersection  
Of motivation and tranquility

Where the dawn  
Of a new path  
Houses within its premises  
The true keys to life and verity.

And so, with a shattered smile  
I say on to you  
Past of mine,  
"Thank you for your time

Good riddance and goodbye  
We must separate now  
For if I were to linger any longer  
Against myself, I'd be committing  
a crime"

*Carla Luzmila Pozo Insuasti is a writer and archeologist. Read more of her writings at the Empty Page section of <http://www.therealmofthesoul.com>*

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**WORKS IN PROGRESS**

► **United Way**, cont. from page 1.  
result of policy choices made over time; and racism is woven into the history and structure of our country.

**What's political?**

Hearing students opt out of certain conversations, albeit written conversations with potentially distant readers, because those conversations are political, challenges me to rethink what the term political means. Wikipedia tells me that political means “of or pertaining to government or the public affairs of a country.” What my students need is a bridge to engaging in conversations about public affairs. The best coach I can think of for this is sociologist C. Wright Mills. In 1959, Mills explained the connection between public issues and personal troubles like this:

“When, in a city of 100,000, only one man is unemployed, that is his personal trouble, and for its relief we properly look to the character of the man, his skills, and his immediate opportunities. But when in a nation of 50 million employees, 15 million men are unemployed, that is an issue, and we may not hope to find its solution within the range of opportunities open to any one individual.”

Making an argument for what he called the “sociological imagination,” Mills went on:

“Know that many personal troubles cannot be solved merely as troubles, but must be understood in terms of public issues—and in terms of the problems of history making. Know that the human meaning of public issues must be revealed by relating them to personal troubles—and to the problems of the individual life.”

The key to bridging the gap between the connotations of “political” as ideological, controversial, to be avoided, lies, I think, in helping people see the wisdom of Wright’s observations. Personal troubles must be understood as public issues, and public issues must be related to personal troubles. That’s the power of the recently released ALICE report by United Way.

**Addressing public affairs: United Way’s ALICE report**

United Way, a non-partisan, non-profit organization whose roots date back to 1887 and the early “community chest” organizations, released its ALICE Report on the Pacific Northwest in January 2016. The acronym ALICE stands for “asset-limited, income-constrained, employed”, and the ALICE reports represent United Way’s effort to quantify, as the report puts it, “the size of the workforce in each state that is struggling financially, and the reasons why.” The crux of the issue, the report shows, is that the cost of living is higher than the salaries that most jobs pay. Consequently, in 2013, 1.6 million households in the Pacific Northwest struggled to afford basic household necessities.

United Way is making the case that the Federal Poverty Line (FPL) underreports the financial hardships individuals face—the formula for calculating the FPL is outmoded, and it fails to adequately account for the cost of living in any given area. Moreover, not only are they advocating for a different measure, but they are also describing how any one family’s “personal troubles” affect the wider community. In a one-page table, the ALICE report categorizes major expenses for household daily functioning, and describes the consequences of being asset-limited, income-constrained, and employed on the family and the community (see table).

Not only does the ALICE report attempt to show the relationship between private troubles and public affairs, the report also provides a clear analysis about why the situation exists:

**Low-wage jobs dominate the local economy.** More than half of all jobs in the Pacific Northwest pay less than \$20 per hour, with most paying between \$10 and \$15 per hour (\$15 per hour, full time = \$30,000/year). These jobs—especially service jobs that pay below \$20 per hour and require only a high school education or less—will grow far faster than higher-wage jobs over the next decade.

**Not only does the ALICE report attempt to show the relationship between private troubles and public affairs, the report also provides a clear analysis about why the situation exists.**

**The basic cost of living is high.** The cost of basic household expenses in the Pacific Northwest is more than what most of the region’s jobs can support. The average annual Household Survival Budget for a Pacific Northwest family of four (two adults with one infant and one preschooler) ranges from \$46,176 in Idaho to \$52,152 in Washington—double the U.S. family poverty rate of \$23,550.

**Jobs are not located near housing that is affordable.** During and after the Great Recession, both housing affordability and job opportunities dropped steeply. Housing continued to decline slightly from 2010 to 2013 and job opportunities on average stayed flat, so it remains

difficult for ALICE households in the Pacific Northwest to find both housing affordability and job opportunities in the same county.

**Public and private assistance helps but doesn’t help a person or family achieve financial stability.** Assistance provides essential support for households below the ALICE Threshold but cannot lift all households to economic stability. Government, nonprofit, and health care organizations spend \$21 billion on services for ALICE and poverty-level households in the region to supplement their income, but even that total is still 25 percent short of lifting all households in the Pacific Northwest above the ALICE threshold.

**Political backlash to public affairs—making personal troubles more widespread**

One month after the PNW ALICE report came out, Pam Eaton, head of the Idaho Retailers Association, presented a bill to the Idaho House Business Committee that would establish a state preemption when it comes to setting the minimum wage. Several towns in Idaho have tried, as yet unsuccessfully, to increase the minimum wage in their jurisdictions. The minimum wage in Idaho currently is \$7.25 per hour—the same as the federal rate. In her effort to prevent the minimum wage from being raised in local jurisdictions, Eaton persuaded the House Business Committee to hold a public hearing on her bill.

**Reducing personal troubles, addressing public affairs**

“An improvement in job opportunities, in the form of either an increase in the wages of current low-wage jobs or an increase in the number of higher-paying jobs, would enable ALICE households to afford to live near their work, build assets, and become financially independent.”

Under our current conditions, about a third of all households in Washington State and across the Pacific Northwest cannot become financially stable, no matter how hard they work. The only thing that will change the financial situation of the ALICE families described in this report is a combination of better-paying jobs and affordable housing. As the United Way report puts it, “Ultimately, improvements in job opportunities and a decrease in the cost of household essentials would enable ALICE households to afford to live near their work, build assets, and become financially independent.” Ultimately, the personal troubles of so many people must become the focus of our public affairs. The only way the issues raised in this report will be addressed is if we reclaim the term “political” and use it to describe what we mean when we vigorously participate in political affairs with the aim of addressing widespread personal troubles—our pressing public affairs.

*Emily Lardner lives and works in Olympia, Washington.*

**CONSEQUENCES OF HOUSEHOLDS LIVING BELOW ALICE THRESHOLD**

	Impact on ALICE households	Impact on Community
<b>Housing</b>		
Live in substandard housing	Inconvenience; health and safety risks; increased maintenance costs	Worker stressed, late, and/or absent from job—less productive
Move farther away from job	Longer commute; costs increase; less time for other activities	More traffic on road; workers late to job
Homeless	Disruption to job, family, school, etc.	Costs for homeless shelters, foster care system, health care
<b>Child Care and Education</b>		
Substandard child care	Safety and learning risks; health risks; limited future employment opportunity	Future burden on education and social services; less productive worker
No child care	One parent cannot work; foregoing immediate income and future promotions	Further burden on education system and other social services
Substandard public education	Learning risks; limited earning potential/mobility; limited career opportunity	Stressed parents; future burden on social services
<b>FOOD</b>		
Less healthy	Poor health; obesity	Less productive worker/student; future burden on health care system
Not enough	Poor daily functioning	Even less productive; future burden on social services and health care system
<b>TRANSPORTATION</b>		
Old car	Unreliable transportation; risk of accidents; increased maintenance costs	Worker stressed, late, and/or absent from job—less productive
No insurance/registration	Risk of fine; accident liability; risk of license being revoked	Higher insurance premiums; unsafe vehicles on the road
Long commute	Less time for other activities; more costly	More traffic on road; workers late to job; greater burden on road maintenance services
No car	Limited employment opportunities and access to health care/child care	Reduced economic productivity; higher taxes for specialized public transportation; greater burden on emergency vehicles
<b>Health and health care</b>		
Underinsured	Forego preventative health care; more out-of-pocket expense	Workers report to job sick; spread illness; less productive; absenteeism
No insurance	Forego preventative health care; use Emergency Department for non-emergency care	Higher insurance premiums for all to fill the gap; more expensive health costs
<b>Income</b>		
Low wages	Longer work hours; pressure on other family members to work (drop out of school); no savings	Worker stressed, late, and/or absent from job—less productive; higher taxes to fill gap
No wages	Cost of looking for work and finding social services	Less productive society; higher taxes to fill gap
<b>Savings</b>		
Minimal savings	Mental stress; crises; risk taking; use costly alternative financial systems to bridge gaps	More workers facing crisis; unstable workforce; community disruption
No savings	Crises spiral quickly, leading to homelessness, hunger, illness	Costs for homeless shelters, foster care system, emergency health care

Reference: United Way ALICE Report – Pacific Northwest 2015

# Keewatinawin: The wind that goes north

Lisa Ganser

Idriss Stelley Foundation

It's been three years since Montaña Northwind's brother, Jacksun Keewatinawin, was killed by Seattle police, and he is still reeling from the violence and loss.

"Everything they said on the news about my brother was a complete lie," says Montaña. "I don't trust the police, they are racist bullies. Have you seen the Seattle police? In full body armor with assault rifles. Being trained by Israeli military." He pauses and continues, "One of my kids will be out, and I'll hear a siren," he sits straight up and abruptly looks out the window, "I sit up at attention. I don't want the cops to kill my kids. I don't want the cops to kill anyone," says Montaña.

On February 26, 2013, Montaña and Hawk Firstrider each made phone calls to 911 because their brother, Jacksun, was in a mental health crisis at his home and needed help. The police had been called a number of times to help Jacksun get to a hospital to treat flare ups related to schizophrenia and PTSD, in fact Jacksun was even known to call 911 on himself when he was panicked and experiencing hallucinations. On this evening, Montaña and Hawk feared for their brother's safety, and the safety of their father, Henry Northwind, who Jacksun lived with in Seattle. In previous times of crisis, de-escalation and even hospitalization had proven very helpful in reducing harm. This time, however, when the militarized Seattle police department arrived, they had collectively turned off their dash cams and already committed to the irreversible use of Force. The police themselves admit that within 30 seconds of initial contact with Jacksun, he had been shot and was bleeding out on the ground.

Seattle police officers created their own false narrative about Jacksun's killing. They quickly demonized and spread their version of what happened in the media, they interrogated and intimidated his family, they intimidated and possibly paid off neighbors and witnesses. Montaña's home (with his three children) has been watched and photographed by officers in police cars, and both Jacksun's parents are now dead with no pending Federal wrongful death case.

Henry Northwind and many of his neighbors were the non-police witnesses to Jacksun's death, and there is said to be no video surveillance. Police told Montaña that was due to a "shift change."

"My dad was winning a fight with cancer at the time of Jacksun's death," Montaña tells me as we sit in his Seattle apartment in February 2016. Aggressive treatment had successfully regenerated healthy liver tissue. The outlook for Henry was stable and hopeful. Then Jacksun was killed. Henry's health declined and he died just four months later. Montaña views his father's swift decline in health, and his abrupt death in the hospital, as mysterious, questionable and suspect, and directly related to his brother's police killing. Henry had been the family's outspoken leader in the Justice struggle for Jacksun, all the while incredibly grief stricken. "If you ask me, I believe my dad died of a broken heart," Montaña says.

Henry's account of what happened was published in the Native press Indian Country Today Media Network in April 2013:

"Henry Northwind was an agonized witness to the horrifying events of that day, and he insists the killing of his son was unjustified. He is a former policeman, and says he is familiar with the proper police protocol for such situations. He says those procedures



image description: A beautiful black ink hand-drawn portrait of Jack Sun Keewatinawin, a tall, 21 year-old Cree man, drawn in a cross-hatch style. Jackson is smiling softly, wearing a t-shirt, and has long flowing black hair. In the background are bricks that are suggested with hand drawn dots. The drawing was commissioned by Tabitha Johnnie, Jacksun's younger sister, for their mother, Samantha, who has since passed away.

were not followed.

He says that by the time police arrived in response to the 911 call, his son had calmed down, and that he and Jack were in their front yard. Northwind says he told the police that his son had a knife and a piece of iron. 'He's calmed down now, you don't have to kill him,' he says he told them. 'Don't kill him, please!'

He says the lead officer pushed him aside and said, 'He's heavily armed.'

'I said, 'Hey don't kill my son!' I was in front of them and Jack was [about five feet behind me]. At that time Jack turned around and ran straight back to the house and, in unison these guys moved ... and I'd say there were about 15 cops on the curb ... They all had shotguns and pistols drawn...[Jack] got to the porch and he turned around and two guys got him in the chest with the Tasers and he just ripped them out and took off again...he had thin, thin, really thin jacket and a real thin, super thin t-shirt, I saw [the Tasers] stick to his [chest] and he went like that"—indicating grabbing both Tasers and pulling them out—"and he just tore them away, and uh, you know that's at least 50 thousand [volts]! [One policeman] said, 'He just shook it off like somebody just slapped him!'"

At this point, Northwind's telling of what happened that night diverges radically from the police account. The police report says Keewatinawin ran and one of the officers pursuing him fell at his feet, and appeared to be vulnerable to an attack. Northwind says this is not true. 'When Jack ran over here, he slipped—there was no cop that slipped, I swear to God there was no cop, no! Jack was on the ground... and he got up. He (Jack) was on one leg, he was getting up with his hands, and he went like this"—he throws his arms in the air—"and when he did that, they opened fire on him!'

'They said he had something in his

hand. There was nothing in his hand, nothing, not a damn thing. That last shot, my knees buckled on me and I said, 'They killed my son!'

Northwind says a police officer ran up to him and said, 'What are you doing over here?' Northwind says he told the policeman, 'That's my son you just murdered.'

Northwind claims that officers then put two guns to his head to keep him

the scene as swarming with police and like a "shark feeding frenzy." There was confusion and yelling and in a moment of fear, Hawk turned to run away. A police officer pointed a gun at Hawk. Montaña yelled, and another officer glared at him and stepped toward him with his hand on his holstered gun. "Don't run! He's gonna kill you!" Montaña screamed. The police kept the two sons from speaking with their father. They were put into a police car, and told "Your dad's okay. Your brother was shot, but he's okay." What they were not told was that the police had a gun to the head of their father, and their brother was dead.

Jacksun's family were whisked from the scene of his death into separate mirror-lined interrogation rooms at the Seattle police department, where they were questioned for many hours. Montaña says they weren't allowed to speak to each other and were there until at least 2:30am. Montaña kept asking if they were done. "I have kids to take care of," he said. He kept being told that an investigator was on the way, and that these questions were "standard protocol."

When the "investigator" finally arrived, he asked Montaña all kinds of intrusive questions about Jacksun, about his sexuality, his sexual preference and drugs of choice. "Why are you asking me this?" Montaña asked. "What does this have to do with you killing my brother?" These questions have nothing to do with what happened tonight." Montaña believes it was during this time that they were building their cover up story, grasping at anything they could to justify the murder of his unarmed brother.

Months after Henry Northwind's death, Montaña made plans with Jacksun's mother, Samantha, to go together to scatter Jacksun and Henry's ashes at the Salmon La Sac area of the Okanogan-Wenatchee National Forest. Salmon La Sac is between the Cle Elum and Cooper Rivers, and a place that Jacksun used to happily dive into near-freezing ice melt. Montaña smiles when he talks about his big and younger brother, a gentle giant he says, and how he would jump right into that near freezing water, all by himself, and was so happy doing it. "This was the place they were both happiest, in the mountains and the wilderness with

Mother nature," said Montaña.

At the time the plans were made to spread ashes of their Loved Ones, Samantha was in the fight for Justice for her son, and she was also making great strides in managing her struggle with drug addiction. Montaña says she was doing well, and was living in a sober house. Montaña was looking forward to this time with Samantha, but

a month later, she mysteriously died and authorities ruled it "an overdose." Montaña questions this cause of death. "I believe she was murdered," he says. "Before she passed she said she was attempting to get legal Justice for Jacksun."

"Keewatinawin is Cree for 'the wind that goes North,'" Montaña says. He continues, smiling. "My dad told me that - but he also told me some other things that didn't translate the way he said," he says with a laugh.

"Crees are like trees in Canada, we are everywhere. The Cree Nation is one of the largest, but you don't learn about Cree Nation in history. We were late comers to the plains," says Montaña. "We came down and settled in Montana. My dad told me that too."

When asked what Justice looks like for his brother, Montaña says, "Justice for our family would be to have the case reopened. Accountability for the officers involved, an apology for my brother's wrongful death, and negligent

► KEEWATINAWIN, continued on page 8

**Not only does the ALICE report attempt to show the relationship between private troubles and public affairs, the report also provides a clear analysis about why the situation exists.**

from running to his son.

He says that when he told one of the officers, 'That's my son you just murdered!' the officer replied, 'Ugh,' and ran to the large group of officers. Moments later Northwind says he heard one policeman say, 'Hey, found it!' and another officer respond, 'What?' 'An iron bar,' came the reply. Northwind says he then heard the first officer say, 'Oh, damn, now at least we have a story.'

'Right in front of my fucking face they said that!' Northwind says. 'One guy said, 'That's the father!' and the other guy says, 'Oh, shit.'

'They were wrong, and they were in fear. I could see the fear in this guy's eyes. I just gave him a tongue-lashing. I asked him, 'Are you happy? How many more Indians you think you need to kill?'

'Finally, I just screamed, "They killed my baby boy!"'

Read more in the *Indian Country Today* article "Neighbors dispute police account of shooting of Native man in Seattle".

When Montaña and Hawk arrived at their father's home, Montaña described

► **Keewatinawin**, cont. from page 7.

use of force admitted. I want a safe environment for my family to live and grow without worry of killer cops. A wrongful death suit would be the best, but there are no lawyers willing to take the case."

The Seattle police officers that killed Jacksun Keewatinawin are Michael Spaulding, Stephen Perry and Tyler Speer. Michael Spaulding was the first officer to shoot, the police narrative says that he slipped and fell just before shooting, and that Jacksun raised a weapon (a weapon found by onlookers no where near Jacksun's body). Montañó says that it was his brother that was on the ground, on his knees, unarmed and with his hands in the air.

On February 26, 2016, the three year anniversary of Jacksun's death, Seattle police officer Michael Spaulding is currently on paid "administrative leave" for yet another "officer involved shooting." On February 21, 2016, officer Spaulding shot and killed Black Loved One Che Taylor. Montañó's family is in solidarity with the family of Che Taylor, and has already reached out to them.

*Lisa Ganser is a white Disabled genderqueer artist displaced from San Francisco and now living in Olympia, WA. They are the daughter of a momma named Sam and this is their third story as a writer for POOR Magazine.*

This article was originally in *POOR Magazine*, based in Oakland, CA. The organization is a poor people led/indigenous people led non-profit, grassroots, arts organization dedicated to providing revolutionary media access, arts, education and solutions from youth, adults and elders in poverty across Pachamama (Mother Earth).

# Rebel Alliance gathers in Olympia for Star Wars themed TPP protest

Washington Fair Trade Coalition

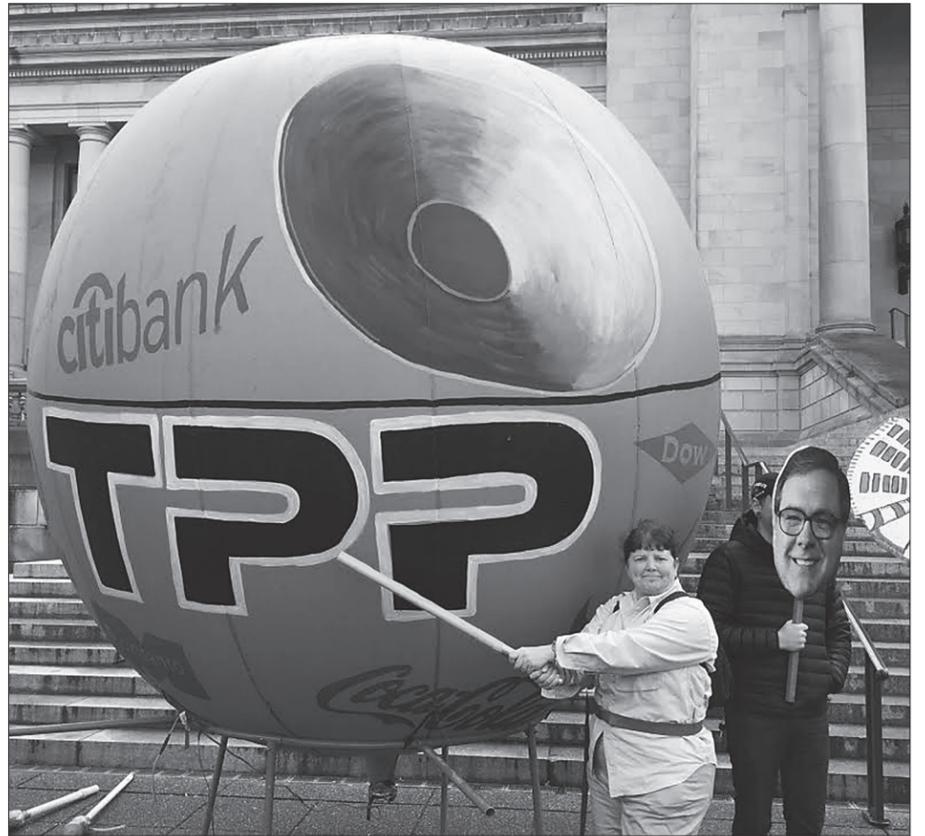
Olympia, WA – Thursday, February 18, scores of protestors at the capital building engaged in a Star Wars themed protest to influence elected representatives' positions on the Trans Pacific Partnership (TPP). The Washington Fair Trade Coalition, Backbone Campaign, and local 350.org chapters put on a lively street performance to ensure Representative Denny Heck and other undecided officials do not support corporate interests advanced by the TPP.

Protestors in Star Wars costumes made up the Rebel Alliance of "We the People" in a stand off against the "Corporate Empire" to win over life size replicas of Congress. Light sabers were drawn in the epic battle between Luke Skywalker's alliance and the dark forces of a massive blow-up TPP Death Star.

"These corporations have betrayed The Republic. They are strong with the dark side of the force," said Luke Skywalker.

Sith Lords descended on the scene in black hooded capes that read "Big Ag," "Oil," and "Pharma" pointing to the sectors that would most benefit from the trade deal. The performance called out the prominence of corporate interests in the TPP, which could threaten laws we rely on for environmental protection, financial stability, affordable medicine, safe food, and local jobs.

Trade negotiators representing twelve countries around the Pacific Rim signed the TPP in Auckland on February 4, but the agreement will not go into effect



unless ratified by the participating countries. Congress could vote any day, putting the fate of democracy on the line as the US considers finalizing the biggest trade deal the nation has ever brokered.

"The Rebel Alliance represents a wide spectrum of public interests that the TPP jeopardizes," said Director of the Washington Fair Trade Gillian Locascio. "Today, we fight against corporate interests and we will continue fighting to get our elected officials to reject the dark forces behind this agreement."

The performance ended in a cry for help from the Rebel Alliance, signifying the work still needed to be done to sway Washington's elected officials against the TPP. Participants then carried signs reading, "Stop the TPP" and marched around the capital grounds to deliver their message against the corporate interests of the trade agreement.

Former U.S. Trade Representative Senator Rob Portman (R-OH) came out earlier this month against the deal. Representative Sander Levin of Michigan, the ranking Democrat in the House Ways and Means Committee, which oversees trade, also announced opposition to the TPP today. The time for neutrality has passed, as officials take a stand against the agreement.

Those present at the event represented the more than 70 Washington labor, faith, environmental, farmer and social justice groups that make up the fair trade coalition and that are calling on representatives like Heck to show leadership and to reject the deal.

*The Washington Fair Trade Coalition, based in Seattle, is committed to creating a fair, balanced, and sustainable global trading system.*

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## COP WATCH

The police keep us safe

We are a group of concerned citizens who have heard and seen news reports from across the United States. Since Olympia is part of the United States, and our police are part of the greater brotherhood of police departments and officers, we have every reason to believe that the police in our community operate with the same attitudes. Especially so because there is no official civilian oversight of the Olympia Police Department.



We keep the police honest

We, as Cop Watch citizens, will do what we can to give feedback to the OPD, city council, news media outlets, and the community regarding the conduct, behavior and actions or interactions that are presented to us, both good and bad.

We will collect stories in oral, written or video formats and use these to compile an on-going document of interactions between the officers of the OPD and the public whom they are charged to serve and protect.

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# Commissioners approve new ordinance to increase compliance of county codes

In February, the Thurston Commissioners approved a new ordinance, Title 26, by a vote of two to one. This ordinance, in the making since 2013, is intended to streamline enforcement of county codes, be more consistent in enforcement, and cause the County to be more effective in achieving compliance. According to the County's website, "The most common enforcement issues related to land use violations include responding to neighbor concerns about junk vehicles, building without a permit, and diverting a stream or filling in a wetland."

According to testimony given by those opposed to Title 26, they agree that the enforcement of County Code needs to be improved, but that the

new ordinance may go too far. Rainier resident Michael Savoca's view of the new ordinance is that "there are elements of Title 26 that make sense

**"There are elements of Title 26 that make sense and there are elements that suggest overreach."**

and there are elements that suggest overreach." He believes that the County should rigorously address major violators, but that Title 26 may place undue hardship on low-income residents, and he impressed on the Commission that "there is a lot of poverty in the rural county."

Glen Morgan of Rochester cited two

concerns: "excessive civil penalties—exceedingly harsh for what it is intended to do"—and the potential for "the over-criminalization of minor code enforcement issues". He also criticized county staff for making comments regarding the value of the ordinance as a "revenue tool" for Thurston County. "This should never be something we use as a motivating factor or even a consideration for this type of ordinance."

Before Sandra Romero called for a vote she stated her support for Title 26. "I want to be able to have a county that my grandkids are going to proud to call home, and this is only one tool in a tool box to help people protect their own property rights from people that disregard their neighbors' property".

—WIP Staff

## World Trade Organization Undermines Homegrown Solar Energy in India

GENEVA - The World Trade Organization (WTO) has ruled against a common-sense solar energy initiative in India that is a core component of the country's contribution to the Paris agreement to tackle climate disruption.

By offering solar power companies government subsidies and long-term contracts, India's program has already rapidly scaled up solar energy. The program aims to achieve 100,000 megawatts of solar power capacity by 2022 - more than the current solar capacity of the world's top five solar producers combined.

The WTO ruled against India's ambitious solar program because its first phases require power companies to use solar cells and modules made in India in order to benefit from the government-subsidized program.

There's something in the air...

In response, Ilana Solomon, director of the Sierra Club's Responsible Trade Program released the following statement:

"The WTO ruling is a step in the wrong direction, away from the climate progress that the global community committed to achieve in December's Paris climate agreement. Clean, renewable energy like solar is becoming cheaper in the U.S. and abroad, creating new jobs, helping us move beyond coal and other dirty fuels and solve the climate crisis. We cannot afford to let decades-old, over-reaching trade rules trump policies that can create new green jobs and accelerate the transition to 100 percent clean energy.

"Almost half of U.S. states have programs that, like India's, offer incentives for renewable energy production that creates local, green jobs. The U.S. should drop this case to avoid undermining climate protections abroad and at home.

"This decision is a warning against expansive trade deals like the Trans-Pacific Partnership that would replicate rules that undermine clean energy initiatives and constrain climate progress. Destructive trade deals like the Trans-Pacific Partnership go far beyond trade and interfere with commonsense policies needed to solve the climate crisis. Congress should view this ruling as another reason to stand up for green jobs and climate action by rejecting the Trans-Pacific Partnership."

—Sierra Club

## Federal court again backs Native American families in lawsuit

RAPID CITY, South Dakota - A federal court has dealt another blow to defendants in an American Civil Liberties Union lawsuit over the rights of Native American families in South Dakota. Chief Judge Jeffrey Viken denied government officials' motions for reconsideration of his order to them last March to stop violating the rights of Native American parents and tribes in state child custody proceedings.

"Once again the court has ruled that Native American children, their parents, and their tribes are entitled to fair procedures whenever the state seeks to remove children from their homes, as required by federal law," said Stephen Pevar, an attorney with the ACLU's Racial Justice Program.

There's something in the air...

The ruling stems from a lawsuit brought by the ACLU and Rapid City attorney Dana Hanna on behalf of two South Dakota tribes — the Oglala Sioux Tribe and the Rosebud Sioux Tribe — and Native American parents who suffered the loss of their children at the hands of the state.

The lawsuit in part charges that Native American children are being removed from their homes in hearings that lasted as little as 60 seconds, and that parents have no chance to present evidence. Last March, the court agreed with seven of the ACLU's claims, and

ordered the state to:

- Provide parents with adequate notice prior to emergency removal hearings
- Allow parents to testify at those hearings and present evidence
- Appoint attorneys to assist parents in these removal proceedings
- Allow parents to cross-examine the state's witnesses in the hearings
- Require state courts to base their decisions on evidence presented during these hearings.

The court also found that the state violated the Indian Child Welfare Act (ICWA), a federal law designed to ensure the security and integrity of Native American tribes and families. Late Friday, Viken issued a ruling rejecting defendants' motions to reconsider; one final outstanding claim concerns whether the state Department of Social Services (DSS) is returning Native American children in foster care to their homes as quickly as federal law requires.

—ACLU

## Former Guantánamo chief ordered to appear in French court over torture allegations

WASHINGTON - In response to news reports that a French judge has summoned retired U.S. General Geoffrey Miller, the former Guantánamo prison chief, to appear in court on March 1 over allegations of torture.

The investigation began in France after two former Guantánamo detainees, French citizens Nizar Sassi and Mourad Benchellali, lodged a criminal complaint in November 2002. They were later joined by a third, Khaled Ben Mustapha. In January 2012, following a motion filed by the men's lawyer, William Bourdon, investigating judge Clement issued the formal request, known as a letter rogatory, to the U.S. government, which has not been answered.

—Center for Constitutional Rights

## Human Liberation

by Larry Kerschner

two million imprisoned  
mostly black and brown  
expensive in lives  
expensive in dollars  
overcrowded  
slow genocide

who knows if you did  
any of what empire accused  
but when the average murderer  
serves seven years inside  
your eighty year sentence  
is clearly unjust

three women living in a white-washed concrete cage built for one  
no room  
no property  
no space  
stored like lost baggage

the casual cruelty of male violence  
keeps your female body in line  
watching you in the shower  
on the toilet  
patting your body familiarly  
for weapons of mass destruction  
completely missing the missiles of your words  
targeting you  
expecting you  
to cringe as a controlled victim

you must have scared them  
Texas white girl  
hanging with the brothers  
looking for justice  
looking for human rights  
looking for women's equality  
you must have scared them  
after sixteen years inside  
they locked you in a hole in a hole  
September 11 terrorism

a paranoid police state  
will never celebrate you  
they cannot force you  
to cut out your own tongue

—for Marilyn Buck,  
political prisoner



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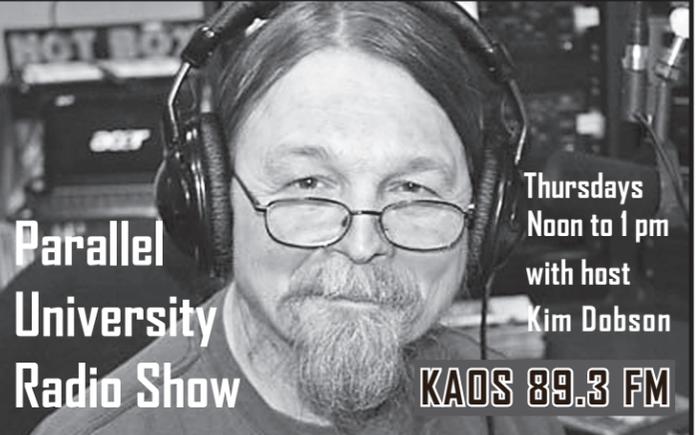
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## Highlights from the amici curiae briefs supporting Stormans' appeal

"Should the Ninth Circuit's decision be allowed to stand, government will be emboldened to politicize every issue and compel obedience to its political views, leading to the development of a totalitarian state." **Public Advocate of the United States, et al**

"This Court should ignore any invocation of a free-range federalism that escapes its constitutional fences." **13 states**

"Just as a newly born human infant left alone in an environment without human milk or formula is no less human, neither is a human being at the embryonic stage of development any less human when a drug prevents the embryo's nourishment that can only be received in the environment of uterine implantation." **Pro-life Obstetricians & Gynecologists et al.**

"Planned Parenthood maneuvered, with its allies inside state government, to capture a state regulatory agency in order to drive out of business those pharmacies which disagree with the group's abortion rights ideology." **Public Advocate**

"Until Washington's adoption of the regulations at issue here, the nation had consistently refrained from compelling religious objectors to participate in abortions." **Bruderhof and Amish**

"The logical extension of such efforts will be that Bible-believing Christians who do not yield to every aspect of the unfolding dictates of Secular Humanism will be unable to make a living except, perhaps, as common laborers." **Public Advocate**

"Since 2013 it [Plan B] has been available on grocery and drugstore shelves without a prescription." **Christian Legal Society**

"Their sincerely held religious belief in the inherent dignity of every human life thus leads them to ascribe moral value to pre-implantation human beings." **Pro-life Obstetricians & Gynecologists et al**

"No one was harmed by the tolerant and accommodating practice of facilitated referrals, which directed patients to nearby pharmacies." **National Association of Evangelicals et al**

"Planned Parenthood organized a boycott of Stormans and its affiliated grocery stores." **Public Advocate**

"The Obama Administration has demonstrated no reluctance to force the Little Sisters of the Poor to become complicit in abortion." **Public Advocate**

"Their belief that it is gravely immoral to participate in the taking of human life is informed by the objective medical science establishing that a new, distinct, human being comes into existence at the moment of sperm-egg fusion." **Pro-life Obstetricians & Gynecologists et al**

"In this case, the Pharmacy Commission operates on an unstated religious axiom which elevates the right to kill one's baby over the baby's right to life." **Public Advocate**

"Washington's regulations threaten patient well-being in addition to threatening the religious liberty of individual healthcare professionals." **4609 Individual Healthcare Providers**

"If permitted to stand, the [9th circuit's] decision threatens to consign religion and religious objectors to second-class status by prohibiting adherents from upholding their religious commitments while participating fully and equally in economic life."

**Agudath Israel**

"The Rules thus operate to penalize religious referrals, not to ensure the broad availability of prescription drugs: it is business as usual under the Rules for most pharmacies, but it is open season for

► **HIGHLIGHTS**, continued on page 11

► **Supremes**, cont. from page 1

case, although they are not directly involved. At least one justice has to recommend discussing the case, and four justices must agree it's worth reviewing in order for the cert petition to be granted. Another option is for the court to "GVR" (grant, vacate, remand) the case, which invalidates the 9th circuit's ruling and requires the appellate court to rule again on the case—five votes are required for this action. The Court also has an infrequently exercised option, which also requires five votes, to issue a summary judgment which would simply reverse

(see "With Friends Like These..." sidebar), and all of the media coverage of the appeal. Media outlets that have covered Stormans' appeal have usually reprinted the ADF's press release nearly verbatim, and are accompanied by headlines such as "Planned Parenthood is forcing pharmacists to dispense abortion pills."

Although over 20 complaints were filed against Ralph's Pharmacy in 2006 and 2007, most of the complaints were discharged without enforcement taken against Ralph's. The remaining two complaints have languished because Ralph's and the other plaintiffs have

allowed, as well? This would seem to be the ridiculous endpoint of the plaintiff's claim. The state's response, due March 7, will presumably try to minimize the importance of the significance of the questions raised by *Stormans v. Wiesman*, and argue that the claim of a circuit split is deceptive.

**Is the case worth pursuing for the petitioners?**

If the Supreme Court were to grant review and the case deadlocked, two things could happen: the ruling of the lower court would be affirmed, and the



Ralph's Thriftway is one of two stores in Olympia, Washington, owned by Stormans. Photo: Michaela Williams

the lower court's decision without it being argued before SCOTUS. Without Scalia, the Stormans case likely has one fewer vote for any of these options. A decision on whether to hear the case, deny it, or dispose of it in some other manner will most likely be announced in early to mid-April.

Because the Supreme Court receives thousands of cert petitions and can only rule on eighty or so, it has to reject most of the appeals requested. Therefore, the Court tends to take on cases where its rulings will have an impact. It often selects cases that it considers to address questions of exceptional importance, as well as cases where appellate or state supreme courts have ruled differently on the same issue (called a "circuit split"); rulings when there's been a circuit split provide clear legal guidance to the lower courts. It is possible that the current Court will shy away from granting cert to controversial cases which are likely to deadlock before a ninth justice is confirmed, which may spotlight the Court's weakness in the face of an inability to muster majority opinions, as well as waste its time.

**What happens if SCOTUS denies review to *Stormans v. Wiesman*?**

Since the state won on appeal at the 9th Circuit, SCOTUS refusing to hear the case would constitute victory for the state, and the regulations would be affirmed and, presumably, enforced by the Board of Pharmacy. The regulations, created by the Washington Board of Pharmacy in 2007, require pharmacies to stock and dispense drugs needed by the community it serves, which would typically include emergency contraception products like Plan B and ella for most pharmacies. However, the regulations preserve the right of individual pharmacists to step aside if they have religious or conscientious objections to dispensing a drug, as long as the medication can be provided by the pharmacy in a timely manner. The distinction between the obligations of a pharmacy (must dispense) versus a pharmacist (may step aside) is a crucial one, and one that has been glossed over or misunderstood by the plaintiff's attorneys, the 14 advocacy organizations that have filed amici curiae

been protected from enforcement while their lawsuit was proceeding. Likewise, while the plaintiffs pursue an appeal, enforcement has been stayed by the 9th circuit until the final disposition of the case by SCOTUS. If the cert petition is denied, the stay will no longer be in force, and Ralph's Pharmacy can be disciplined

**Since the state won on appeal at the 9th Circuit, SCOTUS refusing to hear the case would constitute victory for the state, and the regulations would be affirmed and, presumably, enforced by the Board of Pharmacy.**

for refusing to comply with state regulations. Ralph's could potentially lose their pharmacy license.

**Is the case worth SCOTUS taking?**

To avoid the fate of most writ petitions, which are denied, petitioners typically try to frame their case as especially significant, either because it addresses a question of exceptional importance, or because a ruling by the Supreme Court is necessary to resolve a circuit split. (The Stormans cert petition claims all this and more.) Resolving circuit splits is important, so that U.S. citizens have uniformly similar rights—at least in theory—regardless of which court's jurisdiction they reside in. Unsurprisingly, Ralph's lawyers have tried to spin their appeal as necessary to resolve a circuit split, arguing that circuit courts have ruled differently on when exemptions to state regulations may be granted. The lawyers claim that the state regulations unfairly target religious rights, because the pharmacy regulations being challenged allow certain non-secular exemptions to the requirement for pharmacies to dispense medication. The text of the regulations actually allows for very few exemptions, such as fraud, refusal to pay, and state and national emergencies which preclude maintaining stock of a medication. Does allowing any business to refuse to serve customers who won't pay (a secular exemption) mean that all religious exemptions must be

regulations would be upheld without any precedent being set; or the case could be ordered for reargument at a later date.

Pursuing a Supreme Court case is expensive; preparing a cert petition has been estimated to cost at least \$250,000. If review is granted and the case moves forward, costs to the petitioner can run into millions of dollars. Although it has not been disclosed how much the Stormans are paying out of pocket for their suit, it is very likely that they are paying nothing for attorneys' fees, since litigation support is being provided by the ADF and the Becket Fund. Both organizations have been known to shop around for plaintiffs who can make a claim that allows them to pursue their aims of limiting choice, criminalizing

homosexuality, and turning the U.S. into a theocracy. Thus the real question is, is it worth it for these advocacy groups to continue pursuing the case? Or would their money be better spent trying to oppress people in other ways? Andrew Hamm of SCOTUSblog confirmed in a private email that it is permissible for petitioners to withdraw a cert petition before the Court has decided whether to grant a review or not, but once the petition has been granted, it can only be withdrawn by consent of all parties to the case. Inquiries to the Becket Fund and ADF regarding their intentions of continuing the suit were not answered. However, it is possible they will not find it worthwhile to allocate their resources to a case that is likely to fail. The advocates want win cases that allow for the expansion of religious influence in American life; protecting Kevin Stormans from the moral taint of stocking Plan B in his pharmacy is not the primary issue for them. For ADF and the Becket Fund, a win would mean a Supreme Court ruling that set precedents that would have wide-ranging impact. (One example: the Hobby Lobby decision has been used to protect fundamentalist Mormons who violate federal child labor statutes. Praise the lord.) The only likely pathway to success for Stormans' case post-Scalia would be to be granted a review, to have a deadlocked Court (catching Kennedy in a conservative mood), to be ordered for

► **SUPREMES**, continued on page 11

► **Supremes**, cont. from page 10  
reargument after the composition of the Court changes, for a Republican to win the presidency, and for an anti-choice Justice to be nominated and confirmed prior to a successful reargument.

Speculation in the media regarding cases pending before SCOTUS has most often stated that when an eight-justice Court deadlocks, the decision of the lower court is affirmed, with the Supreme Court's decision having no precedential value. However, Tom Goldstein of SCOTUSblog discusses another option for the Court: *Reargument*. Many important cases have been reargued before a ruling was issued: *Citizens United*, *Roe v. Wade*, and *Brown v. the Board of Education*. Reargument can be ordered to examine new questions regarding a case, or when cases are deadlocked: this appears to have happened twice since Roberts has been chief justice, while Samuel Alito's appointment was pending. In cases where the lower courts have ruled differently on an issue, such as the upcoming group of cases challenging the contraception mandate of the Affordable Care Act (ACA), reargument offers a great prospect of a ultimately reaching a "single, clear" Supreme Court decision to guide the lower courts.

If *Stormans v. Wiesman* were to be heard and ordered for reargument, allowing a possibility of future victory, an additional benefit would be provided to Stormans: The continuation of the 9<sup>th</sup> Circuit's stay that protects Ralph's pharmacy and the two pharmacists joining in the case from enforcement of the regulations until SCOTUS resolves the case. Given the unlikelihood of a ninth justice being appointed quickly, due to obstructionists in the Republican Congress, this would protect them from the soul-crushing chore of providing birth control to women while the case languishes.

**Is emergency contraception really that bad, anyway?**

At the time the Ralph's boycott began, in early summer of 2006, the mistaken belief that Plan B could prevent implantation of a fertilized ovum was widely held, and served as the basis for claims that emergency contraception (EC) was "abortifacient." Since pregnancy is medically defined as beginning after implantation occurs and a female's body starts producing pregnancy hormones, even contraception methods that prevent implantation cannot be accurately described as abortifacient. And it's doubtful that implantation is prevented by any emergency contraception method other than an IUD, anyway. Back in 2006, it was hard to find information stating that the inhibition of implantation hadn't been proven to occur due to EC pills; it was necessary to root around in medical journals. In the intervening decade, however, more scientific evidence has emerged, and it is now widely believed that EC works primarily by suppressing ovulation, so that no ovum is released post-coitally to be at risk for unwelcome fertilization. Currently, the labels for the European versions of Plan B and ella do not reference a possible inhibition of implantation at all. Both levonorgestrel (marketed in the U.S. as Plan B) and ulipristal (ella) are manufactured in Europe by HRA Pharmaceuticals. HRA's labelling for levonorgestrel (brand name: Norlevo), states that "Norlevo prevents ovulation and fertilisation." Its labelling for ulipristal or "ellaOne" states that "ellaOne works by postponing ovulation."

Since the lawsuit began in 2007, the National Institutes of Health (NIH) and the Mayo Clinic have changed the information on their websites regarding the mode of action of EC, saying that "Emergency contraception most likely prevents pregnancy in the same way as regular birth control pills: By preventing or delaying the release of an egg from a woman's ovaries [or] by preventing the sperm from fertilizing the egg" (NIH) and "Recent evidence strongly suggests that levonorgestrel doesn't keep a fertilized

egg from implanting" (Mayo Clinic). The FDA and Teva pharmaceuticals have not yet changed their labelling.

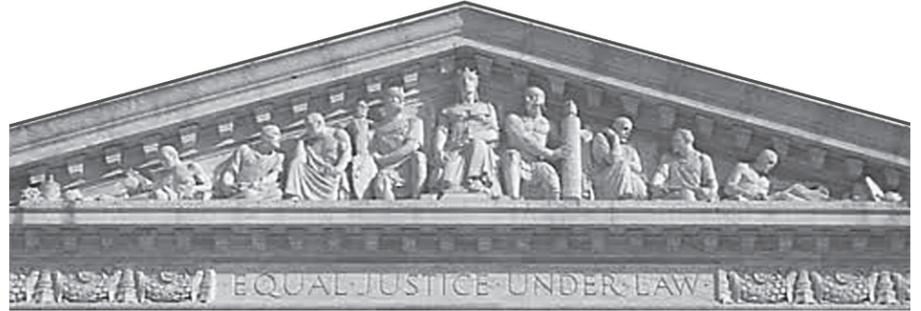
Anti-choicers have really taken the possibility of EC interfering with implantation and run with it: it was the basis for Hobby Lobby's objections to complying with the ACA's contraception mandate, and is claimed by a number of organizations that are currently challenging the ACA in the judicial system. Just think, if the FDA and Teva Pharmaceuticals had provided up-to-date information in their labelling of EC a few years ago, like everyone else does, the Supreme Court wouldn't have had the occasion to rule that corporations have religious rights in the Hobby Lobby case. Insurance would cover birth control and the children could go to school! It is unclear why the FDA and Teva are so reluctant to change their labelling, but both affirmed recently that they have no plans to join the scientific consensus any time soon. Michelle Larkin of Teva stated "Teva cannot comment on the potential for future regulatory actions but continues to monitor the effectiveness and safety profile of drugs we produce. "Andrea Fischer of the FDA stated that "The FDA continues to monitor and review available scientific data information on levonorgestral emergency contraception as it becomes available and will communicate to the public as needed." The time is now, Andrea; the public needs accurate information quickly before more rights are disproportionately afforded on the basis of "religious freedom" claims that really just amount to avoiding state and federal statutes and trying to control other people's behavior.

**Should you shop at Ralph's and Bayview?**

Ralph's and Bayview's owners care so much about denying woman birth control, they are willing to take it to the Supreme Court. When the Ralph's boycott began, one of our aims was to put consumer pressure on Ralph's, to encourage the pharmacy to change its policy regarding emergency contraception. It quickly became obvious that regardless of how strongly the will of the community was expressed, the owners of Ralph's didn't care. They are more concerned with the potential loss of a fertilized ovum, which happens regularly due to natural causes but has likely never happened due to EC, than they are with their pharmacy customers.

Women seeking EC may be in desperate straits; emergency contraception is often used by women who have been raped, who are victims of domestic violence, or who are in difficult financial circumstances which would make pregnancy a severe hardship. The Stormans are so cocooned by their bourgeois privilege, that they can blithely state (as their attorneys did in numerous legal documents), that there are 30 pharmacies within five miles of Ralph's where women can buy contraception. Clearly, they assume that everyone can jump in their car and drive to Haggen, and if Haggen is out of stock to Walgreen's in Lacey or Safeway in Tumwater. As far as they know, no one in Olympia ever has to walk, or lacks for bus fare, or has to hurry up and get to their job, or get to their second job. Of course, the barriers which confront pharmacy customers often affect grocery customers, as well, making it logistically challenging for some downtown and Eastside residents to shop elsewhere. But if you have a choice, don't forget: Ralph's doesn't want you to.

*Janet Blanding has been writing about the Ralph's boycott and subsequent lawsuit since 2006, when her Plan B prescription could not be filled there. After a year-long investigation, the Board of Pharmacy dismissed her complaint without action against Ralph's.*



# SCOTUS by the numbers

1. Number of appeals submitted to the Supreme Court in a typical year	7,000-8,000
2. Number of petitions granted review with oral argument	Approximately 80
3. Percentage of In Forma Pauperis (IFP) petitions granted (where the fees are waived because the petitioner is indigent)	.01%
4. Percentage of paid petitions granted review	5.46%
5. Circuit court whose decisions were overturned most frequently on review during the 2014-2015 term	9th
6. Percentages of cases from the 9 <sup>th</sup> circuit that were overturned	100%
7. Percentage of justices who were Catholic men on January 4, 2016, the day the appeal of <i>Stormans v. Wiesman</i> was filed	56%
8. Percentage of justices who are Catholic men today	50%
9. Percentage of justices who attended Harvard or Yale Law School	100%
10. Percentage of justices nominated by a Republican	50%
11. By a Bush	50%
12. Estimated cost of submitting a petition for a writ of certiorari (appeal to the Supreme Court)	\$100,000-\$250,000
13. Estimated cost of pursuing a case when SCOTUS grants review <sup>1</sup>	\$250,000 to millions
14. Number of cases decided 5 to 4 in 2014-2015	19
15. Percentage of those cases where Anthony Kennedy was the swing vote	13
16. Number of amici curiae (friend of the court) briefs submitted to the Supreme Court in the matter of <i>Stormans v. Wiesman</i> , supporting the Storman petition for review	14
17. Number of amici curiae that mistakenly assert Washington pharmacy regulations apply to pharmacists, rather than pharmacies	12
18. Number of days from first picket at Ralph's to the day Stormans filed an appeal to the Supreme Court	3488
19. Wordcount in Stormans' petition for writ of certiorari	9022
20. Number of words the Supreme Court guidelines allow	9000

Sources: [Supremecourt.gov](http://Supremecourt.gov); [Cockle Bur Blog](http://Cockle Bur Blog); [Scotusblog.com](http://Scotusblog.com); [Factmonster.com](http://Factmonster.com); National Public Radio, Marketplace, March 25, 2013; SCOTUSblog Stat Pack, June 30, 2015; Amici curiae posted on [becketfund.org](http://becketfund.org); National and State Pharmacists' Associations

► **Highlights**, cont. from page 10

religious objectors." **Agudath Israel**

"The district court noted that even while the State was pursuing enforcement action against Ralph's, no Catholic-affiliated pharmacy in the state has ever been investigated for substantially the same conduct. The Ninth Circuit blithely dismissed this concern, stating that the 'Commission did not investigate alleged non-compliance among Catholic pharmacies for the simple reason that the Commission received no complaints against those pharmacies.'" **Agudath Israel**

"Plan B and ella, have the capacity to end the life of a new human being." **Pro-life Obstetricians & Gynecologists et al**

"In fact, ella's deadliness is confirmed by its high rate of "effectiveness." **Pro-life Obstetricians & Gynecologists et al**

"Much of the American elite could envision nothing worse than living in a nation where Christians enjoyed any degree of political power, for fear it would impinge their lifestyle choices." **Public Advocate**

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# SOLIDARITY NOT CHARITY: AN EGYHOP DOCUMENTARY AND PANEL DISCUSSION

Thursday, March 10 | 7:30 - 8:45 p.m.

### For Adults

A documentary (short) screening and panel discussion about EGYHOP and their unapologetic punk rock approach to harm reduction, street therapy, and the unification of Olympia's marginalized through direct action. EGYHOP is a grassroots, all volunteer-run organization that provides emergency supplies, services, and resources to the homeless and low-income populations living on the streets of Olympia, Washington.



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